



**SITE PLAN CONTROL APPLICATION  
DELEGATED AUTHORITY REPORT  
PLANNING, DEVELOPMENT AND BUILDING SERVICES DEPARTMENT**

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Site Location: 770 and 774 Bronson Avenue and 557 Cambridge Street South

File No.: D07-12-21-0108

Date of Application: July 25, 2021

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This SITE PLAN CONTROL application submitted by Paul Black, FoTenn Consultants Inc., on behalf of Katasa Development, is APPROVED as shown on the following plans:

1. **Site Plan**, Dwg SP-1, prepared by Figurr Architects Collective, revision 13, dated April 29, 2024
2. **East Elevation**, 770 Bronson, A.200 prepared by Figurr Architects Collective, Revision 9, dated June 16, 2023
3. **North Elevation**, 770 Bronson, A.201 prepared by Figurr Architects Collective, Revision 9, dated June 16, 2023
4. **West Elevation**, 770 Bronson, A.202 prepared by Figurr Architects Collective, Revision 9, dated June 16, 2023
5. **South Elevation**, 770 Bronson, A.203 prepared by Figurr Architects Collective, Revision 9, dated June 16, 2023
6. **Landscape Plan**, Dwg L1, prepared by Gino J. Aiello (GJA) Landscape Architect, revision 6, dated January 31, 2024
7. **Erosion & Sediment Control Plan**, Dwg C101, prepared by LRL Engineering, Revision 4, dated November 22, 2023
8. **Grading and Drainage Plan**, Dwg C301, prepared by LRL Engineering, Revision 4, dated November 22, 2023
9. **Servicing Plan**, Dwg C401, prepared by LRL Engineering, Revision 4, dated November 22, 2023
10. **Storm Water Management Plan**, Dwg C601, prepared by LRL Engineering, Revision 4, dated November 22, 2023

11. **Pre-Development Watershed Plan:** Dwg C701, prepared by LRL Engineering, Revision 4, dated November 22, 2023
12. **Post-Development Watershed Plan:** Dwg C702, prepared by LRL Engineering, Revision 4, dated November 22, 2023
13. **Construction Detail Plan:** Dwg C901, prepared by LRL Engineering, Revision 4, dated November 22, 2023

And as detailed in the following reports:

1. **Geotechnical Investigation Report**, dated June 2, 2021, **Geotechnical Eng. Addendum Memo and Geotechnical Eng. Letter**, both dated July 21, 2023, and all prepared by WSP
2. **Phase I Environmental Site Assessment**, prepared by Exp, dated September 22, 2022
3. **Phase II Environmental Site Assessment**, prepared by EXP, dated June 24, 2024
4. **Roadway Traffic Noise Assessment**, prepared by Gradient Wind Engineering Inc., dated February 1, 2021
5. **770-774 Bronson Avenue Transportation Impact Assessment**, prepared by CGH Transportation, dated September 2023
6. **Pedestrian Level Wind Study**, prepared by Gradient Wind Engineering Inc., dated February 2, 2021
7. **Stormwater Management Report and Servicing Brief**, prepared by LRL Engineering, dated June 14, 2023

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

### **Requirements**

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

### **General Conditions**

#### **1. Lapsing of Approval**

The Owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event

that the Owner fails to sign this Agreement, complete the conditions to be satisfied prior to the signing of this Agreement, and have corresponding building permit(s) issued within three (3) year of Site Plan approval, the approval shall lapse.

2. **Barrier Curbs**

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

3. **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.

4. **Reinstatement of City Property**

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

5. **Construction Fencing**

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

6. **Construct Sidewalks**

The Owner shall design and construct sidewalks 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, Development and Building Services. Such sidewalks shall be constructed to City Standards.

7. **Completion of Works**

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

Until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Development and Building Services, the Owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the Owner has complied with this provision.

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

8. **Development Charges**

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

**Special Conditions**

9. **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.

10. **On-Site Parking - Notice on Title**

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 the unit being sold/rented may not be provided with any on-site parking. Should the Purchaser/Lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The Purchaser/Lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa cannot be guaranteed now or in the future; and that the Purchaser/Lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

"The Purchaser/Lessee covenants with the Vendor/Lessor that the above clause, 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. **Transit Pads and Shelters**

The Owner shall locate, design and construct, at no cost to the City, paved transit passenger shelter pad to the specifications of the City.

