



**DEMOLITION CONTROL
DELEGATED AUTHORITY REPORT
GENERAL MANAGER, DEVELOPMENT REVIEW
PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Location: 20 and 22 Hawthorne Avenue

File No.: D07-05-19-0001

Date of Application: May 30, 2019

This DEMOLITION CONTROL application submitted by CM3 Environmental Inc. is APPROVED subject to the following conditions:

1. Collectors Role

That a replacement building be substantially completed with five years from the date of this approval and in default thereof, the City Clerk shall enter on the collector's roll the sum of \$5,000.00 for each of the two residential dwelling units to be demolished.

2. Interim Treatment

That until the time of the construction of the first replacement building, other than where the sales centre and any associated parking are provided, the registered Owner shall landscape and fence the property to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development Department and as illustrated in the attached Document 1 – Demolition Control Plan. The registered Owner shall prohibit the use of the property for other interim uses and maintain the property in accordance with the Property Standards By-law.

3. Agreement

The registered Owner shall enter into an Agreement with the City of Ottawa to include the foregoing conditions and pay all costs associated with the registration of the said Agreement. At such time as a building permit is issued to redevelop the site and the replacement building is in place, the Agreement will become null and void and will be released upon request by the owner. The owner shall pay all costs associated with the registration of the release from this Agreement.

4. Execution

That the approval be considered null and void if the Agreement is not executed by May 1, 2020.

5. Soil Management

The Owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction debris will be removed. If through further testing any of these materials are found to be

contaminated, the Owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks.

6. Groundwater Management

The Owner acknowledges and agrees to retain an environmental consultant to test groundwater to be removed from the site during and after redevelopment. If through further testing the groundwater samples are found to be contaminated, all contaminated groundwater must be removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-Law, being By-law No. 2003-514, as amended.

7. Environmental Site Remediation Program

The Owner acknowledges and agrees to implement an environmental site remediation program, as per the recommendations of the Initial Remedial Excavation – Hybrid Approach, prepared by CM3 Environmental, dated September 15, 2017 and Oil Spill Delineation, prepared by CM3 Environmental, dated May 12, 2017. The Owner acknowledges and agrees that:

- a. soils that are found to be contaminated, must be disposed, treated or recycled at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks;
- b. groundwater found to be contaminated, shall be removed, managed and/or treated in accordance with the appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-law, being By-law 2003-514, as amended.

Nov 5 / 19

Date



Stephen Willis
General Manager
Planning, Infrastructure and Economic
Development Department



DEMOLITION CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

SITE LOCATION

20 and 22 Hawthorne Avenue, D07-05-19-0001

SYNOPSIS OF APPLICATION

The site is located in the Old Ottawa East neighbourhood, on the south side of Hawthorne Avenue between Colonel By Drive and Main Street. The site is currently occupied by a two-storey semi-detached dwelling at 20 and 22 Hawthorne Ave. To the north, the site abuts the Hawthorne Ave ROW, beyond which is a two-storey, four-unit townhouse dwelling and a one storey automobile body shop. To the east, the site abuts a two-storey detached dwelling. To the south, the site abuts a two-storey detached dwelling. To the west the site abuts a two-storey four-unit townhouse dwelling.

An associated Demolition Control application has been filed for the property directly to the east of the subject site, at 24 Hawthorne Ave (File No. D07-05-19-0003). On 24 Hawthorne there is a single detached dwelling proposed to be demolished as well. The owner for this site will be required to enter into a separate Demolition Agreement.

The proposal is to demolish a two-storey semi-detached dwelling and a detached dwelling for the purpose of remediating the properties. There was a fuel oil release on the 22 Hawthorne property in November 2016 and contamination has been found at 20 & 22 Hawthorne Avenue and 24 Hawthorne Avenue. In order to prevent further contamination from spreading and in order to clean and remediate the site, demolition of the existing buildings is required.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The timeframe provided for reconstruction has been included to ensure that redevelopment of the property occurs within a reasonable timeframe and applies a penalty if the redevelopment has not occurred.
- Recommendation two will provide the authority for ensuring the site is in an acceptable, orderly and clean condition after demolition and until redevelopment.
- Recommendation three will ensure that the applicant is required to carry out the

works identified.

- Recommendation four provides a timeline for finalizing the approval.
- Recommendations five, six and seven will ensure the applicant deals with the contamination onsite according to City of Ottawa standards.

CONSULTATION DETAILS

Councillor Shawn Menard – Capital Ward has concurred with the proposed conditions of approval.

Public Comments

This application was subject to the Public Notification and Consultation Policy. Four members of the public provided comments. Below their concerns are summarized and a response to their concerns is provided:

Comment: There is concern that the demolition will affect the neighbouring property owner's ability to access their own properties

Response: The applicant is not permitted to block access to the neighbouring properties. Should this take place, neighbouring property owners can call x311 to respect that a City Building Inspector come on site to assess the situation. The applicant has identified that there is no intention to restrict the access to the adjacent properties from Hawthorne Avenue.

Comment: There is concern that the demolition will allow for both 20 & 22 Hawthorne and 24 Hawthorne Ave to be consolidated as one lot and create opportunity for a large building.

Response: The two lots are currently owned by two separate property owners. The owner for 24 Hawthorne has an active Site Plan Control application to redevelop this lot independent of 20 and 22 Hawthorne Avenue. The City is not aware of any intention to consolidate the lots for a larger development. The applicant, CM3, has also identified that there is no intention of merging the two lots.

Comment: There is concern that there is no replacement building yet proposed for 20 & 22 Hawthorne Ave.

Response: The purpose of the Demolition Control application is to permit the owners to clean up the property to standards established by the Ontario Ministry of Environment, Conservation and Parks. As per the conditions of approval, a separate Site Control Plan application will be required to be submitted within five years of this demolition to encourage redevelopment onsite.

Comment: There is concern that the buildings have heritage value.

Response: On August 27, 2019, the building at 20 and 22 Hawthorne was removed from the City's heritage register list following the required 60 day notice for the Notice of Intention to Demolish. Heritage staff removed the building from the list as they are of the opinion that the building does not meet the criteria for designation under Part IV of the Ontario Heritage Act. The building at 24 Hawthorne is not on the City's heritage register list nor is it a designated heritage building.

APPLICATION PROCESS TIMELINE STATUS

This Demolition Control application was processed by the On Time Decision Date established for the processing of an application under Delegated Authority (General Manager.)

Contact: Ann O'Connor Tel: 613-580-2424, extension 12658, fax 613-580-2576
or e-mail: ann.oconnor@ottawa.ca

Document 1 - Demolition Control Plan for 20 & 22 Hawthorne Ave

