



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

Site Location: 344 Wellington Street

File No.: D07-12-19-0162

Date of Application: September 25, 2019

This SITE PLAN CONTROL application submitted by Regenerate 344 (Moriyama & Teshima Architects and Kasian Architecture in Joint Venture) on behalf of Government of Canada (PSPC), is APPROVED as shown on the following plan(s):

1. **Site Plan, Dwg. A011**, prepared by Regenerate 344, creation date September 5, 2019, Revision 8, dated January 20 ,2020.
2. **Site Servicing Plan, Dwg. C-001**, prepared by MH, creation date September 5, 2019, Revision 5, dated March 18 ,2020.
3. **Details Plan, Dwg. C-002**, prepared by MH, creation date January 20, 2020, Revision 2, dated February 19 ,2020.
4. **Details Plan, Dwg. C-003**, prepared by MH, Revision 1, dated January 20 ,2020.
5. **Details Plan, Dwg. C-004**, prepared by MH, creation date January 20 ,2020, Revision 2 dated February 19 ,2020.
6. **Grading Plan, Dwg. C-005**, prepared by MH, creation date September 5, 2019, Revision 3, dated February 19 ,2020.
7. **Erosion and Sediment Control Plan, Dwg. C-006**, creation date September 5, 2019, Revision 3, dated February 19 ,2020.
8. **Existing Catchments, Dwg. C-100**, prepared by MH, Revision 1, dated February 19 ,2020.
9. **Proposed Catchments, Dwg. C-101**, prepared by MH, Revision 1, dated February 19 ,2020.

10. **Tree Conservation Plan, Dwg. L1-01**, creation date September 5, 2019, Revision 3, prepared by Regenerate 344, dated February 19 ,2020.
11. **Landscape Layout Plan, Dwg. L2-01**, creation date September 5, 2019, Revision 4, prepared by Regenerate 344, dated March 2 ,2020.
12. **Planting Plan, Dwg. L3-01**, creation date September 5, 2019, Revision 4, prepared by Regenerate 344, dated March 2 ,2020.
13. **Landscape Details Plan, Dwg. L4-01**, creation date September 5, 2019, Revision 3, prepared by Regenerate 344, dated February 19 ,2020.
14. **Landscape Details Plan, Dwg. L4-02**, creation date September 5, 2019, Revision 3, prepared by Regenerate 344, dated February 19 ,2020.

And as detailed in the following report(s):

1. **Phase III ESA**, prepared by Stantec, dated March 31, 2016.
2. **Servicing Brief** prepared by MH dated January 20,2020.

And subject to the following Standard and Special Conditions:

Standard Conditions

1. **Memorandum of Understanding**
The Owner shall enter into a Memorandum of Understanding with the City of Ottawa consisting of the following conditions. In the event the Owner fails to enter into a Memorandum of Understanding within one year, this approval shall lapse.
2. **Permits**
The Owner shall obtain such permits as may be required from Municipal or Provincial authorities and shall file copies thereof with the General Manager, Planning, Infrastructure and Economic Development Department.
3. **Construction of Internal Walkways**
The Owner acknowledges and agrees to extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the Owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.
4. **Barrier Curbs**
The Owner agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with a design professional and such drawing to be approved by the General Manager, Planning, Infrastructure and Economic Development Department.

5. Water Supply for Fire Fighting

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

6. Construct Sidewalks

The Owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Infrastructure and Economic Development Department. Such sidewalk(s) shall be constructed to City Standards.

7. Reinstatement of City Property

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

8. Construction Fencing

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

9. Completion of Works

The Owner Acknowledges and Agrees that no building will be occupied on the lands, nor will the Owner convey title to any building until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development Department, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Provided that notwithstanding the non-completion of the foregoing Works, conveyance and/or occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development Department, the aforesaid Works are proceeding satisfactorily toward completion. The consent of the General Manager, Planning, Infrastructure and Economic Development Department for such conveyance and/or occupancy shall be obtained in writing by the Owner.

10. Snow Storage

Any portion of the lands which is intended to be used for snow storage shall be shown on the approved Site Plan or as otherwise approved by the General Manager, Planning, Infrastructure and Economic Development Department. The grading and drainage patterns and/or servicing of the site shall not be compromised by the storage of snow. Snow storage areas shall be setback from

property lines, foundations, fencing or landscaping a minimum of 1.5 metres. Snow storage areas shall not occupy driveways, aisles, required parking spaces or any portion of a road allowance.

11. Exterior Lighting

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

Special Conditions

1. Asphalt Overlay

Due to the number of road cut permits required to service this development, the Owner shall install an asphalt overlay over the total area of the public driving surface of Sparks Street, fronting the subject lands, as per the approved **Site Servicing Plan, Dwg. C-001**, prepared by MH, creation date September 5, 2019, Revision 5, dated March 18, 2020, referenced in Schedule "E" hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and the recently updated Road Activity By-Law 2003-445. The Owner acknowledges and agrees that all costs are to be borne by the Owner.

