



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

Site Location: 138 Forward Avenue

File No.: D07-12-21-0237

Date of Application: December 30, 2021

This SITE PLAN CONTROL application submitted by John Moser, GBA Group, on behalf of Vika Land Development Group Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan**, drawing No. SP, prepared by Susan D. Smith Architect, dated MAR 2020, revision 2 dated MAR. 02/22.
2. **Landscape Plan**, drawing No. L100, prepared by Stantec Engineering, dated 21.11.29, revision 3 dated 22.04.20.
3. **Elevations**, drawing No. SP, prepared by Susan D. Smith Architect, dated MAR 2020, revision 2 dated MAR. 02/22.
4. **Site Servicing Plan**, drawing No. SSP-1, prepared by Stantec Engineering Project#160401680, Revision 2 dated 22.04.12.
5. **Storm Drainage Plan**, drawing No. SD-1, prepared by Stantec Engineering Project#160401680, Revision 2 dated 22.04.12.
6. **Grading Plan**, drawing No. GP-1, prepared by Stantec Engineering Project#160401680, Revision 2 dated 22.04.12.
7. **Existing Conditions and Removals Plan**, drawing No. EX-1, prepared by Stantec Engineering Project#160401680, Revision 2 dated 22.04.12.
8. **Erosion Control Plan**, drawing No. EC/DS-1, prepared by Stantec Engineering Project#160401680, Revision 2 dated 22.04.12.

And as detailed in the following report(s):

1. **Phase I ESA**, prepared by Paterson Group Report: PE5478-1 dated Nov 16th, 2021.

2. **Roadway Traffic Noise Assessment**, prepared by GRADIENTWIND, Report# 21-359-Traffic Noise, dated Dec 17th, 2021
3. **Stormwater and Site Servicing Report**, prepared by Stantec, report# 160401680, dated April 18th, 2022.
4. **Geotechnical Investigation**, prepared by Paterson Group, Report# Report: PG6026-1, dated Nov 24th, 2021.
5. **Grading Plan Memo** PG6026-MEMO.02 prepared by Paterson Group, dated April 20th, 2022.
6. **Geotechnical Memo** PG6026-MEMO.01, prepared by Paterson Group, dated April 20th, 2022.

And subject to the following Scoped Site Plan Agreement Conditions:

Scoped Site Plan Agreement Conditions

1. **Execution of Agreement Within One Year**

The Owner shall enter into a Scoped Site Plan Control 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 conditions 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 Scoped Site Plan Agreement.

3. **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 4 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 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."

5. **Maintenance and Liability Agreement**

The Owner acknowledges and agrees it shall be required to enter into a Maintenance and Liability Agreement for all plant and landscaping material (except municipal trees) and pavers placed in the City's right-of-way along Forward Avenue in accordance with City Specifications, and 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.

And subject to the following General and Special Conditions:

General Conditions

1. **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.

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, Real Estate and Economic Development.

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, 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.

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, Real Estate and Economic Development.

6. **Construct Sidewalks**

The Owner shall design and construct sidewalk(s) within public rights-of-way or on other City owned lands to provide a pedestrian connection from or to the site as may be determined by the General Manager, Planning, Real Estate and Economic Development. Such sidewalk(s) shall be constructed to City Standards.

7. **Extend Internal Walkway**

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

8. **Development Charges**

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

Special Conditions

9. 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"), are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Real Estate and Economic Development with confirmation issued by the geotechnical engineer that the Owner has complied with all recommendations and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

10. 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.

11. 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.

12. Stormwater Management Memorandum

Prior to issuance of a building permit, the Owner acknowledges and agrees to provide the General Manager, Planning, Real Estate 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, Real Estate and Economic Development, and all associated costs shall be the Owner's responsibility.

13. 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, Real Estate and Economic Development 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 138 Forward ave 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, Real Estate and Economic Development and the City's Surveyor, showing the existing City Sewer System within the ROW at 138 Forward ave 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 the ROW at 138 Forward ave 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, Real Estate and Economic Development.
- b. Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Real Estate and Economic Development:
 - i. obtain a video inspection of the existing City Sewer System within the ROW at 138 Forward ave 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 the ROW at 138 Forward ave frontage and compensate the City for the full amount of any required repairs to the City Sewer System.

14. 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 Site servicing and stormwater management report, referenced in Schedule "E" herein. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity, and shall provide said records to the City upon its request.

15. 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.

16. Stormwater Works Certification

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

17. 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.

