



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

Site Location: 1376 Carling Ave

File No.: D07-12-21-0092

Date of Application: June 23, 2021

This SITE PLAN CONTROL application submitted by HL General Partner Inc. is APPROVED as shown on the following plan(s):

1. **Erosion and Sediment Control Plan**, 1354 & 1376 Carling Avenue Development – Phase 2, Drawing No. C903, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-17, Rev 4, dated 2022-02-16.
2. **Grading Plan – City Park**, 1354 & 1376 Carling Avenue Development – Proposed City Park, Drawing No. C802, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-16, Rev 4, dated 2022-02-14.
3. **Grading Plan**, 1354 & 1376 Carling Avenue Development – Phase 2, Drawing No. C902, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-17, Rev 4, dated 2022-02-16.
4. **Landscape Details**, 1354-1376 Carling Complex, AM06, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
5. **Landscape Details**, 1354-1376 Carling Complex, AM07, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
6. **Landscape Notes**, 1354-1376 Carling Complex, AM08, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
7. **Landscape Notes**, 1354-1376 Carling Complex, AM09, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
8. **Landscape Notes**, 1354-1376 Carling Complex, AM10, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).

9. **Landscape Plan – Northern Area**, 1354-1376 Carling Complex, AM04, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
10. **Landscape Plan – Southern Area**, 1354-1376 Carling Complex, AM05, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
11. **Overall Landscape Plan**, 1354-1376 Carling Complex, AM03, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.03.30 (Revision F).
12. **Proposed Storm Drainage Area Plan**, 1354 & 1376 Carling Avenue Development – Proposed City Park, Drawing No. C805, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-16, Rev 4, dated 2022-02-14.
13. **Proposed Storm Drainage Area Plan**, 1354 & 1376 Carling Avenue Development – Phase 2, Drawing No. C905, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-17, Rev 4, dated 2022-02-16.
14. **Site Plan, Zoning Info, Project Contacts**, 1376 Carling Avenue – Phase 2, Drawing No. PR-000, prepared by GeigerHuot Architects, dated September 12, 2019, revised February 17, 2022.
15. **Site Servicing Plan – City Park**, 1354 & 1376 Carling Avenue Development – Proposed City Park, Drawing No. C801, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-17, Rev 4, dated 2022-02-14.
16. **Site Servicing Plan**, 1354 & 1376 Carling Avenue Development – Phase 2, Drawing No. C901, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-16, Rev 4, dated 2022-02-16.
17. **Tree Preservation Details and Notes**, 1354-1376 Carling Complex, AM02, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.02.18 (Revision E).
18. **Tree Preservation Plan**, 1354-1376 Carling Complex, AM01, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.02.18 (Revision E).
19. **Archibald Street and Meath Street Closures, RMA-2018-TPD-XXX-A**, completed by Parsons, dated December 2018.
20. **Meath Street Closure Ultimate Condition, RMA-2018-TPD-XXX-B2**, completed by Parsons, dated December 2018.
21. **Meath Street Closure Interim Condition, RMA-2018-TPD-XXX-B3**, completed by Parsons, dated December 2018.
22. **1354 Carling Avenue Functional Plan**, Drawing No. 001, prepared by Parsons, Drawing No. 1, dated December 21, 2018.

23. **1354 Carling Avenue Vehicle Turning Template Plan**, Drawing No. 002, prepared by Parsons, dated December 21, 2018.
24. **1354 Carling Avenue Signage and Pavement Marking Plan**, Drawing No. 003, prepared by Parsons, dated December 21, 2018.
25. **Basement 1 Plan A, B & D**, 1376 Carling Av. – Phase 2, Sheet 17, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
26. **Basement 2 Plan A, B & D**, 1376 Carling Av. – Phase 2, Sheet 18, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
27. **Building A-South Elevation**, 1376 Carling Av. – Phase 2, Sheet 25, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
28. **Building A-East Elevation**, 1376 Carling Av. – Phase 2, Sheet 26, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
29. **Building A-North Elevation**, 1376 Carling Av. – Phase 2, Sheet 27, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
30. **Building A-West Elevation**, 1376 Carling Av. – Phase 2, Sheet 28, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
31. **Building B-South Elevation**, 1376 Carling Av. – Phase 2, Sheet 32, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
32. **Building B-East Elevation**, 1376 Carling Av. – Phase 2, Sheet 33, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
33. **Building B-North Elevation**, 1376 Carling Av. – Phase 2, Sheet 34, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
34. **Building B-West Elevation**, 1376 Carling Av. – Phase 2, Sheet 35, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
35. **Building D-S/E Elevation**, 1376 Carling Av. – Phase 2, Sheet 40, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
36. **Building D-N/W Elevation**, 1376 Carling Av. – Phase 2, Sheet 41, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
37. **Japanese Pavillon Original Drawings**, 1376 Carling Av. – Phase 2, Sheets 64-68, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.
38. **Japanese Pavilion Plans**, 1376 Carling Av. – Phase 2, Sheet 69, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.

39. **Japanese Pav. - Elevations/Section**, 1376 Carling Av. – Phase 2, Sheet 70, Rev 01, prepared by GeigerHuot Architects, dated 04/05/22.

And as detailed in the following report(s):

1. **1376 Carling Avenue Community Transportation Study / Transportation Impact Study – Addendum #2**, prepared by Parsons, dated June 21, 2021.
2. **Geotechnical Investigation, Proposed Multi-Storey Buildings**, 1354 to 1376 Carling Avenue, Ottawa, Ontario, Paterson Group, Report No. PG3736-1, Revision 3, dated April 12, 2018.
3. **Geotechnical Memorandum, Geotechnical Review - Proposed Multi-Storey Buildings**, 1354 to 1376 Carling Avenue, Ottawa, Ontario, Paterson Group, PG3736-MEMO.05, dated February 25, 2021.
4. **Geotechnical Recommendations – Proposed Park Parcel, Proposed Multi-Storey Redevelopment – Phase 2**, 1354 to 1376 Carling Avenue, prepared by PatersonGroup, dated October 1, 2021.
5. **Grading Plan Review Memorandum, Proposed Multi-Storey Redevelopment – Phase 2**, 1354 to 1376 Carling Avenue, prepared by PatersonGroup, dated September 23, 2021.
6. **Pedestrian Wind Level Study**, 1376 + 1354 Carling Avenue, prepared by Gradient Wind Engineering Inc., dated April 23, 2018.
7. **Phase I – Environmental Site Assessment Updated**, 1354 and 1376 Carling Avenue, prepared by PatersonGroup, dated February 10, 2022.
8. **Phase I Environmental Site Assessment**, 1354 and 1376 Carling Avenue, prepared by PatersonGroup, dated November 7, 2016.
9. **Phase II Environmental Site Assessment**, 1354 and 1376 Carling Avenue, prepared by PatersonGroup, dated October 7, 2021.
10. **Roadway Traffic Noise Assessment 1376 & 1354 Carling Avenue**, Report GWE17-038 – Traffic Noise R3, prepared by Gradient Wind Engineering Inc., dated April 20, 2018 and revised December 18, 2018.
11. **Sampling & Analysis Plan, Phase II Environmental Site Assessment**, 1376 Carling Avenue (Future Park Lands), prepared by PatersonGroup, dated February 2022.
12. **Site Servicing and Storm Water Management for the Future City Park, Memorandum, 1376 Carling Avenue Development – Phase 2**, Morrison Hershfield, Project No. 210292799, dated Jun 16/21, Revised, dated 2/16/22.

13. **Site Servicing and Stormwater Management Design Brief, 1376 Carling Avenue Development – Phase 2**, Ottawa, Ontario, Morrison Hershfield, Project No. 210292700, dated Jun 22/21, Revised, dated February 16, 2022.
14. **Tree Planting Restrictions Memorandum, Proposed Multi-Storey Redevelopment – Phase 2**, 1354 to 1376 Carling Avenue, prepared by PatersonGroup, dated November 25, 2021.
15. **Tree Cut Permit for 1376 Carling Avenue**, Project No. D06-01-21-0050, prepared by City of Ottawa, dated April 4, 2022.