12. **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) further to subsection (b) above, the location and installation of any outdoor air conditioning devices 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

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

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

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

Type 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 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 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.”

#### 14. **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**, dated June 2, 2021, **Geotechnical Eng. Addendum Memo and Geotechnical Eng. Letter, both** dated July 21, 2023, and all prepared by WSP (the “Report”), referenced in Schedule “E” herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Development and Building Services 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, Development and Building Services.

#### 15. **Geotechnical - Encroachments**

The Owner acknowledges and agree that the **Geotechnical Investigation Report**, dated June 2, 2021 has recommended methods of shoring/anchoring that may encroach onto the adjacent property or onto the City’s Carling Avenue, Bronson Avenue and Cambridge Street rights-of-way. The Owner acknowledges and agrees that it shall be required to obtain the approval of the adjacent property owner and/or receive municipal consent for any Works within the said Road, prior to the installation of any encroachments. The Owner acknowledges and agrees that for encroachments within the said Road, the Owner shall ensure that there will be no conflicts between the proposed shoring method and the municipal services or utilities in the said Road.

#### 16. **Record of Site Condition**

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Development and Building Services, and the Chief Building Official, a Record of Site Condition (“RSC”) completed in accordance with the Environmental Protection Act, R.S.O. 1990, c. E.19, O.Reg. 153/04 (“O.Reg. 153/04”), as amended, and such RSC shall be acknowledged by the Ministry of the

Environment, Conservation and Parks. The RSC shall confirm that all or part of the site is suitable for the proposed use in accordance with O.Reg. 153/04. The City may issue a building permit on a phased basis to allow for site investigation and remediation activities if permitted by O.Reg. 153/04 which shall be at the sole discretion of the Chief Building Official.

17. **Retaining Wall**

The Owner agrees to submit to the General Manager, Planning, Development and Building Services, prior to issuance of a building permit, details of the retaining walls which are greater than one metre in height, as shown on the approved **Grading and Drainage Plan**, Dwg C301, prepared by LRL Engineering, Revision 4, dated November 22, 2023, referenced in Schedule "E" hereto, which shall be designed and prepared by a Professional Structural Engineer, licensed in the Province of Ontario, to the satisfaction of the General Manager, Planning, Development and Building Services. The Owner shall provide confirmation to the General Manager, Planning, Development and Building Services that the Professional Structural Engineer has inspected and confirmed that the retaining walls have been constructed in accordance with the approved retaining wall details.

18. **Retaining Wall - Stability**

The Owner acknowledges and agrees to install the proposed retaining walls in accordance with the approved Retaining Wall Design for North, Northwest and South locations of 770-774 Bronson Avenue and as shown on the approved **Grading and Drainage Plan**, Dwg C301, prepared by LRL Engineering, Revision 4, dated November 22, 2023, referenced in Schedule "E" hereto. The Owner shall provide written confirmation, satisfactory to the General Manager, Planning, Development and Building Services, that a Geotechnical Engineer/Professional Structural Engineer, licensed in the Province of Ontario, has inspected and confirmed that the retaining walls have been constructed in accordance with the said approved Retaining Wall Design for North, Northwest and South locations of 770-774 Bronson Avenue. The Owner further acknowledges and agrees to provide an Internal Compound Stability (ICS) analysis from a Geotechnical Engineer / Professional Structural Engineer, licensed in the Province of Ontario, that all retaining walls, which are greater than one metre in height have been checked for global stability, have a factor of safety of at least 1.5 for static conditions (as calculated through SLIDE) and 1.1 for seismic conditions is achieved, which shall be to the satisfaction of the General Manager, Planning, Development and Building Services. The report shall provide structural details of the retaining walls.

The Owner further acknowledges and agrees to retain the services of a Professional Structural Engineer and a Soils Engineer, licensed in the Province of Ontario, to inspect any retaining walls on the subject lands and confirm that the retaining walls have been constructed in accordance with the approved retaining wall details.

