

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

Site Location: 253, 255 and 257 York Street and 78 and 80 Nelson Street

File No.: D07-12-21-0135

Date of Application: August 27, 2021

This SITE PLAN CONTROL application submitted by Lisa Dalla Rosa, Fotenn, on behalf of 253 York Holdings Inc. and 80 Nelson Holding Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan and Notes**, SPD-1, prepared by Soma Pro Designs, dated MAY, 2021, revision 3 dated 07/21/23.
2. **Existing & Proposed Elevations**, A1, prepared by Soma Pro Designs, dated MAY, 2021, revision 3 dated 07/21/23.
3. **Existing & Proposed Elevations**, A2, prepared by Soma Pro Designs, dated MAY, 2021, revision 3 dated 07/21/23.
4. **Tree Conservation Report & Landscape Plan**, L.1, prepared by James B. Lennox & Associates Inc., dated AUGUST 2021, revision 6 dated 08/28/2023.
5. **Site Servicing Plan**, prepared by McIntosh Perry, Project# CCO-22-0938, Plan C101, dated Aug 24th 2021, revision #4, dated DEC 20, 2022.
6. **Site Grading, Sedimentation and Erosion Plan**, prepared by McIntosh Perry, Project# CCO-22-0938, plan# C101, dated Aug 24th 2021, revision #4, dated DEC 20, 2022.
7. **Exiting Conditions Plan**, prepared by McIntosh Perry, Project# CCO-22-0938, plan#103, dated Aug 24th 2021

And as detailed in the following report(s):

1. **Phase I ESA**, prepared by PINCHIN Engineering, Project#281322, dated Feb 2nd, 2022.

2. **Roadway Traffic Noise Assessment**, prepared by GRADIENTWIND REPORT: GW21-196 – Traffic Noise R1 , dated Dec 9th, 2021
3. **Site Servicing Report**, prepared by McIntosh Perry, Project# CCO-22-0938 dated March 10th, 2022
4. **Geotechnical Investigation**, prepared by EXP, project# OTT-00262813-A0, dated June 25th, 2021
5. **Geotechnical Memo**, prepared by EXP, dated March 18th, 2022.
6. **Tree Conservation Report Addendum Update**, prepared by Dendron Forestry Services, dated May 15, 2024

And subject to the following General and Special Conditions:

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 and/or Letter of Undertaking, complete the conditions to be satisfied prior to the signing of this Agreement, and have the corresponding building permit(s) issued within three (3) years of Site Plan approval, the approval shall lapse.

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, Development and Building Services Department.

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 Department, 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 Department.

6. Extend Internal Walkway

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

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, Development and Building Services Department. Such sidewalk(s) shall be constructed to City Standards.

8. 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, Infrastructure and Economic Development, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Development and Building Services Department, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Development and Building Services Department 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 Department, 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.

9. Development Charges

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

Special Conditions

10. 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, Development and Building Services Department, shall have the right at all times to inspect the installation of the Works. The Owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Development and Building Services Department, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, P Planning, Development and Building Services Department, 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.

11. 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.

12. On-Site Parking

The Owner acknowledges and agrees that units within the proposed building(s) will not be provided with on-site parking. In the event any future tenant or purchaser wishes to have parking, the Owner acknowledges that alternative and lawful arrangements will need to be made to address parking needs at an alternate location and such arrangements are solely the responsibility of the person seeking parking. The Owner further acknowledges and agrees the availability and regulations governing on-street parking vary; that access to on-street parking, including through residential on-street parking permits issued by the City cannot be guaranteed now or in the future; and that a tenant or purchaser intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.

The Owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in Clause 13 below, 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.

13. 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 will 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 will 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.”

14. 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 Impact Assessment 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, Development and Building Services Department (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, Development and Building Services Department.

(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, and shall be based on the following matters:

- (i) Previously approved Detailed Noise Control Studies, Site Plan and relevant approved Certification Letters (C of A) or Noise thresholds of the City's Environmental Noise Control Guidelines; and
 - (ii) Non-conditional final approval for release for occupancy.
- (c) All of the information required in subsections (a) and (b) above shall be submitted to the General Manager, Planning, Development and Building Services Department, and shall be to his satisfaction.

15. Noise Control Attenuation Measures

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Transportation 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 device(s) shall comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216 entitled Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands.
- (c) prior to the issuance of a building permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound levels within the City's and the Ministry of the Environment, Conservation and Parks' noise criteria;
- (d) 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 paragraph 16 below.

16. 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."

17. 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, Development and Building Services Department 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 Department.