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

GENERAL CONDITIONS

1. Execution of Agreement Within One Year

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 and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the 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, Real Estate and Economic Development.

3. 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, Real Estate and Economic Development.

4. 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.

5. Reinstatement of City Property

The Owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Real Estate 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.

6. **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, Real Estate and Economic Development.

7. **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, Real Estate and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

8. **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, Real Estate and Economic Development.

9. **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, Real Estate 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, Real Estate and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Real Estate 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, Real Estate 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.

10. **Development Charges**

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

11. **Development Charges – Instalment Option**

- (a) 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.
- (b) 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.
- (c) 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.

12. **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, Real Estate and Economic Development, 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

1. Roadway Modifications – delayed process

The Owner acknowledges and agrees that the road modification detailed design review and acceptance by the City is required for the road modification works associated with the proposed Site Plan to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

The Owner agrees to pay the separate process fee of \$5,909 at the time of registration of this Site Plan Agreement. The Owner acknowledges and agrees that the Owner may be subject to other additional fees and agreement addendum due to the delayed road modification detailed design process. The Owner agrees to submit required drawings for the aforementioned road modification detailed design. Further, the Owner agrees to be responsible for all costs associated with the public roadway modifications and provide required securities to the City, all to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

The Owner acknowledges and agrees that the required roadway modifications, must be complete prior to the Owner requesting or allowing occupancy of the building.

The Owner acknowledges and agrees to close Meath Street and complete the Road Modification Approval Report alongside the following plans and drawings:

- a) **Meath Street Closure, RMA-2018-TPD-XXX-B2**, completed by Parsons, dated December 2018.
- b) **Meath Street Closure Interim Condition, RMA-2018-TPD-XXX-B3**, completed by Parsons, dated December 2018.
- c) **1354 Carling Avenue Functional Plan**, Drawing No. 001, prepared by Parsons, Drawing No. 1, dated December 21, 2018.
- d) **1354 Carling Avenue Vehicle Turning Template Plan**, Drawing No. 002, prepared by Parsons, dated December 21, 2018.
- e) **1354 Carling Avenue Functional Plan**, Drawing No. 003, prepared by Parsons, dated December 21, 2018.

2. Parkland

1. The Owner covenants and agrees to convey to the City at no cost to the City, prior to the registration of the Phase 2 site plan agreement (1376 Carling Avenue), 1,424.7 square metres of land abutting Meath Street in the area zoned O1[2520]-h by By-law 2018-303, as dedicated parkland, to the

satisfaction of the General Manager, Recreation, Cultural & Facility Services Department.

2. The Owner acknowledges and agrees that the area of the parkland to be conveyed to the City is less than the required dedication. The Owner agrees to provide cash-in-lieu of parkland dedication for the balance of the parkland dedication requirement such value of the land to be determined by the City's Realty Services Branch, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services. The Owner further agrees to pay for the cost of the appraisal inclusive of HST. In accordance with the Planning Act and the City of Ottawa Parkland Dedication By-law No. 2009-95, a land area of 381 m² has been calculated for the cash-in-lieu of parkland dedication as shown in Table 1. If there is a change to the area of the park parcel to be conveyed to the City or if there is a change to the gross floor area of residential and/or commercial uses, the amount of required cash-in-lieu of parkland dedication will also change. In the event that the City's new Parkland Dedication By-law comes into effect prior to the registration of the site plan agreement, the Parkland Dedication calculations may need to be updated depending on the transition provisions in the new By-law.

Table 1. Parkland Dedication.

| Proposed Use | Dwelling Units (Phase 1 and 2) | Proportion of Land Area based on the Gross Floor Area Ratio of Residential and Commercial Uses | Parkland Dedication Rate | Total Parkland Dedication Area Required | Parkland Area to be Conveyed to City | Land Area for Cash-in-Lieu of Parkland Dedication |
|--------------|--------------------------------|--|--------------------------|---|--------------------------------------|---|
|--------------|--------------------------------|--|--------------------------|---|--------------------------------------|---|

| | | | | | | |
|--------------------|-----|-----------------------|---|----------------------|----------------------|--------------------|
| Apartments | 995 | 18,063 m ² | <p>Parkland Conveyance : 1 ha (10,000 m²) per 300 dwelling units to a maximum of 10% of the area of the site being developed</p> <p>Cash-in-lieu of Parkland Conveyance : 1 ha (10,000 m²) per 500 dwelling units to a maximum of 10% of the area of the site being developed</p> | 1,806 m ² | 1,425 m ² | 381 m ² |
| Commercial | N/A | 329 m ² | Exempt under Subsection 14(2)(b) of Parkland Dedication By-law No. 2009-95 | 0 | 0 | 0 |
| Total ¹ | | 18,392 m ² | | 1,806 m ² | 1,425 m ² | 381 m ² |

¹ Total land area according to geoOttawa Property Reports excluding the road widenings on Carling Avenue.

The cash-in-lieu of parkland dedication shall be directed 60% towards the Ward 16 cash-in-lieu of parkland reserve (Account 830305) and 40% towards the City-wide cash-in-lieu of parkland reserve (Account 830015).

- Notwithstanding the parkland dedication conveyance pursuant to special condition 1 above, the City acknowledges and agrees that until the City assumes the parkland, the Owner shall be permitted to use the intended parkland, at no cost, for Phase 2 construction purposes, including the stockpiling of materials or construction staging until such time as the conveyed parkland is assumed by the City. The Owner agrees to conduct the stockpiling of soils in accordance with O. Reg. 406/19: On-Site and Excess Soil Management, as amended. The City will assume the parkland at the completion of the Stage 2 construction.

The City assumes no liability for the parkland until assumed by the City in accordance with this Agreement.

4. Any Owner obligations in respect of the dedicated parkland contained in Special Conditions 2.5 through 2.20 below must be completed prior to the City assuming the dedicated parkland, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services Department.
5. The Owner acknowledges and agrees that no storm water management facilities or encumbrances such as retaining walls, utility lines or easements of any kind shall be located on, or in front of, the parkland without the written approval of the General Manager, Recreation, Cultural and Facility Services Department.
6. The Owner acknowledges and agrees that any encumbrances which are not solely for the benefit of the parkland, such as retaining walls, utility lines or easements of any kind on lands, or portion thereof, encumbering the design and function of the parkland must be approved by the General Manager, Recreation, Cultural and Facility Services Department, and will not form part of the parkland dedication required by the Planning Act.
7. The Owner agrees the parkland must be fully developable for its intended use in accordance with the **Geotechnical Recommendations – Proposed Park Parcel, Proposed Multi-Storey Redevelopment – Phase 2**, 1354 to 1376 Carling Avenue, prepared by PatersonGroup, dated October 1, 2021.
8. The Owner may remove vegetation, trees and topsoil from the parkland to facilitate rough grading only after tree protection fencing has been installed as approved by the General Manager, Recreation, Cultural and Facility Services Department. The City agrees that the Owner may stockpile the topsoil either on or off the parkland.

If the removal of native topsoil is required, the Owner agrees to provide replacement topsoil at a sufficient depth and quality for the parkland as per City Standards for park topsoil. All work shall proceed in accordance with the applicable By-laws.

9. If the Owner uses the parkland for stockpiling or construction staging, the Owner agrees to remove all materials from the parkland and to submit a geotechnical report prepared by a qualified and licensed engineer or geoscientist. The geotechnical report shall confirm that the subgrade is suitable for its intended use and that no contaminants have been deposited on the parkland. The geotechnical report must also indicate the level of soil compaction on the site and confirm that it conforms to City Standards, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services Department.

