



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

---

Site Location: 360 Friel Street

File No.: D07-12-21-0166

Date of Application: October 20, 2021

---

This SITE PLAN CONTROL application submitted by Fotenn Planning and Design, on behalf of 360 Friel Street Holdings Inc., is APPROVED as shown on the following plan(s):

1. **Site Grading, Drainage and Sediment & Erosion Control**, C101, prepared by McIntosh Perry Consulting Engineers Ltd., Revision 5, dated September 15, 2022
2. **Site Servicing Plan**, C102, prepared by McIntosh Perry Consulting Engineers Ltd., Revision 5, dated September 15, 2022
3. **Site Plan**, A0.3, prepared by Muzaiko Architecture, dated May 21, 2021, revision 8 dated October 11, 2022.
4. **Elevations**, A2.1, prepared by Muzaiko Architecture, dated May 12, 2021, revision 3 dated June 27, 2022.
5. **Elevations**, A2.2, prepared by Muzaiko Architecture, dated May 12, 2021, revision 3 dated June 27, 2022.
6. **Tree Conservation Report and Landscape Plan**, L.1, prepared by James B. Lennox and Associates Landscape Architects, dated October 8, 2021, revision 3 dated June 28, 2022.

And as detailed in the following report(s):

1. **Servicing & Stormwater Management Report**, prepared by McIntosh Perry Consulting Engineers Ltd., dated June 28, 2022
2. **Geotechnical Investigation Proposed Building Expansion**, prepared by Golder Associates Ltd., dated April 2022
3. **Phase One Environmental Site Assessment**, prepared by Pinchin Ltd., dated August 31, 2021

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

### Requirements

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.

And subject to the following scoped Site Plan Agreement Conditions:

### ***Scoped Site Plan Conditions***

#### **1. Execution of Agreement within One Year**

The Owner shall enter into a Scoped Site Plan Agreement, limited to the following conditions, list of approved plans and reports, financial and otherwise, as required by the City. In the event that the Owner fails to sign this Agreement and complete the condition to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

#### **2. Cash-in-lieu of Parkland**

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

#### **3. On-Site Parking**

(a) 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.

(b) The Owner acknowledges and agrees that a notice-on-title respecting on-site parking, as contained in Clause \_\_\_ 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.

#### **4. 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.”

And subject to the following General and Special Conditions:

### ***General Conditions***

#### **5. 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.

#### **6. 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.

#### **7. 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.

#### **8. 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.

#### **9. 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.

#### **10. Development Charges**

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

#### **11. 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, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development for such occupancy in writing.

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

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

***Special Conditions:***

**12. Private Approach Detail**

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

**13. Geotechnical Investigation**

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, currently 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, Infrastructure and Economic Development with confirmation issued by the geotechnical engineer that the Owner has complied with all recommendations and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

**14. Soil Management**

The Owner acknowledges and agrees to retain an environmental consultant to identify areas on the subject lands where excess soils, fill and/or construction debris will be removed. If through further testing any of these materials are found to be contaminated, the Owner acknowledges and agrees to dispose, treat or recycle these materials at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks.

**15. Environmental Test Pitting Program**

The Owner acknowledges and agrees to implement an environmental test pitting program prior to the development and issue a soil characterization report to ensure the fill material on site meets applicable standards. If the soil results do not

comply with the applicable standards, then completion of a soil remedial program is required to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development. If during the site development excavation any source of contamination is identified that may have potential for adverse impacts to the soil or groundwater quality onsite, then completion of a soil and groundwater remedial program is required to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

**16. Stormwater Management Memorandum**

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

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

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top inlet control devices, as recommended in the approved 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.

**18. 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, Infrastructure 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, Infrastructure 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, Infrastructure 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, Infrastructure and Economic Development.

**19. 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, Infrastructure 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.

**20. 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.

**21. Site Lighting Certificate**

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.

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, Infrastructure and Economic Development, 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.

**22. 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.

**23. Tree Protection**

The Owner acknowledges and agrees to abide by the City's Tree Protection Bylaw, being By-Law No. 2020-340, as amended and that all retained trees will be protected in accordance with an approved Tree Conservation Report. The Owner further acknowledges and agrees that an on-site meeting with City Forestry staff shall be required to discuss the protection and retention of the existing City-owned tree.

