



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

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Site Location: 35 & 37 William Street, and part of 62 York

File No.: D07-12-20-0006

Date of Application: January 28, 2020

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This SITE PLAN CONTROL application submitted by Holzman Consultants Inc., on behalf of 2361212 Ontario Ltd., is APPROVED as shown on the following plan(s):

1. **Site Plan:** A010, prepared by KWC Architects Inc., revision 1 dated October 26, 2020,
2. **Building Elevations:** A012, prepared by KWC Architects Inc., revision 2 dated October 26, 2020,
3. **Grading, Site Servicing, Lot Grading, Sediment & Erosion Control Plan,** Dwg C101, prepared by McIntosh Perry Consulting Engineers Ltd., revision 7 dated Feb 26, 2021.

And as detailed in the following report(s):

1. **Geotechnical Desktop Review**, dated August 12, 201 and **Eng. Memo** PG5042-MEMO.02, dated May 1, 2020, both prepared by Paterson Group Inc.,
2. **Phase I Environmental Site Assessment**, dated November 29, 2019 and **Eng. Letter** PG4720-LET.01R dated June 10, 2020, both prepared by Paterson Group Inc.,
3. **Phase II Environmental Site Assessment**, dated December 3, 2019 and **Eng. Letter** PG4720-LET.01R dated June 10, 2020, both prepared by Paterson Group Inc.,
4. **Noise Brief**, prepared by Gradient Wind Engineering Inc., dated January 23, 2020,
5. **Site Servicing & Stormwater Management Report**, prepared by McIntosh Perry Consulting Engineers Ltd., dated May 6, 2020, Revision 2 dated November 17, 2020.
6. **Cultural Heritage Impact Statement**, prepared by Robertson Martin Architects, report no. 19136, dated January 23, 2020.
7. **Scoped Environmental Impact Statement**, prepared by Holly J. Bickerton, letter dated 6 December, 2019.

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

## **Requirements**

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.
2. Agreement to apply 40 mm asphalt overlay to service areas of this SPC application concurrently with asphalt overlay resurfacing for 41 William Street as per Road Cut Application (ROW).

## **General Conditions**

### **Site Plan Control Agreement**

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

### **Development Charges – Instalment Option**

2. The Owner acknowledges that for building permits issued after January 15, 2010, payment of non-residential development charges, excluding development charges for institutional developments, may be calculated in two (2) installments at the option of the Owner, such option to be exercised by the Owner at the time of the application for the building permit. The non-discounted portion of the development charge shall be paid at the time of issuance of the building permit and the discounted portion of the development charge shall be payable a maximum of two (2) years from the date of issuance of the initial building permit subject to the following conditions:
  - i. a written acknowledgement from the Owner of the obligation to pay the discounted portion of the development charges;
  - ii. no reduction in the Letter of Credit below the amount of the outstanding discounted development charges; and
  - iii. indexing of the development charges in accordance with the provisions of the City's Development Charges By-law, as amended.
3. The Owner further acknowledges and agrees that Council may terminate the eligibility for this two (2) stage payment at any time without notice, including for the lands subject to this Agreement and including for a building permit for which an application has been filed but not yet issued.
4. For the purposes of this provision,

- i. "discounted portion" means the costs of eligible services, except fire, police and engineered services, that are subject to 90% cost recovery of growth-related net capital costs for purposes of funding from development charges. The 10% discounted portion, for applicable services, must be financed from non-development charge revenue sources.
- ii. "non-discounted portion" means the costs of eligible services, fire, police and engineered services, that are subject to 100% cost recovery of growth-related net capital costs for purposes of funding from development charges.

### **Water Supply for Fire Fighting**

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

### **Reinstatement of City Property**

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

### **Completion of Works**

7. The Owner acknowledges and agrees that no new building will be occupied on the lands until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such occupancy in writing.

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, the Owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the Owner has complied with this provision.

Nothing in this clause shall be construed as prohibiting or preventing the approval of a consent for severance and conveyance for the purposes of obtaining financing.

### **Snow Storage**

8. 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.