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

The Owner acknowledges and agrees that a notice shall be registered on title to the subject lands, at the Owner's expense. The Owner further acknowledges and

agrees that such notice on title, or the clauses as written directly below, shall be included in all agreements of purchase and sale and lease agreements to inform prospective purchasers and tenants of these matters. The notice on title shall include, but not be limited to, the following:

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

“The Purchaser/Lessee for 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.”

20. **Internal Building Cisterns**

The owner acknowledges and agrees to install and maintain in good working order the required stormwater management cistern, including any associated pumps, flow control devices, outlets, backup power and other appurtenances, as recommended in the approved **Stormwater Management Report and Servicing Brief**, prepared by LRL Engineering, dated June 14, 2023, **Servicing Plan**, Dwg C401, prepared by LRL Engineering, Revision 4, dated November 22, 2023 and **Storm Water Management Plan**, Dwg C601, prepared by LRL Engineering, Revision 4, dated November 22, 2023, referenced in Schedule “E” herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

21. **Protection of City Sewers**

(a) Prior to the issuance of a building permit, the Owner shall, at its expense:

- (i) provide the General Manager, Planning, Development and Building Services with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the Carling Avenue, Bronson Avenue, and Cambridge Street frontages (the “City Sewer System”) and the impact of the existing City Sewer System on the building's footing and foundation walls;



- (ii) obtain a legal survey acceptable to the General Manager, Planning, Development and Building Services and the City's Surveyor, showing the existing City Sewer System within Carling Avenue, Bronson Avenue, and Cambridge Street and the location of the proposed building and its footings in relation to the City Sewer System;
  - (iii) obtain a video inspection of the City Sewer System within Carling Avenue, Bronson Avenue, and Cambridge 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, Development and Building Services.
- (b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Development and Building Services:
  - (i) obtain a video inspection of the existing City Sewer System within frontages on Carling Avenue, Bronson Avenue, and Cambridge 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 Carling & Bronson Avenue as well Cambridge Street, relative to the work being done and the frontages of this site and compensate the City for the full amount of any required repairs to the City Sewer System.

## 22. **High Pressure Transmission Main Protection**

Prior to the issuance of a commence work order and in order to ensure the integrity of the high-pressure transmission main located along the east boundary of the site (Bronson Street right-of-way), that carries a significant portion of the entire water supply for the City of Ottawa, the Owner acknowledges and agrees:

- (a) to develop a site specific Settlement and Vibration Monitoring Program (the "Program"), which said Program will be stamped by a Professional Engineer, licensed in the Province of Ontario and submitted to the General Manager, Planning, Infrastructure and Economic Development for review and approval prior to the inclusion of the Plan in the contract documents.
- (b) that should monitoring levels of vibration and underground soil movement exceed the maximum limits outlined in the Program, the Owner agrees to cease all construction activities immediately and implement, at its sole expense, the necessary correction measures. The Owner further agrees to report to the City immediately and resubmit a revised work plan to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
- (c) that in the event that the levels of vibration momentarily exceed the maximum limits outlined in the Program, and if the Owner's on-site consultant is of the professional opinion that no danger exists, the Owner may continue to

proceed with the work by a different means, consistent with the Program, which does not further cause the levels of vibration/settlement to exceed the maximum limits outlined in the Program. Prior to proceeding with the Work, the level of exceedance of vibration/settlement shall be reported to the Construction Services Branch of the City.

(d) that in the event emergency repairs of the transmission main are required, the Owner shall reimburse the City for the cost of such repairs to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

(e) that the City reserves the right to issue a stop work order for the construction in the event of any incident which would adversely affect the City's requirement to provide safe drinking water. This may include but is not limited to, a leak or failure of the high-pressure transmission main and/or a failure at one of the water purification plants. Where the stop work order is for a period of 24 hours or less, the City is not responsible for any delay claim billed by the Owner. No inference of liability is to be taken from these conditions for any period longer than 24 hours.

(f) to prepare a contingency plan for the construction work related to the sewer relocation. The contingency plan will document who will be monitoring on-site instrumentation during the sewer relocation work.

(g) that the Owner or its Contractor shall provide the City, prior to the execution of this Agreement, and shall keep in force during the term of the construction Work with a certificate of liability insurance in the form acceptable to the City, evidencing its insurance coverage. Such policy, additional to the \$5,000,000.00 general aggregate policy required for Site Plan Control, shall also name the City of Ottawa as an additional insured thereunder. The limits of the policy shall be in the amount of \$25,000,000 and shall be kept in full force and effect for the term of the construction work.