November 10, 2022 \_\_\_\_\_  
Date

  
\_\_\_\_\_  
Andrew McCreight  
Manager, Development Review Central  
Planning, Real Estate and Economic  
Development Department

## **SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION**

---

**File Number:** D07-12-21-0166

### **SITE LOCATION**

360 Friel Street, and as shown on Document 1.

### **SYNOPSIS OF APPLICATION**

The subject site, known municipally as 360 Friel Street, is approximately 498 square metres in total lot area, with a lot width of 16.5 metres. The site is currently occupied by a 2 ½ storey low-rise apartment building with 10 dwelling units. The existing building is currently listed on the City's Heritage Register, but is not designated, and is identified as a Category Three property within the Sandy Hill Cultural Heritage Area.

Immediately north of the site, are a variety of low-rise mixed-use buildings. Further north are retail businesses and Rideau Street, which contains a variety of residential and commercial uses. To the immediate east of the site are low-rise residential buildings. Further east lies the Sir Wilfrid Laurier Park, which fronts on to Chapel Street. To the south of the site are low-rise residential and mixed-use buildings. Further south, along Laurier Avenue, lies various institutional buildings as well as, the Laurier House National Historic Site. To the immediate west of the subject site are low-rise residential uses, fronting on Nelson Street. Further west of the site is King Edward Avenue, which contains a variety of commercial uses as well as, the University of Ottawa campus.

It is proposed to construct a three-storey, 7-unit addition to the rear of the existing 2 ½ storey building. With the additional, a total of 17 dwelling units would be provided and the existing surface parking located in the rear yard would be replaced. The proposed addition would be accessible via the existing driveway, as well as from the rear yard. A total of 12 bicycle parking spaces, to be located in an accessory structure in the rear yard, as well as 4 bicycle parking spaces in the interior side yard (along the western portion of the existing building) is also proposed. One parking space, to be located in the interior side yard, intended to be utilized as a car-share space for tenants, will be provided.

The subject site is currently zoned Residential Fourth Density Zone, Subzone UD, Exception 480 (R4UD[480]). The R4 zone permits a variety of residential uses including (but not limited to) a duplex, stacked dwelling and, low-rise apartment building. Exception 480 permits a dwelling unit.

### **DECISION AND RATIONALE**

This application is approved for the following reasons:

- The development is consistent with the Official Plan.

- The Sandy Hill Secondary Plan also applies to the subject site. As per Schedule J of the Secondary Plan, the subject site is designated as being within the Low-profile Residential Area. Section 5.3.2 of the Secondary Plan aims to preserve and enhance existing housing stock within the neighbourhood, whilst also ensuring that a variety of housing is provided.
- The proposed development meets the intent of the R4UD[480] zone, which permits a range of residential typologies ranging from detached dwellings to low-rise apartment dwellings.
- The applicant also submitted a Minor Zoning By-law Amendment application seeking relief from performance standards associated with the R4 zone in order to construct the proposed 7-unit addition at the rear. This Zoning By-law Amendment application was passed by City Council on August 31, 2022 and all levels of appeal have been exhausted.
- The proposed 7-unit addition 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.

### **CONSULTATION DETAILS**

#### **Councillor's Comments**

Councillor Mathieu Fleury 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.

#### Summary of public comments and responses

During the circulation period, a total of 6 comments from residents were received. The comment received are organized by theme/topic.

#### *Comment:*

There is increased activity near the Friel Street and Laurier Avenue East intersection, especially as a result of some new restaurants opening. People regularly park on both side of Friel Street and, at times, double park. Existing parking regulations need to be enforced. This is the third proposal received recently where no parking is to be provided. It's unclear how neighbourhoods are supposed to accommodate this. Friel Street is increasingly congested and hazardous, not just because of parking but, also due to the sheer volume of traffic and damage to the roads as a result. Have there been any traffic studies to consider the implications of the proposed development at 360 Friel street? A neighbourhood traffic study should be done.