### **Exterior Lighting**

9. 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**

#### **Asphalt Overlay**

1. Prior to registration of the Site Plan Agreement, the Owner shall enter into a resurfacing agreement for the installation of an asphalt overlay over the total area of the public driving surface of William Street. The entire overlay shall be shown on a plan and carried out in conjunction with the asphalt overlay for 41-41.5 William Street, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. The Owner acknowledges and agrees that all costs are to be borne by the Owner.

#### **Cash-in-Lieu of Parkland**

2. Prior to registration of the Site Plan Agreement, the Owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

#### **Severance**

3. Prior to the issuance of a building permit, the Owner agrees to provide proof that the severance is final and binding and that all conditions associated with this approval have been cleared.

#### **Feather Lane Encroachment Agreement**

4. Prior to the issuance of a building permit, the Owner agrees to provide proof that the Encroachment Agreement for the use of Feather Lane has been amended along with any applicable Joint Use and Maintenance Agreements.

### **Certification Letter for Noise Control Measures**

5. The Owner acknowledges and agrees that upon completion of the development and prior to occupancy and/or final building inspection, it shall retain a Professional Engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, to visit the lands, inspect the installed noise control measures and satisfy himself that the installed recommended interior noise control measures comply with the measures in the Noise Brief referenced in Schedule "E" hereto, as approved by the City and/or the approval agencies and authorities (The Ministry of the Environment, Conservation and Parks) or noise thresholds identified in the City's Environmental Noise Control Guidelines. The Professional Engineer shall prepare a letter to the General Manager, Planning, Infrastructure and Economic Development (the "Certification Letter") stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
6. The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of Ontario, and shall be signed by said Professional Engineer, and shall be based on the following matters:
  - i. Actual site visits, inspection, testing and actual sound level readings at the receptors;
  - ii. Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
  - iii. Non-conditional final approval for release for occupancy.
7. All of the information required in subsections (a) and (b) above shall be submitted to the General Manager, Planning, Infrastructure and Economic Development Department, and shall be to his satisfaction.

### **Notice on Title – Noise Control Attenuation Measures**

8. The Owner, or any subsequent owner of the whole or any part of the subject lands, acknowledges and agrees that all agreements of purchase and sale or lease agreements shall contain the following clauses, which shall be covenants running with the subject lands:

#### Type A – Increasing Roadway Traffic

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that noise levels due to increasing roadway/rail/air traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the

City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

#### Type B – Increasing Roadway Traffic

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that despite the inclusion of noise control features in this development and within building units, noise levels from increasing roadway/rail/air traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

#### Type C – Forced Air Heating System and Ducting

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the Purchaser/Lessee will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges and agrees it shall identify the location and install any outdoor air conditioning device(s) so as to comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216 entitled Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands."

#### Type D – Central Air Conditioning

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that this dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

#### Type E – Proximity to Adjacent Industry

"The Purchaser/Lessee for himself, his heirs, executors, administrators, successors and assigns acknowledges being advised that due to the proximity of the adjacent commercial buildings/facility/utility, sound levels from the commercial buildings/facility/utility may at times be audible."

## Ending Paragraph

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

### **Geotechnical Investigation**

9. The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation (Desktop) Report (the “Report”), and related Eng. Memo referenced in Schedule “E” herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development with confirmation issued by the geotechnical engineer that the Owner has complied with all recommendations and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

### **Geotechnical - Encroachments**

10. The geotechnical report has recommended a method of shoring that may encroach onto the adjacent property or onto the City right-of-way. Please note that the applicant is required to obtain the approval of the adjacent property Owner and/or receive municipal consent for any works within the right-of-way prior to the installation of any encroachments. For encroachments within the ROW the applicant shall ensure that there will be no conflicts between the proposed shoring method and the municipal services or utilities in the ROW.

