



**SITE PLAN CONTROL APPLICATION  
DELEGATED AUTHORITY REPORT  
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

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Site Location: 1592 Tenth Line Road

File No.: D07-12-21-0084

Date of Application: 16 June 2021

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This SITE PLAN CONTROL application submitted by Paul Robinson, P H Robinson Consulting, on behalf of Eric Brisson, Bridor Developments, is APPROVED as shown on the following plan(s):

1. **Site Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. SP-01, prepared by P2 Concepts Inc., dated Nov. 20, 2020, Revision 19, dated Oct. 24, 2024.
2. **Lower Level Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg A100, prepared by P2 Concepts Inc., dated Nov. 20, 2020, Revision 11, dated Mar. 06 2024.
3. **Tree Conservation Report and Landscape Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg L.1, prepared by James B. Lennox & Associates Inc., dated February 2021 Revision 16, dated 03/20/2024.
4. **Sediment and Erosion Control Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C100 prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.
5. **Site Grading Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C200, prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.
6. **Site Servicing Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C300, prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.
7. **Pre Development Drainage Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C400, prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.

8. **Post Development Drainage Plan, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C401, prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.
9. **Details, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. C500, prepared by Tatham Engineering, dated Nov. 2022, Revision 5, dated Mar. 2024.
10. **North and South Elevations, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. A200, prepared by P2 Concepts Inc., dated Nov. 20, 2020, Revision 9, dated Dec. 12, 2023.
11. **East and West Elevations, Bridor Developments, 1592 Tenth Line Road, Ottawa**, Dwg. A201, prepared by P2 Concepts Inc., dated Nov. 20, 2020, Revision 9, dated Dec. 12, 2023.

And as detailed in the following report(s):

1. **Phase One Environmental Site, 1592 Tenth Line Road, Orleans, Ontario**, prepared by AEL Environment, dated September 23, 2021.
2. **Geotechnical Investigation Report, Proposed Multi-Storey Buildings, 1592 Tenth Line Road, Ottawa, Ontario**, Report No. PG5632-1, prepared by Paterson Group, dated December 18, 2023, Revision 3.
3. **Geotechnical Responses to City Comments, Proposed Development, 1592 Tenth Line Road, Ottawa**, Memorandum, File No. PG5632-MEMO.02, dated December 18, 2023.
4. **Site Servicing and Stormwater Management Plan, 1592 Tenth Line Road, City of Ottawa**, Report No. 522677, prepared by Tatham Engineering, dated December 5, 2023.
5. **MEMO Grading & Servicing Plan Review Proposed Development, 1592 Tenth Line Road, Ottawa**, Memorandum, File No. PG5632-MEMO.03, dated December 18, 2023.
6. **Noise Impact Study, Bridor Developments – 1592 Tenth Line Apartment**, prepared by State of The Art Acoustik Inc., dated 2022-07-08.

And subject to the following General and Special Conditions:

## **GENERAL CONDITIONS**

### **1. Barrier Curbs**

The Owner acknowledges and agrees that the parking areas and entrances shall have barrier curbs and shall be constructed in accordance with the drawings of a design professional, such drawings to be approved by the General Manager, Planning, Development and Building Services.

2. **Water Supply for Fire Fighting**

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.

3. **Reinstatement of City Property**

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

4. **Construction Fencing**

The Owner acknowledges and agrees to install construction fencing, at its expense, in such a location as may be determined by the General Manager, Planning, Development and Building Services.

5. **Extend Internal Walkway**

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

6. **Completion of Works**

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, Development and Building Services, 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, Development and Building Services, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Development and Building Services 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, Development and Building Services, 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.

## 7. **Development Charges**

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

## 8. **Designated Substances Survey**

Prior to demolition of any existing buildings located on the lands described in Schedule "A" herein, the Owner acknowledges and agrees to complete a designated substances survey and submit the findings and recommendations for the proper handling and disposal of waste as identified in said survey, to the satisfaction of the General Manager, Planning, Development and Building Services, and in accordance with Best Management Practices. The survey shall address, but not be limited to:

- (a) O.Reg. 278/05: Designated Substance - Asbestos on Construction Projects and in Buildings and Repair Operations under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 278/05);
- (b) Guideline - Lead on Construction Projects, prepared by the Ontario Ministry of Labour - Occupational Health and Safety Branch, published September 2004 and revised April 2011, as amended;
- (c) O.Reg. 213/91: Construction Projects under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 213/91);
- (d) Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste, prepared by the Ontario Ministry of the Environment, Conservation and Parks, published April 1995 and revised January 2016, as amended, to be used in conjunction with R.R.O. 1990, Reg. 347: General-Waste Management under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 347);
- (e) R.R.O. 1990, Reg. 362: Waste Management – PCB's under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 362).