18. Use of Explosives and Pre-Blast Survey

- a. The Owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled *Use of Explosives*, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the Owner's expense, for all buildings, utilities, structures, water wells and facilities likely to be affected by the blast, in particular, those within seventy-five (75) metres of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection (the "Notification Letter").
- b. The Owner acknowledges and agrees that the Notification Letter(s) shall be in compliance with City Standard S.P. No. F-1201 and to the satisfaction of the General Manager, Planning, Real Estate and Economic

Development. Pursuant to City Standard S.P. No. F-1201, the Owner or its agents, contractors and subcontractors shall provide written notice to all owners and tenants of any building and/or facility located within a minimum of one hundred and fifty (150) metres from the blasting location at a minimum of fifteen (15) business days prior to any blasting. The Owner further acknowledges and agrees that it shall provide a copy of the Notification Letter(s) to the General Manager, Planning, Real Estate and Economic Development prior to any blasting activities.

19. Pre-Blast Survey

Prior to any blasting activities, the Owner acknowledges and agrees it shall arrange for a pre-blast survey to be carried out in accordance with Ontario Provincial Standard Specification entitled "General Specification for the Uses of Explosives", Section 120.07.03, by a Professional Engineer licensed in the Province of Ontario, which states as follows:

- a. A pre-blast survey shall be prepared for all buildings, utilities, structures, water wells, and facilities likely to be affected by the blast and those within 150 m of the location where explosives are to be used. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.
- b. The pre-blast survey shall include, as a minimum, the following information:
 - i. Type of structure, including type of construction and if possible, the date when built.
 - ii. Identification and description of existing differential settlements, including visible cracks in walls, floors, and ceilings, including a diagram, if applicable, room-by-room. All other apparent structural and cosmetic damage or defect shall also be noted. Defects shall be described, including dimensions, wherever possible.
 - iii. Digital photographs or digital video or both, as necessary, to record areas of significant concern. Photographs and videos shall be clear and shall accurately represent the condition of the property. Each photograph or video shall be clearly labelled with the location and date taken.
- c. A copy of the pre-blast survey limited to a single residence or property, including copies of any photographs or videos that may form part of the report shall be provided to the owner of that residence or property, upon request.

20. Site Lighting Certificate

- a. 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, Real Estate 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.

21. Construction Meeting

The owner agrees to hosting a pre-construction meeting with the community and Ward Councillor's office prior to the start of excavation and construction on the Site.

August 9, 2022

Date



Andrew McCreight
(A) Manager, Development Review, Central
Planning, Real Estate and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-21-0237

SITE LOCATION

138 Forward Avenue, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property is located on the east side of Forward Avenue, between Burnside Avenue and Lyndale Avenue, within the Mechanicsville neighbourhood of the Kichissippi Ward.

The property currently includes a two-storey single-family dwelling (to be demolished) fronting on Forward Avenue. The site is surrounded by a mix of low-rise residential buildings as well as mid- and high-rise towers to the southwest and northwest along Parkdale Avenue. A public lane abuts the property to the west.

The application has been submitted in order to facilitate the construction of a four-storey, 20-unit apartment dwelling. No vehicular parking spaces are proposed on the property, and a total of 20 bicycle parking spaces will be provided on site. Garbage storage is incorporated within the building.

The building's massing is broken up in response to the street's existing built form pattern. The building will be clad in brick with a change in materials above the second floor to a lighter colour. The proposed development does not require any relief from the Zoning By-law and adheres to all zoning provisions.

The concern of front yard tree plantings was discussed with the applicant on multiple occasions in an attempt to provide some larger trees in the front yard. The proposed building's front yard setback, which aligns itself with the abutting neighbours, however, is too narrow to allow for trees to be planted at this location. This approach was reviewed by Forestry staff, who confirm that no desirable trees are appropriate for the front as there is a lack of planting space, in addition to the presence of overhead hydro wires. In lieu of trees, two planting beds are proposed at the front of the building. In addition, a tree is proposed for the rear yard.

In response to comments from the community association, the applicant has indicated that the installation of bird-safe window decals will be taken under consideration at the building permit stage.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject site is designated General Urban Area in Schedule B of the Official Plan. The proposed development is consistent with the policies for the General Urban Area, which permits multiple housing types and densities. The Official Plan supports small-scale infill and intensification, where the existing pattern and scale of development is complemented.
- The subject site is located within the Inner Urban Transect of the New Official Plan and is further designated as an Evolving Neighbourhood. The Inner Urban Transect is generally planned for mid- to high-density development. Policies speak to maintaining and enhancing an urban pattern of built form, prioritizing walking and cycling, and providing direction to hubs, corridors and neighbourhoods.
- The subject site is located within the Scott Street Secondary Plan. The proposed development is consistent with the policies of the Secondary Plan, which allow for intensification in strategic locations that is transit supportive.
- The proposal adheres to all zoning provisions of the R4UD (Residential Fourth Density, Subzone UD) zone.
- The proposed low-rise apartment building is considered to represent good planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2009-95, 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 Jeff Leiper is aware of the application related to this report. Councillor has concurred with the proposed conditions of approval.