The Owner agrees that any remediation required to the parkland as result of the Owner's use of the parkland will be at the Owner's expense and such remediation work shall be completed to the satisfaction of the General Manager, Recreation, Cultural and Facility Services Department

Any fill imported to the parkland must be conducted in accordance with O. Reg. 406/19: On-Site and Excess Soil Management, as amended. Documentation of the source and quality of the fill to be imported must be approved by a Qualified Person, as defined in the excess soils regulation. Soils must be tested to the minimum parameter list as specified in the excess soils regulation. Importation of soils with no chemical testing will not be permitted. Additional testing may be required by a Qualified Person, as defined in the excess soils regulation. Copies of all records related to all soils imported to the parkland must be provided to the City.

It is the responsibility of the Owner to fill and rough grade the park where necessary, with clean earth borrow, compacted and leveled within the park block accordingly, to provide for positive surface drainage as per the City Standards for Park Fill and rough grading as per the approved subdivision grading plan. All at the expense of the Owner. All works and fill materials are to be approved by the General Manager, Planning, Infrastructure and Economic Development Department prior to being placed on site.

10. The Owner shall, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services Department:
 - a) rough grade and fine grade the parkland, where necessary, in accordance with the approved Phase 2 grading and drainage plans, to match the adjacent design grades;
 - b) supply and install minimum 150mm depth of top soil; and
 - c) sod or mechanically seed the parkland to establish a clean and maintainable surface.

The work shall be undertaken in accordance with the applicable City specifications including Section 32 91 19 13 Topsoil Placement and Grading, Section 32 92 19 13 Mechanical Seeding, and Section 32 92 23 Sodding. The Owner shall be responsible for watering of the seeded or sodded areas and the grass shall be sufficiently established and shall receive two cuts prior to City assuming the parkland, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services Department. No storage of building materials, including granular and topsoil, will be permitted on the parkland after the City assumes the parkland.

All works and design drawings for the parkland are subject to the approval of the General Manager, Recreation, Cultural and Facility Services Department and the General Manager, Planning, Infrastructure and Economic Development Department.

11. Unless otherwise specified the Owner shall provide the following services and utilities to the parkland before the City assumes the parkland:
 - a) A 300mm diameter storm sewer and CB/MH at 2 metres inside the park property line.
 - b) A 120/240 volt, 200 amperes single phase hydro drop at 2 metres inside the park property line, as shown on **Site Servicing Plan – City Park**, 1354 & 1376 Carling Avenue Development – Proposed City Park, Drawing No. C801, prepared by Morrison Hershfield, Project No. 210292799, dated 2021-06-17, Rev 4, dated 2022-02-14.
12. Prior to the City assuming the parkland, the Owner shall install fence of uniform appearance and quality, with a minimum height of five feet (5') (1.5m) adjacent to the east lot line of the park as shown on **Landscape Plan – Southern Area**, 1354-1376 Carling Complex, AM05, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.02.18 (Revision E). The fence shall be installed 0.15m on the park property side of the common property line, and the location of the fence shall be verified by an Ontario Land Surveyor. All fences must adhere to the City's fence By-law 2003-462. Fence materials will be of commercial grade and consist of an ornamental fence style as shown on **Landscape Details**, 1354-1376 Carling Complex, AM07, prepared by Stantec Consulting Ltd., dated 2021.10.20, revised 2022.02.18 (Revision E).
13. The Owner shall include a clause in each Agreement of Purchase and Sale, which shall be registered as a notice on title in respect of all Lots, Blocks and/or Units, notifying all purchasers that parkland to be located on part of 1376 Carling Avenue may include active hard surface and soft surface recreational facilities.
14. The Owner acknowledges and agrees that the City shall be responsible for the development of the parkland beyond the Owner's obligations described in these conditions.
15. The Owner acknowledges and agrees that, prior to the assumption of the park by the City, the Owner will retain all liability for the transferred parkland and that said transfer will in no way exonerate the Owner from its responsibilities pursuant to the terms of the site plan agreement.
16. Prior to the City assuming the parkland, the Owner acknowledges and agrees to erect on the parkland at a location selected by the General Manager, Recreation, Cultural and Facility Services a professionally painted sign, at its own expense, indicating the following:

Future Parkland
No Dumping
No Removal Soil or Vegetation
No Storage of Materials

Parc futur
Il est interdit de jeter des déchets
Il est interdit d'enlever le sol ou la végétation
Entreposage de matériaux interdit

The Owner further agrees to maintain the signs (including graffiti) and such signs shall be removed only with the approval of the General Manager, Recreation, Cultural and Facility Services.

17. Upon registration of the Phase 2 site plan agreement (1376 Carling Avenue), the Owner agrees to provide:
 - a) a certificate of insurance naming the City of Ottawa as Additional Insured, which the City agrees will remain valid only until the City assumes the parkland, and
 - b) a letter of credit which covers the full amount of the construction cost for the Owner's obligations for the parkland including the servicing, grading, seeding and fencing, to be released when the City assumes the parkland.
18. The Owner acknowledges and agrees that no work within the right of way in front of, or around, any boundary of the parkland will be a park development cost. All right of way work including, tree planting, topsoil and sod, and all hard surface work will be at the Owners' expense.
19. Prior to the registration of the Phase 2 site plan agreement, the Owner agrees to prepare, at no cost to the City, a draft reference plan describing the park parcel to be conveyed to the City, to the satisfaction of the General Manager, Recreation, Cultural and Facility Services. The Owner further agrees to provide confirmation of the final area of the park parcel as shown on the draft reference plan.
20. Prior to the registration of the Phase 2 site plan agreement, the Owner agrees to submit 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* ("*O.Reg. 153/04*"), as amended, supporting the change of use of the land parcel from commercial use to residential and parkland use, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

3. **Environmental Site Remediation**

The Owner acknowledges and agrees that upon completion of the remedial activities, the Owner will supply a revised Phase II Environmental Site Assessment report with remediation report appended. The revised Phase II Environmental Site Assessment report shall address all comments provided during the planning review process, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

4. **Permanent Features**

The Owner acknowledges and agrees that no permanent features shall be permitted above and below grade within the City's widened right-of-way or corner sight triangle, including commercial signage, except as otherwise shown on the approved Site Plan referenced in Schedule E" herein.

5. **Transportation Study/Brief**

The Owner has undertaken a Transportation Impact Assessment and an Addendum for this site, which the TIA (Transportation Impact Assessment) and Addendum are referenced in Schedule "E" herein, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and to establish the site design features needed to support system-wide transportation objectives. The Owner shall ensure that the recommendations of the Transportation Impact Assessment, and Addendum, are fully implemented, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

6. **Private Approach Detail**

The Owner acknowledges and agrees that all private approaches serving the proposed development shall be designed and constructed, at the sole expense of the Owner, in accordance with the City's "Curb Return Entrances Curb Return at a Private Entrance" Plan, Drawing No. SC7.1, dated March 2007 and revised March 2021, and the Owner shall comply with the City's Private Approach By-law, being No. 2003-447, as amended.

7. **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.

8. **Updated Noise Study**

Prior to registration of the Phase 2 Site Plan Agreement, the Owner acknowledges and agrees that is shall retain the services of a Professional Engineer, licensed in the Province of Ontario, to undertake a further noise study in relation to Phase 2 of the development in order to update the approved **Roadway Traffic Noise Assessment 1376 & 1354 Carling Avenue**, prepared by Gradient Wind Engineering Inc., April 20, 2018 and revised December 18, 2018. The Owner shall provide the City with the updated noise study, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development, and the Owner shall ensure that the recommendations of the updated noise study are fully implemented. The Owner further acknowledges and agrees that is shall provide the General Manager, Planning Real Estate and Economic Development with confirmation

issued by the Professional Engineer that the Owner has complied with all recommendations and provisions of the updated noise study, prior to building occupancy, which confirmation shall be to the satisfaction of the General Manager, Planning, Real Estate and Economic Development. The Owner further acknowledges and agrees that Special Conditions 9, 10 and 11 in this Delegated Authority Report may need to be modified in accordance with the findings and/or recommendations of the updated noise study, and in such an event, the Owner shall comply with the appropriate modifications. All costs associated with the updated noise study and recommended noise control attenuation measures, including any required notice-on-title in relation to noise warnings, shall be the Owner's responsibility. If the updated study indicates modification to the noise control attenuation measures and warning clauses are required, the Owner acknowledges and agrees to enter into an amending site plan agreement with the City to amend the condition. All costs will be at the expense of the Owner.