23. **Stormwater Works Certification**

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

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

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top and in-ground stormwater inlet control devices, as recommended in the approved **Stormwater Management Report and Servicing Brief**, prepared by LRL Engineering, dated June 14, 2023, referenced in Schedule

“E” herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

25. **Water Demand for Fire Fighting**

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

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

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

- (a) a certificate of conformance and As-built Drawings have been received from a Professional Engineer, licensed in the Province of Ontario, certifying that all required inlet control devices have been properly installed to City Standards or Specifications, and that the storm sewer system has been installed in accordance with the approved engineering drawings for site development and City Sewer Design Guidelines. The inlet control devices shall be free of any debris; or
- (b) a flow limiting orifice plate, designed by a Professional Engineer licensed in the Province of Ontario and to the satisfaction of the City, has been installed at the storm water outlet prior to connecting any upstream storm sewers. Such orifice plate shall not be removed until subsection (a) above has been satisfied and approved by the General Manager, Planning, Development and Building Services.

27. **Site Remediation Report**

Prior to the issuance of a building permit, the Owner acknowledges and agrees to provide the General Manager, Planning, Development and Building Services Department, with either an updated Phase Two ESA with a Site Remediation Report appended or a separate Site Remediation Report upon completion of the remedial activities as per the O.Reg.153/04 requirements. The remediation report must be prepared by a qualified person as defined by O.Reg. 153/04, and be to the satisfaction of the General Manager, Planning, Development and Building Services.

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

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 based on the location where explosives are to be used. In particular, a pre-blast survey shall be completed in accordance with Table 1 of S.P. No. F-1201. 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.

29. **Exterior Elevations Drawings**

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

30. **Maintenance and Liability Agreement for Landscaping**

The Owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement with the City, for those elements which are to be located in the City's Bronson Avenue, Carling Avenue, and Cambridge Street rights-of-way, as shown on the approved Landscape Plan referenced in Schedule "E" herein, including all plant and landscaping material (except municipal trees), concrete planters, seat walls, and pavers. The Maintenance and Liability Agreement shall be registered on title, at the Owner's expense, immediately after the registration of this Agreement. The Owner shall assume all maintenance and replacement responsibilities in perpetuity.

31. **Waste Collection**

The Owner acknowledges and agrees that residential cart (and/or container) garbage, recycling, and organic waste collection will be provided by the City from a centralized refuse room or area. The Owner shall provide, at its own expense, adequate storage for the containers and carts and acknowledges it is recommended that they be placed on a concrete floor. The Owner shall provide an adequately constructed road for direct access to the garbage/recycling/organic waste storage room or area suitable for garbage/recycle/organic waste collection vehicles. Any additional services (i.e. winching of containers) may result in extra charges. It is expressly acknowledged that this service may be amended or discontinued at the City's sole discretion, if in the City's opinion, access is not appropriate or due to policy/process changes within the operating department.

### 32. **Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City is 448.26 square metres.
- (b) The Owner covenants and agrees that the conveyance requirement has been calculated at the rate set out below in accordance with the Parkland Dedication By-law, being By-law No. 2022-280, as amended:
  - (i) For cash-in-lieu of conveyance of parkland:
    - i. one hectare per 1,000 net residential units but shall not exceed a maximum of 10% of the gross land area where less than or equal to five hectares (residential > 18 units/net ha);
    - ii. 2% of the gross land area (commercial & industrial uses);
    - iii. Where land is developed for a mix of uses within a building, the conveyance requirement shall be the cumulative sum for each use, as calculated using the applicable rate prorated proportionally to the gross floor area allocated to each use.

### 33. **Cash-In-Lieu of Conveyance of Parkland**

Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland in the amount of **\$1,441,567.04** as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 17 funds. The Owner shall also pay the parkland appraisal fee of \$800.00 plus H.S.T. of \$104.00, as referenced in Schedule "B" herein.

### 34. **Community Benefits Charge**

The Owner acknowledges that the development is subject to payment of a Community Benefits Charge of **\$586,600**, payable at the time of building permit issuance, calculated in accordance with the Community Benefits Charge By-law 2022-307 (as amended from time to time) and the *Planning Act*.