## **SPECIAL CONDITIONS**

### 9. **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 Phoenix Crescent, fronting the subject lands, as shown on the approved Site Grading Plan, referenced in Schedule "E" hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Real Estate and Economic Development. The Owner acknowledges and agrees that all costs are to be borne by the Owner.

#### 10. **Private Approach Detail**

The Owner agrees that all private approaches, including temporary construction access to the subject lands, shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law, being By-law No. 2003-447, as amended, and shall be subject to approval of the General Manager, Planning, Development and Building Services.

#### 11. **Private Access**

The Owner acknowledges and agrees that all private accesses to Roads shall comply with the City's Private Approach By-Law being By-Law No. 2003-447 as amended, or as approved through the Site Plan control process.

#### 12. **Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Noise Study, referenced in Schedule "E" of this Agreement, as follows:

- (a) each unit is to be fitted with a forced air heating system and ducting, and shall be sized to accommodate central air conditioning;
- (b) further to subsection (b) above, the location and installation of any outdoor air conditioning device(s) shall comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216, dated 1993, and the Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands;
- (c) prior to the issuance of a building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound levels within the City's and the Ministry of the Environment, Conservation and Parks' noise criteria. A letter shall be prepared by a qualified professional and provided to the General Manager, Planning, Development and Building Services confirming the plans submitted for building permit issuance have incorporated any and all mitigation measures to achieve the required indoor sound levels;
- (d) upon completion of the development and prior to occupancy and/or final building inspection, a professional engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, shall be retained to visit the lands, inspect the installed noise

control measures and satisfy themselves that the installed recommended interior noise control measures comply with the measures in the Noise Study referenced in Schedule "E" hereto. The professional engineer shall prepare, sign and stamp a letter to the General Manager, Planning, Development and Building Services (the "Certification Letter") stating that they certify acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Development and Building Services.

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

The Owner acknowledges and agrees that a notice shall be registered on title to the subject lands, at the Owner's expense. The Owner further acknowledges and agrees that such notice on title, or the clauses as written directly below, shall be included in all agreements of purchase and sale and lease agreements to inform prospective purchasers and tenants of these matters. The notice on title shall include, but not be limited to, the following:

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 themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that noise levels due to increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

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

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that this dwelling unit has been fitted with a heat pump with a ductless system to accommodate air conditioning. Installation of in-unit air conditioning 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 themselves, their 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, dated 1993, and the 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."

## 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.”

### 14. **Vibration Monitoring**

The Owner agrees and acknowledges that prior to commencing site alteration or construction that vibration monitoring shall be undertaken by a Professional Engineer licensed in the province of Ontario. Vibration levels shall not exceed those determined by the City and Province to cause damage to adjacent buildings and structures. The Owner may consider offering pre-construction surveys to adjacent/abutting properties, to validate damage claims or indemnify and save harmless. The Owner agrees to maintain vibration monitoring records during excavation and backfilling stages of construction, which shall be made available to the General Manager, Planning, Development and Building Services upon request. The Owner agrees and acknowledges that the City shall be indemnified from any damage claims resulting from construction activities.

### 15. **Geotechnical Investigation**

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation (the “Report”), referenced in Schedule “E” herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Real Estate 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, Real Estate and Economic Development.

### 16. **Geotechnical – Encroachments**

The Owner acknowledges and agrees that the Geotechnical Investigation has recommended a method of shoring that may encroach onto the adjacent property or onto the City’s Phoenix Crescent and/or Tenth Line Road right-of way. The Owner acknowledges and agrees that it shall be required to obtain the approval of the adjacent property owner and/or receive municipal consent for any Works within the said Road, prior to the installation of any encroachments. The Owner acknowledges and agrees that for encroachments within the said Road, the Owner shall ensure that there will be no conflicts between the proposed shoring method and the municipal services or utilities in the said Road.