2. Protection of City Sewers

- a) Prior to the issuance of a building permit, the Owner shall, at its expense:
 - i) obtain a legal survey acceptable to the General Manager, Planning, Infrastructure and Economic Development Department and the City's Surveyor, showing the existing City Sewer System within Bay, Spark and Lyon Streets and the location of the existing building and its footings in relation to the City Sewer System;
 - ii) obtain a video inspection of the City Sewer System within Bay, Spark and Lyon Streets prior to any construction to determine the condition of the existing City Sewer System prior to construction on the lands and to provide said video inspection to the General Manager, Planning, Infrastructure and Economic Development Department.
- b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department:
 - i) obtain a video inspection of the existing City Sewer System within Bay, Spark and Lyon Streets to determine if the City Sewer System sustained any damages as a result of construction on the lands; and

- ii) assume all liability for any damages caused to the City Sewer System within Bay, Spark and Lyon Streets and compensate the City for the full amount of any required repairs to the City Sewer System.

3. Requirement for Oil and Grit Separator

The Owner shall, in accordance with the City's Sewer Use By-law, being By-law No. 2003-514, as amended, install an oil and grit separator to the system within the sheltered loading dock area.

4. Soil Management

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

5. 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.

6. Street Name and Signs

- a) The Owner acknowledges and agrees it shall provide for, install and maintain, at its own expense, all regulatory traffic signage, in accordance with the City's Municipal Addressing By-law 2014-78, as amended, for any private road within the area controlled by this Agreement and as shown on the approved **Site Plan, Dwg. A011**, prepared by Regenerate 344, creation date September 5, 2019, Revision 8, dated January 20, 2020, referenced in Schedule "E" herein.
- b) The Owner acknowledges and agrees it shall provide for, install and maintain, at its own expense, all temporary street name signs, in accordance with the City's Municipal Addressing By-law 2014-78, as amended, for any private road within the area controlled by this Agreement and the approved **Site Plan, Dwg. A011**, prepared by Regenerate 344, creation date September 5, 2019, Revision 8, dated January 20, 2020, referenced in Schedule "E" herein.
- c) The Owner acknowledges and agrees it shall, at its own expense, make arrangements for the City to provide, install, and maintain all permanent street name signs, in accordance with the City's Municipal Addressing By-law 2014-78, as amended, and to City Specifications or Standards.

7. Installation of Signs on Private Property

The Owner acknowledges and agrees that, prior to installation of any signage on the lands, it shall obtain approval from the Chief Building Official, Building Code Services, and the General Manager, Planning, Infrastructure and Economic Development Department, which signage shall be in accordance with the City's Permanent Signs on Private Property By-law No. 2005-439, as amended.

8. Maintenance and Liability Agreement

The Owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for all proposed items, including but not limited to, the accessible ramp on and entrance on Lyon Street, plant and landscaping material (except municipal trees), decorative paving, retaining walls, fixtures, bike repair station, water fountains, security bollards, and street furnishings placed in the City's right-of-way along Bay, Spark and Lyon Streets in accordance with City Specifications. The Owner shall assume all maintenance and replacement responsibilities in perpetuity.

9. License of Occupation

The Owner acknowledges and agrees it shall be required to obtain a License of Occupancy from the City along with monetary compensation for the exclusive use of on-street parking spaces in the City's right-of-way along Sparks Street.

10. Road Modification

The Owner acknowledges and agrees that the design and construction of the proposed road modifications will be at its expense. The Owner further acknowledges and agrees it shall be required to enter into a Road Modification Agreement with the City for the road alterations proposed on Sparks Street.

11. Stormwater Management Memorandum

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department, with a memorandum prepared by a Professional Engineer, licensed in the Province of Ontario, confirming that the designed roof-top scuppers and associated spill point elevations will be set equivalent to the top of the control weir of the approved roof drain elevation(s). The Owner further acknowledges and agrees that said memorandum shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department, and all associated costs shall be the Owner's responsibility.

12. Professional Engineering Inspection

The Owner shall have competent Professional Engineering inspection personnel on-site during the period of construction, to supervise the Works, and the General Manager, Planning, Infrastructure and Economic Development Department, shall have the right at all times to inspect the installation of the Works. The Owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development Department, that such personnel are not on-site or are incompetent

in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Infrastructure and Economic Development Department, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

13. **Stormwater Works Certificate**

Upon completion of all stormwater management Works, the Owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved **Site Servicing Plan, Dwg. C-001**, prepared by MH, creation date September 5, 2019, Revision 5, dated March 18 ,2020, **Details Plan, Dwg. C-002**, prepared by MH, creation date January 20, 2020, Revision 2, dated February 19 ,2020, **Details Plan, Dwg. C-004**, prepared by MH, creation date January 20 ,2020, Revision 2 dated February 19 ,2020 and **Servicing Brief** prepared by MH dated January 20,2020, referenced in Schedule “E” herein. The Owner further acknowledges and agrees to provide the General Manager, Planning, Infrastructure and Economic Development Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved **Site Servicing Plan, Dwg. C-001**, prepared by MH, creation date September 5, 2019, Revision 5, dated March 18 ,2020, **Details Plan, Dwg. C-002**, prepared by MH, creation date January 20, 2020, Revision 2, dated February 19 ,2020, **Details Plan, Dwg. C-004**, prepared by MH, creation date January 20 ,2020, Revision 2 dated February 19 ,2020 and **Servicing Brief** prepared by MH dated January 20,2020, referenced in Schedule “E” herein.