For the purposes of calculating the charge payable, the City has completed an appraisal. The Owner acknowledges that the City has applied this appraised value to calculate the Community Benefits Charge owing at the time of building permit issuance, provided the first building permit is issued within twenty-four months of the date of the present site plan approval. Should the first building permit not be issued within that timeline, an updated valuation of the land that is the subject of development or redevelopment will be provided by the City prior to building permit issuance or earlier if requested by the Owner.

### 35. **Road Widening**

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City:

- a) an unencumbered road widening across the complete Bronson Avenue frontage of the lands, measuring 11.5 metres from the existing centreline of pavement/the abutting right-of-way.
- b) An unencumbered road widening across the complete Carling Avenue frontage of the lands, as shown on the approved Site Plan.

The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner acknowledges and agrees to provide an electronic copy of the Transfer and a copy of the deposited reference plan to the City Solicitor prior to the execution of this Agreement by the City. All costs shall be borne by the Owner.

36. **Transportation Demand Management**

The owner agrees to the following Transportation Demand Management (TDM) measures, as recommended in the 1. 770-774 Bronson Avenue Transportation Impact Assessment, prepared by CGH Transportation, dated September 2023:

- a) The designation of an internal TDM program coordinator
- b) Displaying local area maps with walking and cycling routes, and transit schedules and route maps at entrances
- c) Inclusion of a pre-loaded Presto card to \$500 for first time apartment rentals (those that are not in possession of transit pass through their respective school) within six months opening of the site
- d) Unbundle parking costs from rental costs
- e) Provide a multimodal travel option information package to new residents

37. **Preliminary Construction Management Plan**

Prior to the issuance of a building permit, the owner agrees to provide a preliminary construction management plan identifying proposed construction within the adjacent right-of-way, to the satisfaction of the General Manager, of Public Works.

November 15, 2024

\_\_\_\_\_  
Date



\_\_\_\_\_  
Andrew McCreight  
Manager, Development Review, Central  
Planning, Development and Building Services  
Department

Enclosure: Site Plan Control Application approval – Supporting Information

## SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

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**File Number:** D07-12-21-0108

### SITE LOCATION

770 and 774 Bronson Avenue and 557 Cambridge Street South, and as shown on Document 1.

### SYNOPSIS OF APPLICATION

- The subject site is currently vacant and at the southwest corner of Carling and Bronson Avenues
- The proposed development is a 22-storey mixed-use building with 188 dwelling units and a nine-storey building with 90 dwelling units. Approximately 600 square metres of commercial space is proposed on the ground floor
- 133 parking spaces are proposed below grade, 25 of them visitor parking and 221 bicycle parking spaces are provided
- Access on Cambridge Street will be limited to loading and services and a residential exit and access on Bronson Avenue will be with turn restrictions in place
- Special conditions include Transportation Demand Management measures to encourage the use of alternative modes of transportation to standard vehicles and thus reduce transportation impacts on the surrounding community
- Both buildings contain a series of setbacks and stepbacks to respond to the existing context and minimize height impacts on surrounding community, with height concentrated closest to the intersection of Bronson and Carling Avenues. Transparency on the ground floor, and enhanced landscaping within the right-of-way along Bronson and Carling encourages interaction with the public realm at grade. Warm brick tones and a grid pattern have been incorporated to reflect existing context.

### Residential Units and Types

Dwelling Type	Number of Units
Apartment	288

## **Related Applications**

The following applications are related to this proposed development:

- Zoning By-law Amendment – D02-02-21-0068

## **DECISION AND RATIONALE**

This application is approved for the following reasons:

- The application is consistent with Official Plan policies for enhancing an urban pattern of built form, mix of uses, prioritizing walking, cycling, and transit, locating highest buildings closest to the corridors, and ensuring proper transition
- The application is consistent with applicable Urban Design Guidelines for High-rise Housing and for Development along Arterial Mainstreets which speak to the pedestrian experience, separation distances, minimizing shadow and wind impacts, transitioning in scale and density and providing richly detailed buildings with visual interest
- The proposal is in conformity with zoning approved by Council November 22, 2023 with all opportunities for appeals exhausted (ACS2023-PRE-PS-0114)
- The proposed development is in keeping with policy direction. The applicant has provided a building with variation in heights, setbacks, architectural treatments, public realm improvements, and a range of housing units. The proposed site design represents good planning.