9. **Noise Control Attenuation Measures**

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

- a) each unit is to be equipped with central air conditioning;
- b) each unit is to be fitted with a forced air heating system and ducting, and shall be sized to accommodate central air conditioning;
- c) 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.
- d) 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;
- e) notice respecting noise shall be registered against the lands, at no cost to the City, and a warning clause shall be included in all agreements of purchase and sale or lease agreements, as detailed in Clause 10 below.

10. **Notice on Title – Noise Control Attenuation Measures**

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, 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.”

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.”

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.”

11. **Certification Letter for Noise Control Measures**

- a) 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 Study 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, Real Estate 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, Real Estate and Economic Development.
- b) 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.

All of the information required in subsections (a) and (b) above shall be submitted to the General Manager, Planning, Real Estate and Economic Development, and shall be to his satisfaction.

12. **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 Report (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.

13. **Below Grade Parking Area and Depressed Driveways**

- (a) The Owner acknowledges and agrees 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 Owner further acknowledges and agrees that the City shall not be liable for flooding claims. The Owner further acknowledges that it is recommended that backwater valves be installed on catch basins located in depressed driveways.
- (b) The Owner acknowledges and agrees that a notice-on-title respecting below grade parking areas and depressed driveways, as contained in Clause 14 hereinafter, shall be registered on title to the subject lands, at the Owner's expense, and a warning clause shall be included in all agreements of purchase and sale and lease agreements.

14. **Notices on Title – All Units (Below Grade Parking and Depressed Driveways)**

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 himself, his 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.”

15. **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 System within “Meath Street” 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.

- 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:
 - i) obtain a video inspection of the existing City Sewer System within “Meath Street” 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 “Meath Street” and compensate the City for the full amount of any required repairs to the City Sewer System.

16. **Inlet Control Devices (ICDs)**

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground and rooftop 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 for a minimum of 5 years. The Owner shall submit said records to the City five years from the date on which this agreement is executed by the Owner, and every five years thereafter, in perpetuity.

17. **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, Real Estate and Economic Development, 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, Real Estate and Economic Development, 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, Real Estate and Economic Development, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

18. **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, Real Estate and Economic Development 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.

19. **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.

20. **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 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.

21. **Leak Survey**

The Owner acknowledges and agrees that the Water Plant and sewer service within the lands is a private system, including Private Services and sewer services and appurtenances, and the Owner acknowledges and agrees that it is responsible for the operation, maintenance and/or replacement, in perpetuity, of the Private Services and sewer system, including the Private Watermains, private hydrants, private sanitary and storm sewer infrastructure (collectively the “private system”) which are located on the lands and that the Owner will retain copies of all the associated Work and maintenance contracts, and make said contracts available for inspection upon demand by the City.

Further, the Owner acknowledges and agrees to have a Professional Engineer, licensed in the Province of Ontario, conduct regular inspections of the water system and sewer system, which includes a leak detection survey at least every five (5) years and a video of the sanitary sewer system to check for major water infiltration into the private system. Copies of the inspection reports and videos shall be provided to the General Manager, Public Works and Environmental Services and Fire Services. The Owner further acknowledges and agrees that as part of the Owner’s ongoing maintenance responsibility for the private system, repairs to the system must be completed immediately to correct any deficiencies which contribute to water loss or leakage of infiltration within the private system. Any deficiencies shall be immediately reported to the City. The Owner acknowledges and agrees to notify the General Manager, Public Works and Environmental Services when such repairs have been completed.

22. **Use of Explosives and Pre-Blast Survey**

- (a) The Owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled *Use of Explosives*, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the Owner's expense, for all buildings, utilities, structures, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. 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 (the "Notification Letter").
- (b) The Owner acknowledges and agrees that the Notification Letter(s) shall be in compliance with City Standard S.P. No. F-1201 and to the satisfaction of the General Manager, Planning, Real Estate and Economic Development. Pursuant to City Standard S.P. No. F-1201, the Owner or its agents, contractors and subcontractors shall provide written notice to all owners and tenants of any building and/or facility located within a minimum of one hundred and fifty (150) metres from the blasting location at a minimum of fifteen (15) business days prior to any blasting. The Owner further acknowledges and agrees that it shall provide a copy of the Notification Letter(s) to the General Manager, Planning, Real Estate and Economic Development prior to any blasting activities.

23. **Waste and Recycling Collection (Standard Collection)**

The Owner acknowledges and agrees that the City will provide waste collection and cart (and/or container) recycling collection. The Owner shall provide an adequate storage room or space for waste containers and recycling carts (and/or containers). The Owner acknowledges and agrees that it is recommended that the containers and carts be placed on a concrete floor. The Owner shall provide an adequate constructed road access to the waste/recycling storage room or area suitable for waste/recycling vehicles as direct access to the containers and carts is required. The Owner acknowledges and agrees that any additional services (i.e. winching of containers) may result in extra charges.

24. **Tree Protection**

The Owner acknowledges and agrees that all trees to be retained, as shown on the approved Landscape Plan and identified in the Tree Conservation Report, referenced in Schedule "E" herein, shall be protected in accordance with the City's required tree protection measures. At a minimum, the following tree protection measures shall be applied during all on-site works:

- (a) Erect a fence at the critical root zone (CRZ) of trees, defined as ten (10 cm) centimetres from the trunk for every centimetre of trunk DBH (i.e., $CRZ = DBH \times 10cm$);

- (b) Tunnel or bore when digging within the CRZ of a tree;
- (c) Do not place any material or equipment within the CRZ of the tree;
- (d) Do not attach any signs, notices or posters to any tree;
- (e) Do not raise or lower the existing grade within the CRZ without the approval of the General Manager, Planning, Real Estate and Economic Development;
- (f) Do not damage the root system, trunk or branches of any tree; and
- (g) Ensure that exhaust fumes from all equipment are not directed towards any tree's canopy.

25. **Tree Permit**

The Owner acknowledges and agrees that any trees to be removed shall be removed in accordance with an approved **Tree Permit** and **Tree Preservation Plan**, and in accordance with the City's Tree Protection By-law, being By-Law No. 2020-340, as amended. The Owner further acknowledges and agrees that a copy of the approved Tree Permit and Tree Conservation Report shall be posted on the construction site at all times until Approval is granted by the City for such Works.

26. **New Trees**

All trees to be planted in the City Right-of-Way shall be done so in accordance with the approved Overall Landscape Plan, to the satisfaction of the General Manager of the Planning, Real Estate and Economic Development Department.

27. **Joint Use, Maintenance and Liability Agreement**

- (a) The Owner acknowledges and agrees that should the lands be severed in the future, it shall ensure that the future owner of the freehold units shall enter into a Joint Use, Maintenance and Liability Agreement which shall be binding upon the owners and all subsequent purchasers to deal with the joint use, maintenance and liability of the common elements, including but not limited to any private roadway(s) and concrete sidewalks; common grass areas; common party walls, exterior walls; common structural elements such as the roof, foundations; common parking areas; sewers and watermains, for the mutual benefit and joint use of the owners; and any other elements located in the common property; and the Joint Use, Maintenance and Liability Agreement shall be filed with the General Manager, Planning, Real Estate and Economic Development.
- (b) The Owner shall file with the General Manager, Planning, Real Estate and Economic Development, an opinion from a solicitor authorized to practice law in the Province of Ontario that the Joint Use, Maintenance and Liability

Agreement is binding upon the owners of the land and all subsequent purchasers to deal with the matters referred to Paragraph 27 (a) above.