Public Comments

This application was subject to public circulation under the Public Notification and Consultation Policy. Comments from the Mechanicsville Community Association are included as Documents 2 and 3 below. Staff have considered these comments during their review.


APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date due to extended periods of time between review submissions.

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

Document 1 – Location Map



	
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REVISION / RÉVISION - 2022 / 01 / 14	

LOCATION MAP / PLAN DE LOCALISATION
SITE PLAN / PLAN D'EMPLACEMENT



138 av. Forward Ave.



NOT TO SCALE

**Document 2 – Comments from the Mechanicsville Community Association,
February 19, 2022**



215 Parkdale Avenue, 1104
OTTAWA, ON K1Y 4T8

mechanicsvilleca@gmail.com

February 19, 2022

jean-charles.renaud@ottawa.ca

Attention: Mr. Renaud

**Re: D07-12-21-0237
138/140 Forward Avenue
Community of Mechanicsville**

Thank you for attending the public meeting for the above-mentioned application. Please consider this our official response to the above-mentioned application.

It is noted that this property is zoned R4UD and the applicant is not seeking any variances. However we do have several comments noted below:

1. The Planning Rationale heavily references the Transit-Orientated Development Guidelines however it appears the planner has overlooked Guideline 52 which requires the planting of shade trees. Several images show 1 or 2 trees in the front setback on Forward Avenue, which would provide shade for pedestrians. However, the landscape plan only has 1 tree and it is in the rear yard. Please address this deficiency.
2. Apply window decals recommended by Safewings Ottawa to avoid bird collisions with large areas of glass window. See attached link <https://safewings.ca/strategies/homes/> ;
3. Ensure adequate snow storage on our own property;
4. Ensure all tenants, trades and subtrades are aware that there is absolutely no street parking available;
5. No air conditioners or fresh air ventilation is installed in locations that will disturb neighbors; and
6. Find attached the MCA Builders Code of Conduct to be provided to the applicant.



If you have any further questions, I can be contacted at 613-240-4649.

Sincerely,

A handwritten signature in black ink that reads "Lorrie Marlow".

Lorrie Marlow
President
Mechanicsville Community Association

cc: Jeff.Leiper@ottawa.ca
stephany.chevalier-crockett@ottawa.ca
Mechanicsville_Board

Document 3 – Comments from the Mechanicsville Community Association, February 20, 2022

Dear Jean-Charles Renaud

February 20, 2022

As requested at Councillor Leiper's on-line open house for 138 Forward Ave. I am writing to you about tree planting along Forward Ave in the set-back between the sidewalk and the front of the proposed building.

The applicant's submission contains several images of the building (e.g. Views, Planning Rationale, Elevation) that show variously 2 or 3 trees on site with 1 or 2 in the front yard adjacent to Forward. Unfortunately the Landscape plan has only 1 tree in the back yard and none on the front yard where they could provide shade for pedestrians and cyclists.

The new Official Plan approved by City Council highlights the importance of urban tree canopy as a factor in the achievement of the City's fight against the climate crisis and proposes a minimum of 40% canopy coverage in each neighbourhood. This cannot be achieved in Mechanicsville without significant numbers mature trees on privately owned lots. In consequence, it is important for each development application to be examined for the potential to contribute to this goal with a minimum of 2 trees per site.

The Transit-Oriented Development Guidelines, which are cited frequently by the applicant to justify the added density and absence of parking spaces, includes Guideline 52 which states,

"Plant shade trees and shrubs and use permeable surfaces and light coloured hard surfaces where possible to help reduce urban heat and to create a more comfortable microclimate."

Additionally, the new Official Plan and the draft Transportation Master Plan both have policies on the importance of trees in creating shaded sidewalk and paths. In Mechanicsville this can only be accomplished by requiring trees in the front yards of buildings.

In consequence, during the Open House I requested that 1 and if possible 2 trees capable of providing significant shade for pedestrians be planted in the front set-back of 138 Forward. You undertook to consult with the city's forestry department on the feasibility of planting such trees and to inform both myself and the applicant as to this advice.

I am further requesting that if forestry's advice is that trees cannot be planted in the minimal set-back for reasons of inadequate space, that you seek the applicant's agreement to enlarge the front set back to a size that will allow for suitable shade trees to be planted. It is notable that if an enlarge front set-back would also increase badly needed storage for snow, rather than shovelling it into Mechanicsville's narrow streets.

Finally, although it was not mentioned during the online open house I am requesting that you follow-up with the applicant on Guidelines 52's recommendation to use light coloured material on the roof of the building. Further since the applicant emphasized his comment to creating an environmentally advanced building, you may also wish to explore his willingness to install a green roof composed of living plants.

Best wishes,

Roy Atkinson
Mechanicsville Community Association
613-729-4046
roy.catkinson@gmail.com

CC
Councillor Leiper
Mechanicsville Community Association