The Owner further acknowledges and agrees that, prior to the issuance of a building permit, the Owner shall fulfill any requirements related to shoring, and underpinning, as required by Building Code Services and as per the recommendations of the

Geotechnical Investigation (the "Report"), referenced in Schedule "E" herein. These requirements may include, but may not be limited to, detailed shoring system design and relevant information, detailed underpinning design and relevant information, demonstration of a legal encroachment agreement with City and/or private property owner, pre-construction survey of the neighbouring properties to establish a baseline condition to ensure no damage is sustained as a result of the proposed development.

#### **17. Notice on Title – Below Grade Parking Areas and Depressed Driveways**

The Owner acknowledges and agrees that a notice shall be registered on title to the subject lands, at the Owner's expense. The Owner further acknowledges and agrees that such notice on title, or the clauses as written directly below, shall be included in all agreements of purchase and sale and lease agreements to inform prospective purchasers and tenants of these matters. The notice on title shall include, but not be limited to, the following:

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:

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The purchaser/lessee further acknowledges being advised that the City of Ottawa shall not be liable for flooding claims. Backwater valves are recommended for installation on catch basins located in depressed driveways."

"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."

#### **18. Protection of City Sewers**

- (a) Prior to the issuance of a building permit, the Owner shall, at its expense:
  - (i) obtain a video inspection of the City Sewer Systems within Phoenix Crescent 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, Real Estate and Economic Development.
- (b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Real Estate and Economic Development:



- (i) obtain a video inspection of the existing City Sewer Systems within Phoenix Crescent 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 Systems within Phoenix Crescent and compensate the City for the full amount of any required repairs to the City Sewer System.

#### **19. Stormwater Management Memorandum**

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Development and Building Services, 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, Development and Building Services, and all associated costs shall be the Owner's responsibility.

#### **20. Stormwater Management System**

The Owner acknowledges and agrees to install and maintain in good working order the required stormwater management system within the underground parking garage limits, including any associated flow control devices, outlets and other appurtenances, as recommended in the approved Servicing and Stormwater Management Report, referenced in Schedule "E" herein.

The Owner acknowledges and agrees it shall assume all liability, maintenance and replacement responsibilities in perpetuity.

#### **21. Stormwater Works Certification**

Upon completion of all stormwater management Works, the Owner acknowledges and agrees to retain the services of a Professional Engineer, licensed in the Province of Ontario, to ensure that all measures have been implemented in conformity with the approved Plans and Reports, referenced in Schedule "E" herein. The Owner further acknowledges and agrees to provide the General Manager, Planning, Development and Building Services with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports referenced in Schedule "E" herein.

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

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater inlet control devices, as recommended in the approved Site Servicing and Stormwater Management Report, 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.

**23. Water Demand for Fire Fighting**

The Owner acknowledges and agrees that the City's boundary conditions were provided for the subject development site setting out the available municipal water supply. The Owner further acknowledges and agrees that prior to building permit issuance, a letter shall be prepared by a qualified Building Code professional, licensed in the Province of Ontario, and provided to the General Manager, Planning, Real Estate and Economic Development confirming the plans submitted for building permit issuance have incorporated any and all requirements of the Fire Underwriters Survey, 2020, or as amended, to achieve the low construction coefficient used within the proposed building design.

**24. Construction Management Plan**

The Owner acknowledges and agrees to provide a construction traffic management plan for the Site prior to the earlier of registration of the Agreement, or issuance of early servicing for Site Works or a building permit. Such plan shall be to the satisfaction of the General Manager, Planning, Development and Building Services Department. The Owner further acknowledges and agrees that construction vehicles shall be limited as much as is reasonably possible from using Phoenix Crescent or any of the local streets that intersect Payette Drive to access the Site, and that construction workers shall not be permitted to park their personal passenger vehicles on Phoenix Crescent or any of the nearby and intersecting local streets. Construction workers and/or subcontractors whose company and/or personal vehicles are used to commute to the Site and to transport the tools and supplies of their trade shall not be subject to the above on-street parking restriction. The Owner is advised to approach the owners of the commercial and institutional properties opposite the Site along Tenth Line Road to enter into an arrangement(s) to allow on-site parking of construction workers' personal passenger vehicles during the period of Site construction.