### **Protection of City Sewers**

11. Prior to the issuance of a building permit, the Owner shall, at its expense:
  - a. provide the General Manager, Planning, Infrastructure and Economic Development Department with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the William Street frontage (the “City Sewer System”) and the impact of the existing City Sewer System on the building's footing and foundation walls.
  - b. 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 William Street and between George and York Streets and the location of the proposed building and its footings in relation to the City Sewer System;
  - c. obtain a video inspection of the City Sewer System within William Street between George and York 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.

12. 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:
  - a. obtain a video inspection of the existing City Sewer System within William Street between George and York Streets to determine if the City Sewer System sustained any damages as a result of construction on the lands; and
  - b. assume all liability for any damages caused to the City Sewer System within William Street between George and York Streets and compensate the City for the full amount of any required repairs to the City Sewer System.

#### **Requirement for a Grease Trap**

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

#### **Pre and Post Construction Surveys**

14. Where blasting will not be utilized, the Owner acknowledges and agrees that all shoring/sheet piling/bracing and excavation activities, including hoe ramming (related to Ground Borne Vibration and Noise from Hoe Rams and/or Rock Drills etc.), 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.
15. The pre and post construction survey shall include, as a minimum, the following information:
  - a. 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
  - b. photographs or video as necessary for recording areas of significant concern.
16. 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.

17. 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.

#### **Record of Site Condition**

18. Prior to the issuance of a building permit, the Owner shall submit to the General Manager, Planning, Infrastructure and Economic Development, and the Chief Building Official a Record of Site Condition ("RSC") completed in accordance with the Environmental Protection Act, R.S.O. 1990, c. E.19, O.Reg. 153/04, as amended ("O.Reg. 153/04"), and shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site will be suitable for the proposed use in accordance with O.Reg. 153/04. The City may issue a building permit on a phased basis to allow for site investigation and remediation activities if permitted by O.Reg. 153/04. No further Works will be permitted until the RSC is submitted.

#### **Inlet Control Devices (ICDs)**

19. The Owner acknowledges and agrees to install and maintain in good working order the required roof-top inlet control devices, as recommended in the approved Site Servicing, Lot Grading, Drainage, Sediment and Erosion Control Plan, referenced in Schedule "E" herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

#### **Private Storm Sewer Connection to City Sewer System**

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

### **Stormwater Management Memorandum**

21. 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.

### **Professional Engineering Inspection**

22. 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.

### **Stormwater Works Certification**

23. 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, Lot Grading, Drainage, Sediment and Erosion Control Plan and Site Servicing and SWM Report, 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, Lot Grading, Drainage, Sediment and Erosion Control Plan and Site Servicing and SWM Report, referenced in Schedule "E" herein.

### **Site Dewatering**

24. 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.

### **Permanent Encroachment Agreement**

25. The Owner acknowledges and agrees to enter into a permanent Encroachment Agreement to permit the encroachment of the awnings to be constructed within the City's William Street right-of-way. The Owner shall, at its expense, provide a reference plan for registration, indicating the approved encroachments, and the

Owner shall submit the draft reference plan to the City's Surveyor for review and approval prior to its deposit in the Land Registry Office. The Owner further acknowledges and agrees that the cost of preparation and registration of the Encroachment Agreement will be borne by the Owner.

**Letter of Tolerance**

26. 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 awnings to be constructed within the City's William Street right-of-way, as shown on the approved Elevation Drawings, referenced in Schedule "E" herein.

April 6, 2021

\_\_\_\_\_  
Date



\_\_\_\_\_  
Douglas James  
Manager, Development Review, Central  
Planning, Infrastructure and Economic  
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



## SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

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**File Number:** D07-12-20-0006

### SITE LOCATION

35 and 37 William Street and 62 York Street, and as shown on Document 1.

### SYNOPSIS OF APPLICATION

The proposal is for a four-storey mixed-use building, containing approximately 2,060 square metres of ground floor and basement restaurant use and 16 dwelling units in the three above-grade floors. No vehicular parking is proposed and 17 bicycle parking spaces are proposed. Pedestrian access to the retail component is from William Street and pedestrian access to the residential component is from 87 George, a laneway abutting the site to the east. The third floor is setback approximately 5 metres from the front façade and fourth floor is setback approximately 6 metres from the front façade.