- (c) The Owner acknowledges and agrees that the Joint Use, Maintenance and Liability Agreement shall be registered on the Owner's lands at no cost to the City, and a copy of the registered agreement shall be provided to the General Manager, Planning, Real Estate and Economic Development.
- (d) The Owner acknowledges and agrees that the Joint Use, Maintenance and Liability Agreement shall include a clause that transfers all legal and financial obligations required under the Joint Use, Maintenance and Liability Agreement to future owners, successors and assigns in title of the subject lands.

28. **Access Easement to City**

The Owner acknowledges and agrees it shall grant to the City, at the Owner's expense, a Blanket Easement over the lands, with the right and licence of free, uninterrupted, unimpeded and unobstructed access to the City to enter on and to pass at any and all times, on, over, along and upon the lands with or without vehicles, supplies, machinery and equipment for all purposes necessary or convenient to construct, maintain, repair and replace the Private Watermains, Private Service Posts and fire hydrants at the Owner's expense. The Owner acknowledges and agrees that notwithstanding the rights granted to the City under the grant of easement, the Owner remains responsible at all times for the maintenance, inspection, alteration, repair, replacement and reconstruction of the utility in the said lands during their term of use. The Owner acknowledges and agrees to provide an electronic copy of the Transfer of Easement prior to the execution of this Agreement by the City, to the satisfaction of the City Solicitor. All costs shall be borne by the Owner.

29. **Surface Easement**

Prior to the registration of this Agreement, the Owner shall grant to the City, at no cost to the City, an unencumbered surface easement, allowing for pedestrian and vehicular access, along the east-west drive-aisle between Buildings A-B and Building D, as shown on the approved Site Plan referenced in Schedule "E" hereto if applicable, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development. The Owner shall provide a Reference Plan for registration, indicating the surface easement, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. The Owner acknowledges and agrees to provide an electronic copy of the Transfer Easement and a copy of the deposited reference plan to the City Clerk and Solicitor prior to registration of the easement. All costs shall be borne by the Owner.

30. **Pre-Construction Survey**

Prior to construction, the Owner acknowledges and agrees to conduct preconstruction surveys (where individual property owners give consent) at 1291, 1293, 1301, 1305, 1307, 1311, 1313, 1319, 1321, 1325, 1327 and 1331 Thames Street, and 829 Meath Street. Individual homeowners will be given 30 days to consent to the survey, failing receipt of which the homeowner will be deemed to have refused consent and the Owner shall then have no obligation to conduct a preconstruction survey in respect of such homeowner's property. The Owner shall provide each homeowner who consents to a survey with a copy of the survey for that homeowner's respective property.

31. **Construction Management**

1. The Owner acknowledges and agrees that the temporary road closures of Meath and Archibald are to be maintained and respected throughout the entire duration of construction until the final road modifications are completed.
2. Parking on the west side of Meath can only be temporarily restricted during the demolition of the Pavilion. The Owner agrees to coordinate alternative temporary parking opportunities with 824 Meath.
3. Pedestrian access is to be maintained on all frontages for the entire duration of construction. Proponent is to endeavor to provide a dedicated pedestrian facility on Archibald between Thames and Carling during the demolition and excavation phase.
4. Any proposed lane reductions on Carling will be subjected to the following:
 - a) No lane reductions in either the AM (7:00 am to 9:00 am) or PM (3:30 pm to 6:00 pm) peak periods.
 - b) Maintain a minimum of two eastbound 3.5m lanes at all other times.

32. **Community Association**

Prior to the start of construction the Owner acknowledges and agrees to establish a pre-construction meeting with the Carlington Community Association (Chair, Development Committee Robert Brinker / email: development@carlingtoncommunity.org), in coordination with the Ward 16 Councillor.

August 5, 2022



Date

Lily Xu
Manager, Development Review, South
Planning, Real Estate and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-21-0092

SITE LOCATION

1376 Carling Ave, and as shown on Document 1.

The lands are part of a phased development, where the overall property consists of 1354 and 1376 Carling Ave. The overall site is approximately 1.86 hectares in size with the subject application being 1376 Carling Avenue (Phase 2) and consisting of approximately 1.0 hectare of land. The subject site is located south of Carling Avenue to the north, east of Meath Street, north of a low-rise community abutting Thames Street, and west of Phase 1 (1354 Carling Ave) of the overall development.

SYNOPSIS OF APPLICATION

The portion of the site subject to this approval, Phase 2, is proposing a mixed-use residential/commercial development comprising of 592 residential units in three buildings. The form of development proposed comprises two high-rise residential buildings (20 and 22 storeys in height) and one mid-rise residential building (eight storeys in height) at the rear of the property, fronting Meath Street. The two high-rise buildings feature six storey podiums with at-grade retail. A new 1,424 square metre public park is proposed along Meath Street, between the street and the 8-storey residential building. This public park will provide publicly accessible open space. Site access is proposed from Carling Avenue and Meath Street and will lead to 39 surface parking spaces, as well as entries to the underground parking garage where the majority of parking spaces will be located (323 parking spaces). A portion of the parking garage will be located beneath an identified heritage resource (the existing 'Japanese Steakhouse' or 'Pavilion'). The retention of the heritage resource is a key component to the Phase 2 development. This structure has specific design, and historical and contextual value which has led to its retention.

COMPANION APPLICATIONS

A companion Lifting of Holding (City File D07-07-21-0013) application was submitted on October 26, 2021. The file is pending as it is pursuant to Site Plan Control Approval. The holding symbol will may not be lifted until such time where Site Plan Control Approval, with conditions to dedicate land to the City for the purpose of a 1,424 m² public park abutting Meath Street, has been completed.

A companion Zoning By-law Amendment (City File D02-02-17-0030) application passed by City Council on August 29, 2018 (By-law 2018-303) establishing new Arterial Mainstreet zones (AM10[2518] S389 and AM10[2519] S389-h) and Open Space zone to facilitate the development of three high-rise residential buildings (20, 22 and 20 storeys in height) along Carling Avenue and two mid-rise residential buildings (eight storeys in height) at the rear of the property, along Meath Street and Archibald Street. A new 1,424 square metre public park will be established in the Open Space zone.

A companion Site Plan Control application (City File D07-12-17-0041), or Phase 1 of the overall development, was approved on January 19, 2019 and consists of one 20-storey high-rise mixed-use building along Carling Avenue and one eight-storey residential building along Archibald Street, totaling approximately 380 residential units.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The site plan complies with the 'Arterial Mainstreet' designation of the City's Official Plan, which is intended for locating more compact forms of development, lively mixes of uses, and pedestrian friendly environments.
- The site plan complies with the 'Westgate Secondary Plan', by providing a transition to the low-rise neighbourhood along Thames Street through the use of transitional built-form and strong public realm contributions.
- The proposal has been reviewed against the Urban Design Guidelines for High-Rise Housing. While applications are not required to address all guidelines of this document, the site plan is consistent with the guidelines where the application addresses transitioning, street edges, minimizing micro-climate impacts, installing sustainable features, human scale streetscapes, activating the streetscape, tower separation and step-backs and public realm programming and activation.
- The site plan complies with the zoning performance standards of the Arterial Mainstreet, zones (AM10[2519] S389-h) and Open Space zone.
- The site has been planned to ensure safe and functional access and egress, adequacy of servicing, and appropriate site design. All aspects of transportation, engineering and site design represents good land-use planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2009-95, is being satisfied within this approval through the dedication of land and taking of cash-in-lieu of parkland as detailed in the above conditions.