**25. Water Plant**

The Owner acknowledges and agrees that the water plant within the lands is a private watermain. The Owner further acknowledges and agrees that the private watermain and appurtenances thereto are to be maintained by the Owner at its own expense, in perpetuity. The Owner performing maintenance on critical infrastructure, such as private watermains and private fire hydrants, shall maintain adequate records as proof of having done so in accordance with applicable regulations, and that the records shall be retained for review by the City and or the Ottawa Fire Services when requested.

**26. Private Storm Sewer Connection to City Sewer System**

The Owner acknowledges and agrees that any new storm sewers to be installed as part of this development shall not be connected to the City's existing storm sewer system until such time as either:

- (a) a certificate of conformance and As-built Drawings 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, Real Estate and Economic Development.

## **27. Site Lighting Certificate**

- (a) In addition to the requirements contained in Clause 19 of Schedule "C" hereto, the Owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
  - (i) it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES); and
  - (ii) it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- (b) The Owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the Owner shall provide certification satisfactory to the General Manager, Planning, Development and Building Services, from a Professional Engineer, licensed in the Province of Ontario, that the site lighting has been constructed in accordance with the Owner's approved design plan.

## **28. Exterior Elevations Drawings**

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved East and West Elevations and North and South Elevations, referenced in Schedule "E" herein. The Owner further acknowledges and agrees that any subsequent proposed changes to the approved plans shall be filed with the General Manager, Planning, Development and Building Services and agreed to by both the Owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

## **29. Waste Collection**

The Owner acknowledges and agrees that residential cart (and/or container) garbage, recycling, and organic waste collection will be provided by the City from a centralized refuse room or area. The Owner shall provide, at its own expense, adequate storage for the containers and carts and acknowledges it is recommended that they be placed on a concrete floor. The Owner shall provide an adequately constructed road for direct access to the garbage/recycling/organic waste storage room or area suitable for garbage/recycle/organic waste collection vehicles. Any additional services (i.e., winching of containers) may result in extra charges.

30. **Replacement Trees in City's Right-of-Way**

Prior to registration of this Agreement, the Owner acknowledges and agrees it shall pay the sum of \$3878.61 to the City as compensation for the removal of one multi-stemmed American Elm tree and one Littleleaf Linden tree located within the City's right-of-way along Tenth Line Road. Upon receipt of compensation, the Director of Parks, Forestry and Stormwater Services or their designate will provide the Owner with written approval, at which time the Owner may make arrangements with a contractor to remove the said American Elm tree and Littleleaf Linden tree, at the Owner's expense.

The Owner further acknowledges and agrees that the 45-centimetre diameter Norway Maple tree located 3.3 metres from the southeast property line shall not be impacted by the development. The Owner shall be required to install tree protection fencing along the east side of the tree located 5 metres from the tree trunk, to the satisfaction of the General Manager, Planning, Development and Building Services. The Owner shall submit a photograph of the tree protection fencing to the City Forester immediately following installation.

31. **Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City is 148.9 square metres.
- (b) The Owner covenants and agrees that the conveyance requirement has been calculated at the rate set out below in accordance with the Parkland Dedication By-law, being By-law No. 2022-280, as amended from time to time:
  - (i) For cash-in-lieu of conveyance of parkland (residential > 18 units/net ha): one hectare per 1,000 net residential units but shall not exceed a maximum of 10% of the gross land area where less than or equal to five hectares.

32. **Cash-In-Lieu of Conveyance of Parkland**

Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-

280, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 1 funds. The Owner shall also pay the parkland appraisal fee of \$820.00 plus H.S.T. of \$106.60, as referenced in Schedule "B" herein. A total payment of \$97,056.44 is due.

### **33. Road Widening**

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete Tenth Line Road frontage of the lands, measuring 17.0 metres from the existing centreline of pavement/the abutting right-of-way. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner acknowledges and agrees to provide an electronic copy of the Transfer and a copy of the deposited reference plan to the City Solicitor prior to the execution of this Agreement by the City. All costs shall be borne by the Owner.

34. The Owner acknowledges and agrees to install on Site sufficient wayfinding signage to properly identify each building and how to access the units in each building. Such signage shall include an externally illuminated or non-illuminated ground sign on the Tenth Line Road frontage of the Site to identify the buildings. Such sign is to be no larger than 3.0 square metres in surface area with an overall height of 2.0 metres or less. Furthermore, non-illuminated information wall signs no larger than 1.0 square metre in area, with unit number ranges and directional arrows, shall be installed. All signage must comply with the provisions of the Permanent Signs on Private Property By-law 2016-326 to the satisfaction of the Chief Building Official.