## **PARKLAND DEDICATION**

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

## **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 10<sup>th</sup>, 2021.

The panel's recommendations from the formal review meeting are attached as Document 2.

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

- Building height was reduced from 26 to 22 storeys.
- Tower in Phase One was shifted away from western property line.
- Distinction was implemented between tower and mid-rise portion of the building.



- The two phases were separated.
- The building was pulled back from Cambridge Street.
- Increased landscaping across the site.

## **CONSULTATION DETAILS**

### **Councillor's Comments**

Councillor Shawn Menard was aware of the application related to this report.

### **Public Comments**

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

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

#### Summary of Comments – Technical

N/A

### **Advisory Committee Comments**

#### Summary of Comments – Advisory Committees

Comments were received from the Accessibility Advisory Committee with the desire to identify on plans if the two accessible parking spaces provided would be for visitors or for tenants, requesting more accessible spaces, and requesting the development provide units that accommodate those with accessible needs and seniors.

#### Response to Comments – Advisory Committees

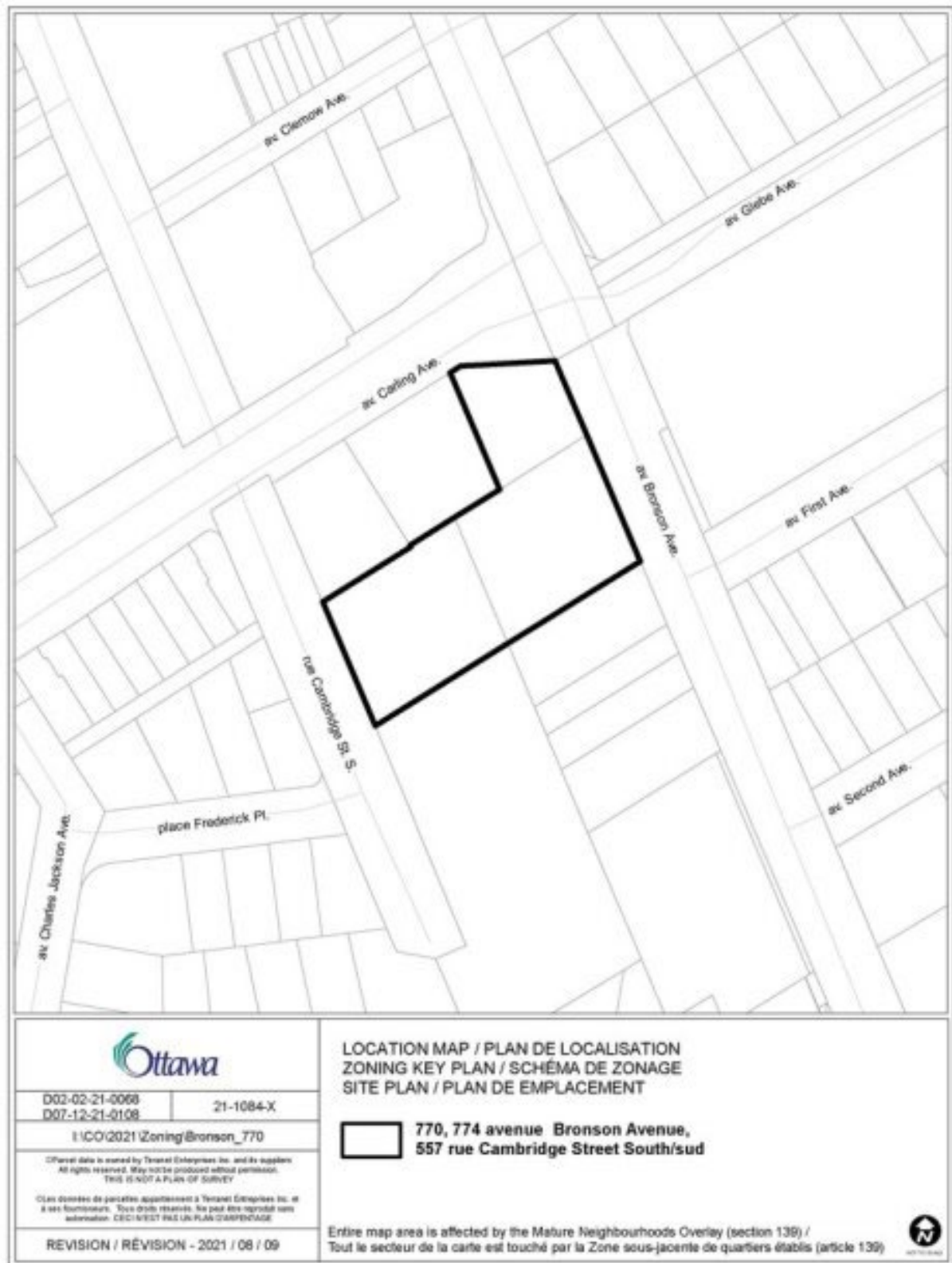
Four accessible parking spaces have been identified on plans provided and have not distinguished at this time between visitor and tenant parking spaces. The Department is not able to require dwelling units for a particular demographic. Any Ontario Building Code requirements for accessibility will be imposed at the building permit stage.