The parkland dedication requirement has been calculated based on both 1354 and 1376 Carling Avenue at the rates established for commercial purposes, residential purposes and mixed-use development in the Parkland Dedication By-law 2009-95, resulting in a total dedication requirement of 1,806 square metres of land. If the land uses, floor areas and/or land areas for the proposed development change, the required parkland dedication may also change. The total area of required parkland dedication has been calculated as follows:

Net Land Area = 18,392 m² (according to geoOttawa Property Reports excluding the road widenings on Carling Avenue)

Area Ratio

Residential GFA = 69,764 m²

Commercial GFA = 1,273 m²

Total GFA = 71,037 m²

Residential GFA Ratio

= Residential GFA / Total GFA x 100

= 69,764 m² / 71,037 m² x 100

= 98.21%

Commercial GFA Ratio

= Commercial GFA / Total GFA x 100

= 1,273 m² / 71,037 m² x 100

= 1.79%

Residential Component

For apartments, the parkland dedication cannot exceed 10% of the land area of the site being developed. Therefore, the parkland dedication is:

Net Land Area x Residential GFA Ratio x 10%

= 18,392 m² x 98.21% x 10%

= 18,063 m² x 10%

= 1,806 m²

Commercial Component

Existing Commercial GFA = 16,776 m²

Proposed Commercial GFA = 1,273 m²

Since the Existing Commercial GFA exceeds the Proposed Commercial GFA, there is no uplift or gain for commercial uses. Therefore, no parkland dedication is required for the commercial component of the redevelopment.

ROAD MODIFICATIONS

There are road modifications associated with this site plan control application. The Road Modification Approval Report is still to be provided as detailed in Special Condition 1.

URBAN DESIGN REVIEW PANEL

The Site Plan Control application was subject to the Urban Design Review Panel process. A formal review meeting was held on September 10th, 2021.

The panel's recommendations from the formal review meeting are:

Summary

- The Panel thanked the proponent for the presentation and noted that the changes made to maintain the Japanese pavilion were very much appreciated as they positively contribute to the neighbourhood.
- The Panel had some concerns with the architectural treatment, including the building frame around the Japanese garden, the parking garage and the soil volume required for tree planting, tower separation, and the number of staircases needed to access ground level entrances from an accessibility perspective.

Japanese Pavilion

- The Panel very much appreciates the proponent's efforts to maintain the Japanese pavilion in its original. The Panel suggests however, that the architectural treatment of buildings framing the pavilion should be simplified, to serve as a backdrop to the pavilion.
- The Panel believes the pavilion should be publicly accessible for the community's benefit. The proponent should consider moving any amenity space that would privatize the pavilion and require screening of the windows elsewhere and instead provide a use that would contribute to the urban life of the neighbourhood, such as a café.

Site Plan Public Realm Accessibility

- The Panel believes the perpendicular parking along the north-south road could be realigned as parallel parking, creating a more urban condition and more space for landscaping. The proponent should also consider reducing the parking abutting the park.
- The Panel expressed concerns with the depth of soil above the underground parking, given that the 600-millimetres provided is equivalent to a raised curb, which is inadequate for trees and shrubs.
- The Panel noted the elevated terraces result in retaining walls that sever the street from the gardens and building entrances and preclude the opportunity to create a generous public realm.
- The Panel encourages the proponent to increase accessibility in the public realm. Ramps should be paired with stairs for building access. Currently, there are numerous locations that are only accessible by stairs.

Massing and Scale

- The Panel expressed concerns that the project appears very dense, although the towers comply with the height regimes. The provided 16-metre separation distance between tower A and tower B is inadequate. The Panel strongly advises the proponent to follow the tall building design guidelines and provides the required 23 metres separation distance.
- The proponent is encouraged to re-examine tower D and lower it.

Tower Expression and Materiality

- The Panel struggled to see the level of detail in some renderings. It was difficult to identify what elements of the tower were protruding, whether the proposed glazing

treatment in some areas was curtain wall, and what the proposed brick colour was intended to be.

- The Panel believes the towers appear "top-heavy," as the roof slab projections cast shadows on the building.
- The Panel supports the idea of a heavier building base and the use of masonry, but the tower's architectural expression should be lighter and simplified. The proponent should consider reducing the number of shifts of elements to prevent the loss of the tower's elegance.

Sustainability

- The Panel strongly encourages the proponent to look at sustainability measures for the site and buildings.

The Panel was successful in aiding in the implementation of the following:

- A simplified expression that creates a more neutral backdrop around the Japanese pavilion.
- Access from the Japanese garden to the Japanese pavilion was added to accommodate the request for public access to the pavilion.
- The ground floors of the buildings have been lowered to create more direct approaches to the site elevations; This also resulted in the elimination or reduction of retaining walls.
- Parking has been adjusted on the west side of the entrance to accommodate the request for parallel parking.
- Incorporation of sustainable measures for buildings through locally sourced materials, heat recovery, economical fixtures, and appliances.

CONSULTATION DETAILS

Councillor's Concurrence

Councillor Riley Brockington 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.

Three public meetings were held in the community on June 13, 2017 (at the Travelodge Hotel), March 9, 2018 and June 18, 2018 (at 960 Silver Street Community Centre). Residents, representatives from the Carlington Community Association and the Ward Councillor's office were present, and over 60 residents attended each meeting.

The June 18, 2018 public meeting was a specific transportation meeting to discuss options for mitigating cut-through traffic from Carling Avenue to Merivale Road, through Thames Street. The options presented were:

1. Status quo (maintain Meath Street and Archibald Street in their current design with one-way northbound signage at Thames).
2. Bulb-outs on both Meath and Archibald Streets (enforce the one-way signage with physical lane constraints on the streets).
3. Close one street and bulb-out the other.
4. Close both Meath and Archibald Streets (*preferred option by the Councillor and community).

Below is a summary of questions and comments raised on this file through the public meetings and email submissions:

Transportation

Comments:

1. Concerns were raised regarding the increasing ridership on transit services, with buses already at capacity. Also, the lack of transit service for this increase in density.
2. Concerns were raised regarding the increase in traffic this development would bring to Carling Avenue, especially concerns about the circulation of westbound traffic and how this traffic would be affected by the ramp closure.
3. Residents expressed that they were worried about increased traffic on local streets (Thames Street in particular and cut-through traffic on Meath Street and Archibald Street).
4. Pedestrian facilities are already lacking in the community and this development would exacerbate this issue.
5. Left turns onto Thames Street from Merivale Road and from Thames Street to Merivale Road are already difficult. How will traffic be addressed?
6. The underground parking access locations along Archibald Street invites traffic onto Thames Street – access should be directly from Carling Avenue.
7. The addition of an intersection on Carling Avenue at Archibald Street is required to bring westbound traffic into the site, and avoid cut-through traffic from Merivale Road.
8. During the winter, Thames does not get plowed making it difficult to traverse, more traffic on Thames Street will make this issue worse.
9. What does the increase in alternative modes of transit look like?

Responses:

1. The Planning, Infrastructure and Economic Development Department circulates OC Transpo on development files, including this file, to ensure that future planning of the transit service takes new development into consideration.
2. The increase in traffic along Carling Avenue generated by the proposed Phase 1 development ranges from 30 to 50 additional vehicles in both directions during the peak hours. For Phase 2, this increases to 50 to 100 additional site-generated vehicles per hour per direction. These volumes equate to an additional one to two new vehicles per minute along Carling Avenue in each direction. At full-site build out, study area intersections are projected to operate similar to background conditions.

There are no significant mitigative measures to improve existing operational issues due to geometric constraints. However, with the implementation of transit priority lanes along Carling Avenue a shift of travel modes from passenger vehicle to transit is expected within the area.

With regard to the closure of the Hwy. 417 eastbound on-ramp, additional vehicle capacity in the form of a new westbound left-turn lane (double left-turn lanes) is proposed at the Carling WB/Kirkwood N intersection and additional left-turn lanes are proposed at both the Carling WB/Saigon and Carling EB/Saigon intersections. The Carling EB/Saigon intersection will also be signalized in the future.