### **Lapsing of Approval**

35. The Owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the Owner fails to sign this Agreement, complete the conditions to be satisfied prior to the signing of this Agreement, and have the corresponding building permit(s) issued within three (3) years of Site Plan approval, the approval shall lapse.

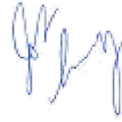
### **Permits**

36. 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, Development and Building Services.

October 30th, 2024

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Date



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John Sevigny, C.E.T.  
Acting Manager, Development Review – East  
Planning, Development and Building Services  
Department

Enclosure: Site Plan Control Approval Application – Supporting Information

## SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

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**File Number:** D07-12-21-0084

### SITE LOCATION

The subject site, 1592 Tenth Line Road, is located along Phoenix Crescent and Tenth Line Road, between Granada Drive and Vince Drive within Ward 1-Orléans East-Cumberland, and as shown on Document 1 – Location Map.

### SYNOPSIS OF APPLICATION

The subject site is located on the west side of Tenth Line Road, north of des Épinettes Avenue, and immediately across from the Ray Friel Recreation Complex. The property also fronts onto Phoenix Crescent, a local residential street. The 1,486-square metre property is rectangular in shape and has approximately 32 metres of frontage along each of Tenth Line Road and Phoenix Crescent and a lot depth of approximately 46 metres. The property is currently occupied by a two-storey, detached dwelling containing five rental dwelling units and is accessed from Tenth Line Road.

Immediately to the north of the site is an 18-metre wide, publicly owned pedestrian walkway block that connects Phoenix Crescent and Tenth Line Road. Further north and to the west is an established predominantly low-density residential neighbourhood within the Queenswood Heights community. Directly across Tenth Line Road to the east and south are the Ray Friel Recreation Centre and Fallingbrook Centre, a local community shopping centre.

As illustrated on the site landscape plan attached as Document 2, the proponent proposes to demolish the existing dwelling and develop two, three-storey apartment buildings each fronting along and facing one of the two public streets with an interior courtyard between the two buildings and outdoor communal amenity space within the north side yard. A total of 27, one-bedroom rental units is proposed, with fifteen units in the building facing Phoenix Crescent (Block B) and twelve units in the one facing Tenth Line Road (Block A). Both apartment buildings are modular in design with each module except one consisting of six dwelling units accessible by front and rear common, enclosed staircases that project into the front yards and interior courtyard space, respectively. A one-level, underground parking garage accessible only from Tenth Line Road (right in/right out) serves both apartment buildings. The parking garage accommodates 32 vehicle parking spaces, including five visitor spaces, and 18 bicycle storage spaces. Six more bicycle storage spaces are provided on the surface for a total of 24 spaces. Walkways are proposed to provide pedestrian access throughout the site. An enclosed waste storage room is proposed at the ground level of the apartment building facing Phoenix Crescent, with a waste loading area within the road allowance.

The site features a row of street trees along each street frontage and foundation planting along the base of both buildings within the interior courtyard. Wood fencing and a cedar hedge are proposed along the south lot line to maintain privacy for the adjacent residential property owner. Decorative fencing is provided along the Tenth Line Road side of the outdoor communal amenity area for safety purposes.

The architecture of the proposed buildings is contemporary in design and features a combination of masonry stone veneer and cement panels and siding. Large windows dominate the front and rear elevations, with glass panels enclosing the recessed balconies.

The proposed site development is to be serviced by sanitary and stormwater sewer and water main connections to the existing municipal services within Phoenix Crescent.

### Residential Units and Types

Dwelling Type	Number of Units
Low-rise Apartment	27

### Related Applications

The following applications are related to this proposed development:

- Zoning By-Law Amendment – D02-02-21-0055

### DECISION AND RATIONALE

This application is approved for the following reasons:

- The Official Plan (2022) designates the subject property as [Suburban Transect Corridor – Minor](#) (Schedule [A](#) and [B8](#)). The proposed site development conforms in every respect with the Minor Corridor policies and with those of the Evolving Neighbourhood overlay. Further, the proposed low-rise apartment development is consistent with the policy intent of the 15-minute neighbourhoods for healthy and inclusive communities.