#### *Response:*



The subject site is within Area X on Schedule 1A of the City's current Zoning By-law. Under the parking provisions, found within Section 101 of Part 4 of the By-law, parking is not required for the first twelve dwelling units. Parking requirements found within Table 101 apply only to dwelling units in excess of 12. In the case of this proposal, the space rate is 0.5 spaces/dwelling unit (DU), resulting in 2.5 (rounded up to 3) spaces being required. The applicant sought relief for this as part of the corresponding Zoning By-law Amendment application. A parking space intended to be utilized as a car-sharing space has been proposed by the applicant, which is shown on the site plan.

A condition of approval herein requires that the Owner notify tenants that on-site parking shall not be provided. It is anticipated that potential tenants of the building will either not have a private vehicle or will find alternative arrangements with respect to parking.

As it concerns traffic studies, a Transportation Impact Assessment (TIA) Screening Form was submitted by the applicant. The screening form indicated that the proposed 7-unit addition did not trigger a full TIA report.

A neighbourhood traffic study was conducted for the Sandy Hill neighbourhood in 1995. Traffic calming measures in the form of roadway narrowings were installed at specific intersection along Friel Street as a result of the study recommendations. In order for a new neighbourhood study to be conducted, a request needs to be submitted to the City's Traffic Services division.

*Comment:*

There will be a loss of light and an increase in noise as a result of this development. It will detract from the overall feel of Sandy Hill.

*Response:*

The proposed addition will be in the rear yard of the subject site, within a minimal portion of the building being within the interior side yard. Access to the addition will be via the rear yard and via a principal entrance off of Friel Street, accessible via the existing driveway. There will be little impact to the existing structure at 360 Friel Street, for which exterior modifications are not proposed. Staff are of the opinion that the proposed development is compatible with the existing structure and the character of the area.

*Comment:*

It would be beneficial if the city could provide informational items for residents when comes to planning applications, potential impacts of development and how to best submit input.

*Response:*

As part of the circulation package for Zoning By-law Amendments that gets mailed to residents, a "What is a Zoning By-law Amendment?" information sheet is included. This information sheet includes basic information on what Zoning By-law is, what it regulates, and what can be changed via a Zoning By-law Amendment application. In addition to the information provided during the circulation process, city staff host planning primer information sessions for interested members of the public. Information on when planning primer sessions will be held is usually posted on the City's website and is advertised via newsletter if one subscribes to receive said newsletter.

*Comment:*

What is the point of by-laws if they can so easily be amended and seem to be amended so often?

*Response:*

Under Ontario's *Planning Act*, City Council's have authority to make decisions on Zoning By-law Amendment applications. Anyone has the right to submit a Zoning By-law Amendment application and have said application be reviewed and taken into consideration by the City, per the requirements of the *Planning Act*.

*Comment:*

The 2-bedroom relief proposed is problematic and should not be permitted. Sandy Hill already has many units geared towards students. This is fine but, housing should be designed to accommodate a variety of people.

*Response:*

The applicant was initially proposing relief from the requirement under the R4 zone that a minimum of 25 per cent of the units provided must have at least two or more bedrooms. As a result of comments in this regard, the applicant has revised the floor plans and is now meeting the requirements of the Zoning By-law provisions with respect to multi-bedroom units. Accordingly, relief for this provision is no longer being sought by the applicant.

**Technical Agency/Public Body Comments**

Summary of Comments – Technical

N/A

**Advisory Committee Comments**

Summary of Comments – Advisory Committees

N/A

**APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was not processed by the On Time Decision Date due to the complexity of issues requiring resolution prior to approval.

**Contact:** Seana Turkington Tel: 613-580-2424, ext. 27790 or e-mail: seana.turkington@ottawa.ca

# Document 1 – Location Map



		<b>LOCATION MAP / PLAN DE LOCALISATION</b> <b>ZONING KEY PLAN / SCHEMA DE ZONAGE</b> <b>SITE PLAN / PLAN D'EMPLACEMENT</b>	
D02-02-21-0130	21-1387-X	 <b>360 rue Friel Street</b>	
D07-12-21-0166			
I:\CO\2021\Zoning\Friel_360		 Heritage (Section 60) Patrimoine (Article 60)	
<small>©Parcel data is owned by Teraset Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small> <small>©Les données de parcelles appartiennent à Teraset Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARTÉRIAGE.</small>			
REVISION / RÉVISION - 2021 / 10 / 26		Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) / Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139)	