A Zoning By-law amendment (D02-02-20-0006) was approved by Council on December 9, 2020. The rezoning retained the "MD2" (Mixed-Use Downtown, Subzone 2) zone and added a site-specific exception and schedule. The amendment was requested to permit an increase in maximum permitted building height, a mechanical penthouse, an increase in the permitted width of ground floor uses and seek relief from two Heritage Overlay provisions. The property was rezoned from "MD2 S73" (Mixed-Use Downtown Zone, Subzone 2, Schedule 73) to "MD2[2671] S425" (Mixed-Use Downtown Zone, Subzone 2, Exception 2671, Schedule 425) in the City of Ottawa Zoning By-law.

The property at 35 and 37 William Street is designated under Part V of the Ontario Heritage Act and located in the ByWard Market Heritage Conservation District. The historic buildings were heavily damaged by fire in April 2019. Approval was granted through Application D09-04-20-0001 to repair the historic facades and construct a new four storey mixed use building to the rear.

The applicant also applied to the Committee of Adjustment for a Consent for Severance application to do a lot line adjustment that would serve to sever 62 York Street in order to amalgamate the rear portion of 62 York Street into the subject property. The Committee of Adjustment application also seeks to grant an easement in favor of the retained lands at 62 York Street to have access through the proposed building on the severed portion of 62 York Street and 35 William Street. The application is expected to be considered by Committee of Adjustment on March 18, 2020.

## **DECISION AND RATIONALE**

This application is approved for the following reasons:

- The application is consistent with the 'Central Area' designation of the Official Plan. The proposed development represents an opportunity to provide a mixed-use development in a pedestrian-oriented area.
- The proposal is consistent with the Central Area Secondary Policy Plan. The proposed development will contribute to one of the main pedestrian corridors in the Market, and will maintain the areas rich heritage.
- The proposed development is consistent with the intent of the Zoning By-law and meets all of the applicable performance standards of the zone, as approved by Council through Zoning Bylaw Amendment (D02-02-20-0006).
- The development complies with the relevant planning policy context and complies with the zoning bylaw. Accordingly, the development represents good land use planning.

## **URBAN DESIGN REVIEW PANEL**

The property is within a Design Priority Area; however, the proposal was exempt from the Urban Design Review Panel (UDRP) process because the proposal was four storeys. The proposal would have only been subject to the UDRP process if it was for a building that was greater than four storeys.

## **CONSULTATION DETAILS**

### **Councillor's Concurrence**

Councillor Mathieu Fleury was aware of the application related to this report. Councillor has concurred with the proposed conditions of approval.

### **Public Comments**

This application was subject to public circulation under the Public Notification and Consultation Policy. There were public comments received online and staff considered these comments.

#### Summary of public comments and responses

Comment: One resident was concerned with the height proposed and the precedent that this development might set in the By-Ward Market.

Response: Planning Services is satisfied that the proposed four-storey height with the associated stepbacks in massing is compatible with the surrounding context. There are transitions in massing to ensure a sensitive and compatible scale. The addition's third storey is setback approximately 5.0 metres from the front façade, and the fourth storey is

setback an additional 1.5 metres. There is also a mechanical penthouse, which is further setback 6.6 metres from the fourth storey William Street façade.