The Official Plan (2022) further states that development applications are to conform with Section 2.1, which contains the broad objectives and principles to guide and assess the urban design and compatibility of intended uses, and with Section 4.6.6, which requires that low-rise buildings integrate architecturally to complement the surrounding context. Within the context of the site’s surrounding existing low-rise residential neighbourhood, the proposed contemporary design of development is compatible in terms of built form, and the proposed apartment buildings frame the abutting public streets.

- The proposed site development complies in every respect with the “Residential Fourth Density Zone” (R4Z[2930]) zone of the City’s Consolidated Zoning By-law 2008-250. As per the Urban Exception, R4Z[2930], minimum required parking is calculated at a rate of 1.1 spaces per unit, and the front yard setbacks along both street frontages have been reduced to 2.35 metres from the standard 3.0 metres.



- The proposed low-rise apartment development is consistent with the *Urban Design Guidelines for Developments for Low-Medium Density Infill Housing*. The proposed development is compatible with the adjacent residential built form and is expected to complement the surrounding environment through public realm and streetscape enhancements.
- The proposed site, servicing and landscape design for the apartment buildings, subject to the proposed general and special conditions of approval, are reasonable and appropriate in the context of the surrounding development and represent good planning and site design.

The above conditions of site plan control approval would serve to ensure that the development proceeds in accordance with the approved plans and conditions of site plan control approval.

## **PARKLAND DEDICATION**

Parkland dedication, in accordance with By-law 2022-280, is being satisfied within this approval through the taking of cash-in-lieu of parkland as detailed in the above conditions.

## **CONSULTATION DETAILS**

### **Councillor's Comments**

Councillor Matthew Luloff indicated the following comments:

“I am aware of the application related to this report and have no concerns at this time. Over the course of consultation, I received several comments from community members who shared concerns about scale, density, traffic and parking.

I'm pleased to see that the applicants and planning staff addressed many of these comments in their submission. In particular, I am pleased to see that there will be no vehicle access off of Phoenix, so the only site access will be a right-in, right-out on Tenth Line. Ultimately, Ottawa is in the midst of a serious housing crisis which means that there needs to be some give and take to ensure people have a place to live. I believe this proposal strikes a balance between offering much needed housing while still respecting the character of the surrounding neighbourhood.

This project makes a lot of sense for a larger arterial road like Tenth Line, as it is within walking distance of transit as well as many important community amenities, like grocery stores, a public library and a City recreational facility. This development will help increase rental stock in the ward and will offer 27 one-bedroom units perfect for seniors, students and newcomers. We need rentals for seniors to downsize into so that they can remain in the community that they helped build and we also need rentals that will ensure Orléans remains a community that is accessible to all. Orléans East-Cumberland is a built-up ward, which means there is very little undeveloped land available for both private and public rental developments.

That means there will need to be some level of infill development. Streets like Tenth Line, St. Joseph, Trim, Jeanne d'Arc North and areas surrounding the new LRT stations are excellent places to be considering this kind of mid-density development. I would encourage the developer to continue working with community members throughout the development process.”

### Response to Councillor Comments

The Councillor's comments are in response to public comments discussed below. The proposed development complies with the policies of the Official Plan and provisions of the Residential Fourth Density Zone (R4Z[2930]) and the other applicable provisions of the Zoning By-law.

### **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

A Public Information and Comment Session was held in September 2021, where a total of approximately 46 members of the public attended and provided comments regarding community questions and concerns. Document 2 contains a table summarizing the public comments received in response to the initial site development proposal along with City staff's responses to each comment.

### **Technical Agency/Public Body Comments**

#### Summary of Comments – Technical

A few technical agencies provided comments that were considered during the review and evaluation of the proposed development. The conditions contained within the standard Site Plan Agreement adequately address the agencies' comments.