14. **Site Dewatering**

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

15. **Letter of Tolerance**

The Owner shall, within two (2) weeks of Site Plan Control Approval, file with the General Manager, Planning, Infrastructure and Economic Development Department a copy of the letter of tolerance issued by the Bylaws, Permits & Inspection Unit for the encroachment of the access ramp to be constructed within the City’s Lyon Street right-of-way, as shown on the approved **Landscape Layout Plan, Dwg. L2-01**, creation date September 5, 2019, Revision 4, prepared by Regenerate 344, dated March 2 ,2020, referenced in Schedule “E” herein.

16. **Pre and Post Construction Surveys**

The Owner acknowledges and agrees that all shoring/sheet piling/bracing and excavation activities, including hoe ramming (including Ground Borne Vibration and Noise from Hoe Rams or Rock Drills), will conform to the requirements of O.Reg.213/91- Construction Projects, Part III – Excavations, O.H.S.A., M.O.L. - Excavation Hazards, O.B.C., City of Ottawa Environmental Noise Control Guidelines and Ottawa Noise By-law No.2017-255, all as amended. Prior to any of the aforementioned activities, pre and post construction surveys shall be prepared, at the Owner's expense, for all buildings, utilities, structure, infrastructure, water plant and facilities likely to be affected by these activities, in particular, those adjacent to the site location. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection and documentation of existing baseline structural conditions.

- b) The pre and post construction survey shall include, as a minimum, the following information:
 - i. identification and description of existing differential settlements, including visible cracks in walls, floors, and ceiling, including a diagram, if applicable, room-by-room. All other apparent structural and cosmetic damage or defect must be noted. Defects shall be described, including dimensions, wherever possible; and
 - ii. photographs or video as necessary for recording areas of significant concern.
- c) The Owner acknowledges and agrees to arrange visits by the structural engineer referred to in paragraph (a) herein every ten (10) working days during excavation and construction, to monitor any change from the baseline established in the above-mentioned pre-construction survey.
- d) The Owner shall provide five full days written notice to the owners and residents captured in the study area, prior to commencing any construction and, if requested, the Owner shall cause its representatives to meet with said owners and residents within the five-day period.

June 2, 2020

Date



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

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-19-0162

SITE LOCATION

344 Wellington Street.

SYNOPSIS OF APPLICATION

The subject site is located in the Central Area, southwest of the intersection of Wellington Street and Lyon Street. It covers the block encompassed by Wellington Street, Lyon Street, Bay Street, and Sparks Street. The rectangular site has 110 meters of frontage, 61.26 meters of depth and a total lot area of 6,738 square meters.

The site is near Confederation Boulevard and is surrounded by similar federal buildings with heritage context. The existing building is a 'Classified' Federal Heritage Building and part of an ensemble with the East Memorial Building and connecting Memorial Colonnade. The remainder of the surrounding context is filled by high-rise developments, such as high-rise condominiums or offices. A variety of commercial uses are also found near the subject site.

The proposal seeks to rehabilitate the existing 7-storey West Memorial Building for purposes of short-term occupancy (5 years) by the Supreme Court of Canada. After 5 years, the building will be re-fitted into a long-term occupancy federal government office.

The proposed development will include additions of accessible ramps/entrance, changes to landscaping, security bollards, and exclusive-use street parking. The proposal retains the existing 56 parking spaces and introduces new bicycle parking facilities to the site. A loading entrance exists to the east of Bay Street.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The property is designated General Urban Area in the Official Plan. This designation permits the development of a full range and choice of housing types to meet the needs of all ages, incomes and life circumstances, in combination with conveniently located employment, retail, service, cultural, leisure, entertainment and institutional uses.

- The site is located in the Mature Neighbourhood Overlay and zoned MD S11 Mixed-Use Downtown Zone Schedule 11, which zone allows for employment use.
- The proposed development is in compliance with all performance standards of the MD S11 zone and all provisions of the Mature Neighbourhood Overlay.
- The proposed development reflects good planning principles.

URBAN DESIGN REVIEW PANEL

The subject property is located within a Design Priority Area. As the proposed rehabilitation works will be internal, Staff did not require the applicant to present the revised proposal to the Urban Design Review Panel (UDRP).

CONSULTATION DETAILS

This application was not subject to public consultation.

Technical Agency/Public Body Comments

Transportation and Parking Staff indicated the need for a Road Modification Agreement, License of Occupation Agreement, and Maintenance and Liability Agreement to be entered into. A Memorandum of Understanding between the City and Public Works and Procurement Services Canada will ensure these processes will take place following site plan approval. This is meant to capture changes in the right-of-way and the exclusive use of parking.

Advisory Committee Comments

No concerns were raised by any advisory committee.

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On-Time Decision Date established for the processing of an application that has Manager Delegated Authority due to workload and shortage of staff.

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