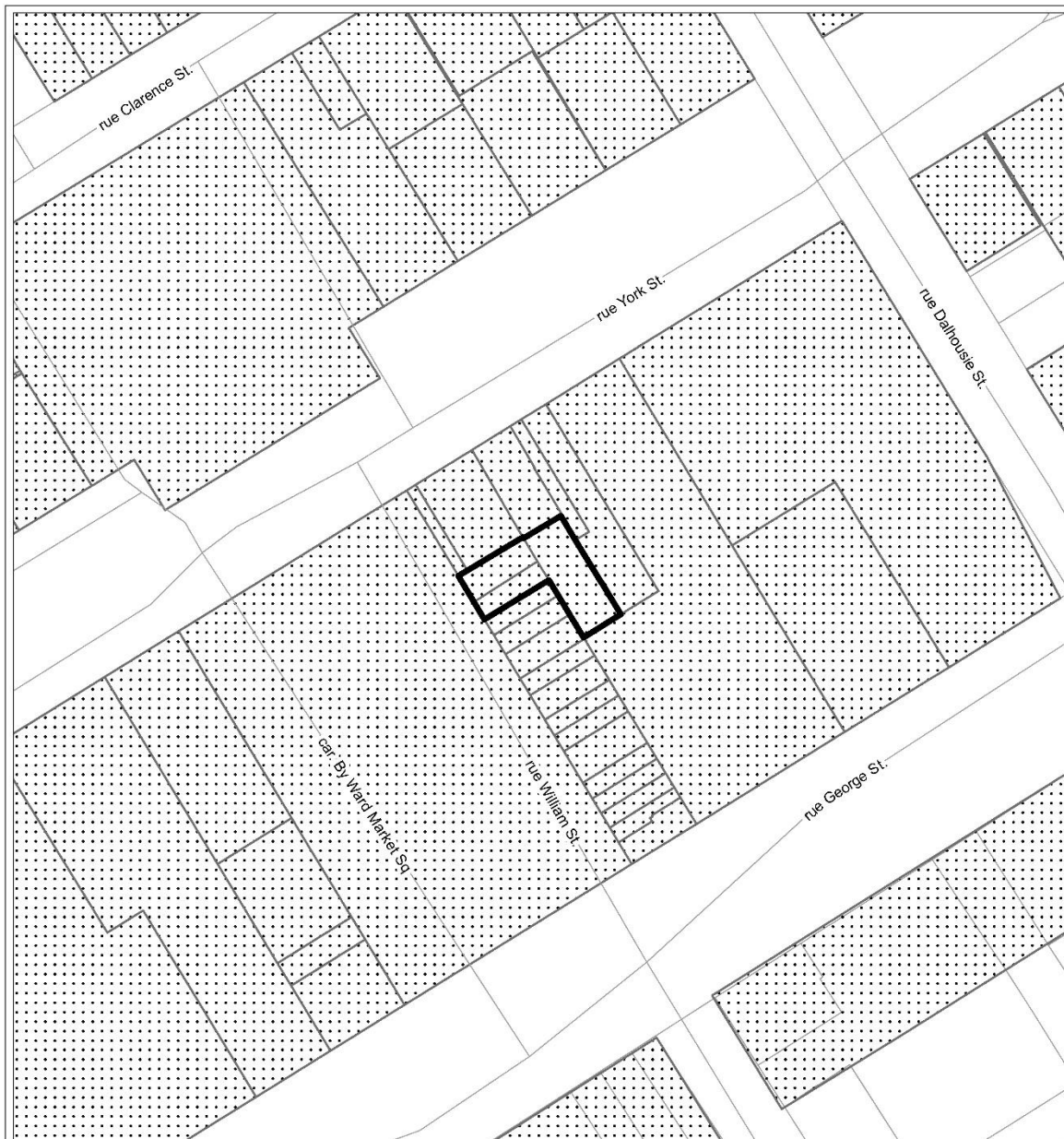
Based on the view analysis provided by the applicant, as well as other required plans and studies, staff concluded the proposed massing will not have an adverse impact on the character of the area and is compatible with the heritage character. The proposed zoning schedule will set out the required setbacks in massing as well as maximum permitted heights.

## **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 constraints.

**Contact:** John Bernier Tel: 613-580-2424, ext. 21576, fax 613-580-2576 or e-mail: [John.Bernier@ottawa.ca](mailto:John.Bernier@ottawa.ca)

# Document 1 – Location Map



D02-02-20-0006  
D07-12-20-0006

20-0107-B

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REVISION / RÉVISION - 2020 / 01 / 31

## LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE



**35, 37 rue William St.  
Part of / Partie de 62 rue York St.**



Heritage (Section 60)  
Patrimoine (Article 60)

Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) /  
Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)