### **Advisory Committee Comments**

#### Summary of Comments – Advisory Committees

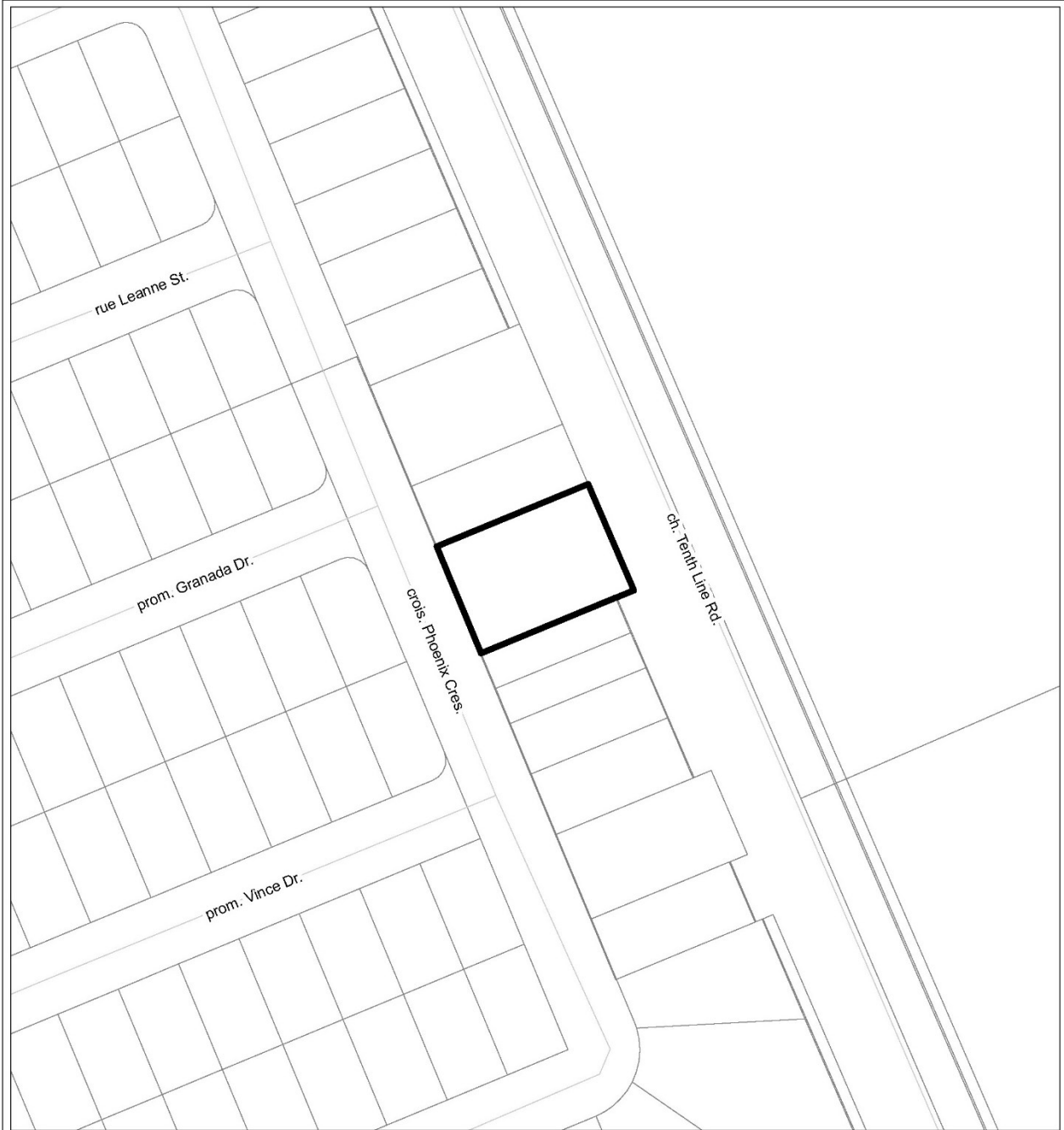
N/A




### **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 the time required for City staff and the proponent to address the various site design and technical issues that were raised during the related zoning amendment and subsequent site plan control review process.

**Contact:** Zoha Rashid; Tel: 613-580-2424, ext. 29566; or e-mail: [zoha.rashid@ottawa.ca](mailto:zoha.rashid@ottawa.ca).

# Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-21-0084	24-0486-L		<b>1592 ch. Tenth Line Rd.</b>
I:\CO\2024\Site_Plan\TenthLine_1592			
<small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers                  All rights reserved. May not be produced without permission.                  THIS IS NOT A PLAN OF SURVEY</small>			
<small>©Les données de parcelles appartiennent à Teranet Enterprises Inc. et                  à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans                  autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE</small>			
REVISION / RÉVISION - 2024 / 05 / 06		 <small>NOT TO SCALE</small>	