3. The approved Site Plan Control application requires modifications to both Meath Street and Archibald Street to close the roads to eliminate cut-through traffic.
4. A new sidewalk along Archibald Street is proposed through the accompanying Site Plan Control application. No new sidewalk is part of the Site Plan Control application for Thames Street.
5. The approved design to close both Meath Street and Archibald Street at Thames Street would lessen the vehicular use of Thames Street, and thus aid to alleviate left turning movements from both Thames Street and Merivale Road.
6. Direct access to the underground garages from Carling Avenue would pose safety concerns with egress and ingress from the arterial street. Access to these garages from the internal east-west drive-aisle off of Meath Street and Archibald Street is preferred from a design and safety perspective.
7. The introduction of a fourth intersection or relocating the western most signalized intersection on Carling Avenue, to Archibald Street and Carling Avenue poses several major concerns. First, the lands to the north (Westgate site) are owned by 'others' and any modifications to intersections would need full cooperation by these land owners. A new signal would generate significant site works on these northern properties. Secondly, a new intersection could create congestion at the Kirkwood Avenue / Carling Avenue intersection. Thirdly, the intersection is unwarranted and the proposed Site Plan Control application can be supported without a full-movement intersection at Carling Avenue and Archibald Street.

8. Winter conditions are issues for many residential streets. Thames Street is a lower priority street for snow clearing given it is a local road with a dead end.
9. The transportation study identifies a modal split of 25 percent use OC Transpo for the residential share. The remainder of the modal split is as follows (50 per cent auto driver; 10 per cent auto passenger; 15 per cent non-motorized).

Commercial component

Comments:

1. How much at-grade retail/commercial is proposed?
2. Some residents were pleased to see opportunities for local commercial uses in close proximity to their neighbourhood.
3. Concerns were expressed about the proposed patios, and the safety considerations for children. Additionally, one resident inquired whether the commercial and retail uses could be constrained to the frontage of Carling Avenue, and felt that locating these uses internally in the site was encroaching onto the neighbourhood in back.

Responses:

1. Phase 2 illustrates the at-grade commercial component is 697.28 square metres in size.
2. The introduction of at-grade commercial opportunities will aid in contributing to neighbourhood services and amenities.
3. The Planning, Infrastructure and Economic Development Department has no concerns with the proximity of the proposed outdoor patio and the adjacent eight-storey residential buildings.

Building Height and Density

Comments:

1. Concerns were raised regarding the three point towers being too tall at 20, 22 and 20 storeys each.
2. Concerns were raised with the number of units and density of the proposed development. The proposed density of 914 apartments with 1,500 residents (1.65 occupancy factor) is not sustainable for a site of less than 1.9 hectares inside a low-rise neighbourhood, as it is 2.3 times denser than the recently approved Westgate redevelopment.
3. Concerns were expressed that the subject proposal does not comply with the Westgate Secondary Plan transitioning policies.
4. Concerns were raised regarding little room for services such as fire, garbage and snow removal.

5. Concerns were raised regarding no place for trees. With all the developments taking place in such a confined space (Travelodge, Westgate, etc) air flow will become a major issue

Responses:

1. The site is over 100 metres in depth with the three 20+ storey buildings fronting onto Carling Avenue, with two eight-storey buildings between the low-rise residential and these high-rise buildings. Document 6 illustrates the transition of built form, where the proposed buildings respect a 45-degree angular plane, and are designed with step-backs to respond to the low-rise neighbourhood. A sun-shadow study has been prepared by the applicants' consultant demonstrating no adverse impacts on neighbouring properties.
2. The City's Official Plan sets forth criteria in Section 4.11 evaluating the compatibility of development applications on the basis of the following; Traffic, Vehicular Access, Parking Requirements, Outdoor Amenity Areas, Loading Areas, Lighting, Noise and Air Quality, Sunlight, Microclimate and Supporting Neighbourhood Services. These tests have been satisfied as described in the body of this report.

A community benefit in the form of a 1,459 square metre public park is being dedicated to the City along the Meath Street frontage.

Sidewalk connectivity is being added to Archibald Street and an east-west pathway at the rear of the property will connect the new public park along Meath Street to Archibald Street.

3. The Westgate Secondary Plan designates the site as 'Westgate-Carling South Transition Area'. Within the guiding principle, there is language, which speaks to allowance for the redevelopment of the Westgate-Carling South Transition Area ensuring future development integrates with the low profile residential area located south of the Westgate-Carling South Transition Area. The report speaks to how this proposal meets transitioning policies of the Official Plan.
4. From a fire services perspective these buildings meet the City's requirements for access to the buildings and proximity to fire hydrants for firefighting purposes. Garbage bins will be located within the building (underground parking level) and winched out of the interior garages to the street on garbage day. The only snow that would require removal is the private east-west drive aisle, and there is snow storage identified at the end of this private drive-aisle for piling. There are visitor parking spaces within the underground garage in addition to these surface parking spaces.
5. The site currently illustrates 6 street trees along the Carling Avenue frontage and 7 streets abutting the existing residential lots (1305, 1301, 1293 and 1291 Thames Street) on Thames Street. The street frontage along Archibald will see the construction of a new public sidewalk with landscaping along the full frontage of both the 8-storey building and 20-storey building. This is Phase 1 of the development, and Phase 2 will see the dedication of a 1,450 square metre park along Meath Street for public usage, and public open space (which will be

landscaped in a design to be determined at a future date). In Phase 2 one can also expect the street trees to continue along Carling Avenue and Meath Street, with trees located along the rear property line of those existing residential houses on Thames Street. Although the City's urban planning documents (Official Plan) call for this site to be intensified there is a developing street scape along Carling Avenue that will vastly improve over time with redevelopment. For example, Westgate's Phase 1 site plan is currently under review and it illustrates a double row of street trees along its frontage with Carling Avenue, and street trees framing all 4 frontages of the building.

Parking Requirements

Comments:

1. Concerns were raised about whether the parking facilities proposed by the developer were adequate to meet the demand. Residents of surrounding neighbourhoods voiced worries about the development causing increased on-street parking in their neighbourhoods which has been identified as an existing problem.
2. Where is underground parking accessed from?
3. What is the calculation of parking for phase 1 and its ratio to units?
4. How will existing hotel parking be accommodated, including tour bus parking?

Responses:

1. The proposed development illustrates parking provided in compliance with the zoning by-law rates, where 362 parking spaces are provided and 357 are required.
2. Parking for the overall concept will predominately be in the underground garage, with access off both Meath Street and Archibald Street at mid-block points.
3. For Phase 2, the required residential parking rate is 0.5 spaces per unit for dwelling units in excess of 12. The applicant is proposing a total of 592 units in Phase 2, and is illustrating 353 parking spaces for the dwelling units. Therefore, 348 parking spaces are required for the residential units, and the applicant is providing parking at a rate of 0.5 spaces per unit for the number of units exceeding 12.
4. Phase 1 illustrates the retention of the hotel. The hotel requires 0.5 parking spaces per room for the first 40 rooms and a balance of one parking space for each room over 40 rooms. Therefore, the hotel requires 31 parking spaces, whereas 88 will be provided. Tour buses will use the Carling Avenue entrance to drop off patrons, and park off-site at a 2nd location away from the hotel.

Geotechnical and Stormwater Management

Comments:

1. A concern was raised about if the clay underlying the site was suitable for the development.

2. A question was asked about whether the underground parking garage would go to the property line.
3. Concerns were raised regarding no room for rain runoff as little green space is provided.

Responses:

1. The applicant's geotechnical report has identified no geotechnical issues with developing this site. The report identified three separate foundation options dependent on the design building load and depth of the foundation.
2. The proposal is for the underground parking garage to be setback approximately 2 metres from the rear property line. The applicant has provided a buffer to better mitigate any adverse effects on adjacent properties.
3. Rainwater will be captured on site (rooftop and ground) and be directed to underground cisterns within the parking garage level. From there the water will be released to the City's stormwater sewers at an acceptable release rate to meet City standards. Rain runoff will not adversely impact adjacent neighbours or the City streets.

Streetscape

Comments:

1. Residents inquired about what the streetscape would look like along Carling Avenue, Archibald Street, and Meath Street. Residents expressed that they wanted these streets to be pedestrian oriented and maintain a neighbourhood feel.