18. Geotechnical – Encroachments

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

19. Stormwater Management Memorandum

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

20. Rooftop flow control memorandum

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Development and Building Services Department, with a memorandum completed by the mechanical and structural engineers responsible for design of the roof structure as rooftop storage is being utilized for stormwater management. The Flow Control Roof Drainage Declaration provides assurance that the mechanical and structural engineers have coordinated their design.

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 Department with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the Nelson Street frontage (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 Department and the City's Surveyor, showing the existing City Sewer System within Nelson Street frontage 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 Nelson Street frontage 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 Department.

(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 Department:

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

22. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top stormwater inlet control devices, as recommended in the approved servicing and Stormwater management report, referenced in Schedule "E" herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity, and shall provide said records to the City upon its request.

23. 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, Development and Building Services Department, shall have the right at all times to inspect the installation of the Works. The Owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Development and Building Services Department, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Development and Building Services Department, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Development and Building Services Department.

24. 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 Department with certificates of compliance issued by a Professional Engineer, licensed in the Province of Ontario, confirming that all recommendations and provisions have been implemented in accordance with the approved Plans and Reports referenced in Schedule "E" herein.

25. 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.

26. Waste Management

The Owner acknowledges and agrees that garbage, recycling, and organic waste collection will not be provided by the City and it shall make appropriate arrangements with a private contractor for garbage, recycling, and organic waste collection at the Owner's sole expense. The Owner shall consult a private contractor regarding any access requirements for garbage and/or recycling and organic waste collection.

27. Site Lighting Certificate

(a) In addition to the requirements contained in clause 19 of Schedule "C" hereto, the Owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:

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

28. MECP Environmental Compliance Approval

The Owner acknowledges and agrees to apply for an Environmental Compliance Approval ("ECA") from the Ministry of Environment, Conservation and Parks ("MECP"), under Transfer of Review Submission, for the storm water on multiple properties, located at this site, discharging to the municipal sewer, with an outlet to the Ottawa River. All costs shall be borne by Owner. The Owner further acknowledges and agrees that a full Commence Work Notification Letter will not be issued until the MECP has issued the ECA certificate and provided a copy to the satisfaction of the General Manager, Planning, Development & Building Services Department.

29. Tree Protection

- a. The owner/applicant agrees that, prior to any excavation within the Critical Root Zone of the large silver maple on or near 290 Clarence Street, tree protection fencing will be erected as shown in the Tree Conservation Report and Landscape Plan, and that the fencing will be inspected by the Planning Forester.
- b. The owners/applicant agrees that, prior to any excavation within the Critical Root Zone of the large silver maple on or near 290 Clarence Street, they shall use the services of an arborist certified by the International Society of Arboriculture (ISA) in order to undertake partial-tree corrective pruning in order to allow the building to be constructed. This shall be at the sole expense of the owner/applicant.
- c. The owners/applicant agrees that once excavation has occurred, and before any backfill has happened, the planning forester will be contacted to inspect the below ground area.
- d. The owner/applicant agrees that if deemed warranted by the Planning Forester, a Registered Professional Forester will be contracted at the Owners' expense to evaluate options for remediation of any concerns identified during the two site visits by the Planning Forester.

30. Parkland Dedication

- a. The Owner acknowledges and agrees that the conveyance requirement to the City is 150.43 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 (residential > 18 units/net ha):
 1. 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.

31. Cash-In-Lieu of Conveyance of Parkland

Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 12 funds. The Owner shall also pay the parkland appraisal fee of \$850.00 plus H.S.T. of \$110.50, as referenced in Schedule "B" herein.

32. 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 York Street and Nelson 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 pathways 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.

June 11, 2025

Date



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

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-21-0135

SITE LOCATION

253, 255 and 257 York Street & 78 and 80 Nelson Street, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is located within the northwest corner of the York Street and Nelson Street intersection, in the Lowertown neighbourhood. The irregular-shaped site has approximately 40.3 metres of frontage on York Street and 38.1 metres of frontage on Nelson Street and has an area of 1,535 square metres. The site is currently zoned Residential Fourth Density Zone, Subzone UD, Exception 2923, Residential Neighbourhood Commercial (R4UD[2923]-c) and is occupied by a three storey apartment building with ground floor commercial space and 37 dwelling units located at 253, 255 and 257 York Street, and a two-storey rooming house containing seven rooming units located at 78 and 80 Nelson Street. Both existing buildings are proposed to be retained.

Within the immediate vicinity of the subject site, the neighbourhood is generally characterized by low-rise residential dwellings. To the north of the site are two-storey residential dwellings that are listed on the Heritage Register. To the south across York Street are low-rise residential dwellings ranging between two- and three-storeys, and to the east of the site are two-storey residential dwellings. To the west of the site are two-storey residential buildings and further west is King Edward Avenue.