## Document 2 – Summary of public comments and responses

Question/Comment	Staff Response
<b>SITE DESIGN</b>	
With no loading area or on-site vehicular access to the garbage room, waste bins will have to be wheeled out and lined up along Phoenix Crescent.	Such waste management operational practice is not unusual for similar developments throughout the City's urban environment.
<b>DENSITY / COMPATABILITY</b>	
The proposed density of development is too high for the property size and does not integrate well with the low-density, single detached neighbourhood.	The proposed development demonstrates that the unit density can be reasonably accommodated on the site.
The proposed apartment building and contemporary built form is out of scale and inconsistent with the surrounding low-density dwellings and is incompatible.	The minor corridor policies of the Official Plan permit the built form and density proposed. The Planning Act considerably limits a municipality's authority to impose changes to the proposed architectural exterior of a building.
The proposed design fails to meet the intent of the Official Plan with respect to existing character, built form, massing and scale. Urban Design Guidelines for Low-rise infill Housing are ignored.	The proposed development is generally consistent with the Design Guidelines. It is a reasonable compromise to ensure adequate building separation and liveability in the interior courtyard between the two apartment buildings.
<b>NOISE / PRIVACY</b>	
The proposed building facing Phoenix Crescent with front doors and balconies poses privacy concerns for the residents of the adjacent residential properties.	The proposed balconies do not overlook any of the adjacent residential back yards. They face onto Phoenix Crescent and Tenth Line Road.
The proposed development would increase existing traffic on the quiet neighbourhood and compound the noise.	City staff find the traffic impacts of what is a relatively small residential development on the surrounding local streets to be relatively minor.
<b>TRAFFIC / PARKING / SAFETY</b>	
The anticipated increased traffic and lack of stop signs on the local streets will pose potential safety concerns and hazards for residents, visitors, children, and cyclists.	City staff find the traffic impacts on the surrounding local streets resulting from the proposed relatively small residential development to be relatively minor.
Escalation in on-street parking issues particularly on Phoenix Crescent and neighbouring streets. Pedestrian hazards exist given that there are no sidewalks.	While on-street parking is permitted during certain hours, visitor parking is to be provided in the proposed underground parking garage, which is accessible only from Tenth Line Road.
Increased on-street parking poses winter challenges for street plowing and safety.	During municipal snow clearing operations, on-street parking is prohibited.
Increased U-turns will compromise traffic safety along Tenth Line Road at the signalized shopping centre entrance.	South-bound U-turns (to head north-bound) are permitted at the shopping centre intersection when safe to do so.
Increased traffic in school zones which poses risks to students and pedestrians, specifically at Tenth Line Rd/Amiens St and Prestwick Dr/Payette Dr.	City staff find the traffic impacts on the surrounding local streets resulting from the proposed relatively small residential development to be relatively minor.

<p>There are safety concerns for residents making right turns off Tenth Line Road into the underground garage access in.</p>	<p>The anticipated low volume of traffic generated by the proposed development does not warrant a deceleration lane to access the underground parking garage.</p>
<p>Bus service currently is east-west and only route #236 runs along Tenth Line Road during peak hours. Walking to a bus stop during winter is concerning.</p>	<p>The site is adequately serviced by and within acceptable distance to existing regular and peak period transit service.</p>
<p><b>ACCESSIBILITY / AFFORDABILITY</b></p>	
<p>Access to the second and third floors of the proposed dwellings is only by stairs. This discourages seniors from renting apartments.</p>	<p>Design considerations with respect to accessibility will be assessed in detail during the review of the related application for site plan control approval and building permit processes.</p>
<p>There are no Type A accessible parking spaces, ramps, elevators, or apartment units built to barrier-free standards.</p>	
<p>How affordable will the rental units be for youth (the “target audience”) given that affordable housing is their key concern?</p>	<p>Developers are not required to share their expected rental rates with the City. The City encourages the provision of a range of housing to increase choice and provide affordability.</p>
<p><b>CONSTRUCTION</b></p>	
<p>The possibility of blasting operations during excavation raises concerns with potential damage to nearby dwellings.</p>	<p>City staff include as a condition of site plan control approval the requirement for the owner to conduct pre- and post-construction inspections of adjacent residence areas when there is blasting or hoe ramming required.</p>
<p>The excavation and construction will cause extensive and unbearable noise, and construction traffic on Phoenix Crescent will be intolerable.</p>	<p>Development adjacent to existing buildings is commonplace in developing and established communities. Appropriate construction measures are taken against such impacts.</p>