## **APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was not processed by the On Time Decision Date due to the complexity of issues associated with the related zoning by-law amendment.

**Contact:** Erin O'Connell Tel: 613-868-9191 or e-mail: [Erin.O'Connell@ottawa.ca](mailto:Erin.O'Connell@ottawa.ca)

## Document 1 – Location Map



## **Document 2 – Urban Design Review Panel Recommendations of September 10, 2021**

**770-774 Bronson Avenue & 557 Cambridge Street S.** | Formal Review | Zoning By-law Amendment and Site Plan Control Application | Figurr Architects Collective; Fotenn Planning + Design; Katasa Groupe + Développement

### **Summary**

- The Panel appreciates the revisions made since the last visit; the simplification of the mass, provision of a rooftop amenity area, increased setbacks, and the reduction of the tower plate has moved the project in the right direction. However, the Panel believes some refinements can be made to break down the mass further.
- The Panel has significant concerns with the proposed density, the tower's proximity to the lot line, and whether the site can accommodate a tower. The Panel also expressed strong concerns with the building's relationship to Cambridge Street, due to the treatment of the underground parking, which creates a significant grade change.

### **Massing and Density**

- The Panel remains concerned with the proposed density on-site as evidenced by the massing presented and the tower's proximity to the lot line as the tower appears to "rub shoulders" with the adjacent lot; a 6.8 metres setback on the west side is not adequate.
- The Panel reiterates that the tower should be shifted away from the corner to achieve the required 10-12.5 metres separation distance outlined in the tall building design guidelines.
- The Panel believes reducing the massing and refining the design would improve the building's relationship to the surrounding streets and public realm; given the context on Bronson Avenue and the building's location south of Carling, a mid-scale expression would be more appropriate.
- The proponent should create a clear distinction between the tower and the mid-rise building. The proponent should also step back the long volume to break down the overall length, reduce the apparent mass, and introduce a compelling landscape.

### **Grading**

- The Panel has some concerns with the floor-to-ceiling heights and the building's interface between the apartment units and the student residence. The proponent should consider sloping the parking underground and increasing the floor-to-floor heights in the units above to improve their livability.
- The Panel believes other solutions should be explored to address the grading and parking garage. The parking access could be redesigned using the land's natural slope. The proponent should consider stepping the ground floor slab to match the surrounding grades and improve the east-west relationship to Cambridge Street, instead of creating a garage that separates the ground floor from the surrounding public spaces.

## **Landscaping and Public Realm**

- The Panel notes there is an opportunity to widen the sidewalks and increase tree planting on-site should the mass of the building be reduced.
- The proponent should consider reducing the service access route length and number and height of the surrounding retaining walls and introduce landscape buffers.

## **Materiality**

- The proponent should incorporate a reveal to separate interface of the two buildings and consider adding colour blocking tied in with façade plane changes, to break up the façade along Bronson Avenue.

## **Sustainability**

- Sustainability on-site should be explored. The proponent should consider increasing setbacks to provide more open space and vegetation, adding green roofs, and integrating stormwater management including permeable pavers.