Responses:

1. The proposed design along Carling Avenue will have at-grade commercial units, generous sidewalks and landscaping. There will be opportunities for pedestrians to come through the site via a landscaped courtyard and a new City park. An east-west pathway is proposed along the rear of the property connecting Meath Street and the City Park in the west to Archibald Street in the east. Further, a sidewalk is proposed along Archibald Street, with at-grade residential units fronting onto the street to aid in the pedestrian character of the street. Further opportunities to enhance the pedestrian experience on Meath and Archibald Streets will be considered through the Site Plan Control process.

Types of Units

Comments:

1. One resident inquired whether the developer was considering a hotel on the site.
2. What are the sizes of the units and are they apartments or condos?
3. What is the overall unit break-down over the two phases?

Responses:

1. At the time of Phase 1 approval, the applicant had expressed an openness to the development of a hotel on the Phase 2 lands (one of the 20 or 22-storey high-rise buildings along Carling Avenue). Currently, as part of Phase 2 Site Plan Control approval, the applicant has not proposed a hotel.
2. The units are all apartments with a mix of studio units, one to three bedroom units and two level townhouses within the lower eight-storey buildings. The units are currently envisioned to be rental.
3. There are currently 167 hotel rooms. The Phase 1 residential development proposal illustrates 381 units and the Phase 2 residential development proposal illustrates 592 units for a total build-out of 973 units.

Construction and Noise

Comments:

1. Residents voiced concerns about the level of noise that the construction phase of the development will bring and how this will affect their ability to enjoy their properties and backyards during this time.
2. Residents questioned the accountability that the developer could be held to throughout the construction of the development. Questions were asked about what measures would be taken if the construction of the site caused tree deaths on adjacent properties or caused the ground to settle and affected the foundations of existing buildings.
3. What is the construction timing? When would it start?
4. How much asbestos will be floating around in the air when the existing buildings are demolished?
5. Concerns were voiced about the timeline and phasing of the development in relation with the development of the Westgate complex. A resident inquired whether the Westgate development had been approved.
6. Because of the location of the Queensway, and Carling with all there traffic and being so close to these new high-rises, the lack of trees - noise absorbing green space, noise levels will be greatly increased in the neighbourhood

Responses:

1. Regarding construction hours and operation. It is within the developer's right to construct between the following hours (as per the Noise By-law). Expect construction to adhere to these hours, and if not a call can be placed to 3-1-1 to file a complaint:

It is a violation of Ottawa's Noise By-law 2017-255 for construction sites or heavy equipment to operate in any structure, highway or building:

- *Monday-Saturday: Between 10 p.m. and 7 a.m.*
- *Sundays and holidays: Between 10 p.m. and 9 a.m.*

Further limits are placed on the demolition and construction of buildings in established residential neighbourhoods. *Infill construction is not permitted:*

- *Weekdays: Between 8 p.m. and 7 a.m.*
 - *Weekends and holidays: Between 7 p.m. and 9 a.m.*
2. During construction, the applicant does not anticipate any blasting is required. However, if blasting is required, the Province regulates this and a pre-blasting survey is required of adjacent properties, and then a post-blasting survey is required to ensure damage did not occur as a result.
 3. The developer has expressed interest in commencing construction in the Spring of 2019, starting with the eight-storey residential building along Archibald Street.
 4. The buildings must be clear of any hazardous material prior to demolition.
 5. The Westgate project has been approved through a Zoning By-law and Official Plan amendment but no Site Plan Control application has been filed with the City.
 6. Carling Avenue is currently the main source of noise for the low-rise residential neighbourhood to the south. One can expect the new buildings will actually shield Thames Street from vehicular noise along Carling. Further, the removal of the vehicular lane-way at the rear of the existing hotel, and the removal of the surfacing parking lot will have a positive effect for noise and existing neighbours.

Technical Agency/Public Body Comments

N/A

Advisory Committee Comments

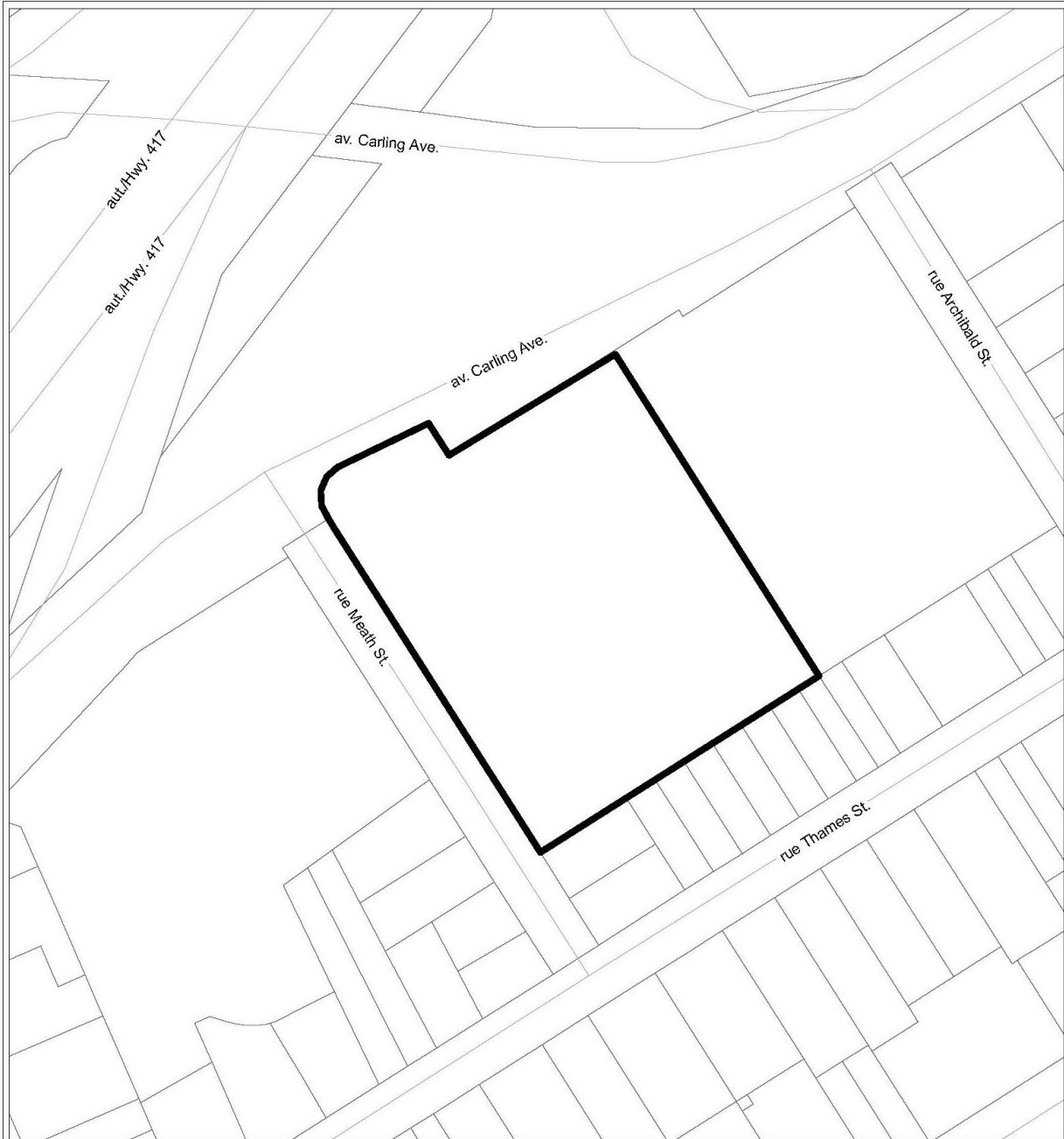
N/A




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 requirement multiple revisions to address design, landscaping, engineering matters and community concerns.

Contact: Urja Modi Tel: 613-580-2424, ext. 16912 or e-mail: Urja.Modi@ottawa.ca

Document 1 – Location Map



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|--|-----------|--|--|
|  | | LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT | |
| D07-12-21-0092 | 21-0974-J | | |
| I:\CO\2021\Site\Carling_1376 | |  1376 av. Carling Ave | |
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