On November 22, 2023 Council has approved a Zoning By-law Amendment (D02-02-21-0088) to rezone the subject site from Residential Fourth Density Zone, Subzone UD (R4UD) to Residential Fourth Density Zone, Subzone UD, Exception 2923, Residential Neighbourhood Commercial (R4UD[2923]-c) to facilitate the construction of the proposed development by permitting the following relief:

- To provide a Minimum Front Yard setback of 0m whereas 4.5m is required.
- To provide a Minimum Corner Yard setback of 0m whereas 4.5m is required.
- To provide 21 per cent of the lot area as landscaped whereas 30 per cent of the lot area is required.
- To provide 0 resident and visitor parking spaces, whereas 29 resident parking spaces and 4.5 visitor parking spaces are required.
- To permit dwelling units and rooming units within the same building whereas rooming units and dwelling units are not permitted in the same building.

- To introduce the Residential Neighbourhood Commercial suffix in order to recognize the existing legal non-conforming commercial space located at grade.
- To consider all lands associated with this development to be one lot for zoning purposes.
- To remove the interior yard area requirements of Section 144(6).

The proposal consists of the following additions to the existing buildings on the property:

- 253, 255 and 257 York Street: a three-storey addition to the north-east of the existing mixed-use building containing 22 new dwelling units. The addition will connect to the 78 and 80 Nelson Street building at the second and third floors, with a carriageway at grade leading to an amenity area at the rear.
- 78 and 80 Nelson Street: a three-storey addition to the west of the existing two-storey rooming house, as well as a third-storey addition, containing a total of 30 new rooming units. The existing corrugated metal on 78 and 80 Nelson Street will be removed and replaced with brick cladding which will carry over and wrap around the north corner.

The proposed additions will result in one residential use building across the consolidated properties. The proposed development also includes a building connection along with the removal of the rear surface parking area. The eastern addition will be accessed via a common lobby facing Nelson Street, which provides access to an elevator, or via a rear entrance facing the interior of the site. The northern addition will be accessed via the existing entrance on the building facing Nelson Street or via a proposed rear stairwell. A total of 62 bicycle parking spaces are proposed within the rear yard that will be accessed via the carriageway from Nelson Street. The applicant is proposing 194 square metres of common outdoor amenity area through an outdoor courtyard space located at the northeastern corner of the subject site.

In response to concerns flagged by a neighbouring property owner as it relates to a tree located on their property, a Tree Conservation Report was prepared in order to confirm that the tree has a high probability of survival post-construction. The City Forester has done a fulsome review of the Tree Conservation Report and has confirmed that the proposed development should not adversely impact the stability or health of the tree. Condition 29 was added in order to elaborate on the owner's responsibility towards the tree.

On February 19, 2025, the Committee of Adjustment approved applications for Consent (D08-01-24/B-00251 & D08-01-24/B-00252) as well as to establish an easement D08-01-24/B-00250. The applications sought to convey a portion of the York Street property to the Nelson Street property, as well as to secure an easement, guaranteeing access to amenity areas between both addresses.

Environmental Compliance Approval (ECA) will be required due to stormwater management serving multiple properties. This requirement is reflected under Condition 27.

Residential Units and Types

Dwelling Type	Existing	New	Total
Dwelling Units	31	22	53
Rooming Units	12	30	42

Related Applications

The following application is related to this proposed development:

- Zoning By-law Amendment – D02-02-21-0088

DECISION AND RATIONALE

This application is approved for the following reasons:

- The application is consistent with the Downtown Core Transect Policy Area in the Official Plan. Located within an area identified as an Evolving Neighbourhood, the proposal is successful at maintaining and enhancing an urban pattern of built form and site design in order to foster the development of the 15-minute neighbourhood.
- The proposal is consistent with the intent of the Zoning By-law and meets all the applicable performance standards of the R4UD[2923]-c zone, notably those introduced by Zoning By-law Amendment D02-02-21-0088.
- The approval includes conditions aimed at ensuring the protection of nearby mature trees.
- The proposed low-rise residential dwelling is considered to represent 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.

CONSULTATION DETAILS

Councillor's Comments

Councillor Stéphanie Plante is aware of the application related to this report. Councillor has concurred with the proposed conditions of approval.

The Councillor provides the following comment:

“From a strictly planning perspective this proposal now looks acceptable, but I will note as landlords, Smart Living leads the way in the number of bylaw complaints in Ward 12. I strongly encourage staff to ensure all the necessary covenants on title to ensure full compliance with the plans as approved.”

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.

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date due to the application having gone through some evolution and some time elapsed between submission.

Contact: Jean-Charles Renaud Tel: 613-580-2424, ext. 27629 or e-mail: Jean-Charles.Renaud@ottawa.ca

Document 1 – Location Map

