



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

Site Location: 44 Eccles Street

File No.: D07-12-22-0024

Date of Application: February 10, 2022

This SITE PLAN CONTROL application submitted by WSP Canada Inc., on behalf of Cornerstone Housing for Women, is APPROVED as shown on the following plan(s):

1. **Site Plan**, prepared by CSV Architects, A100, Revision 10 dated August 11, 2022.
2. **Site Grading Plan** prepared by NOVATECH Engineering , drawing 121255-GR, Project# 121255-00, Rev. 5 dated April 4th , 2022.
3. **General Plan of Services**, prepared by NOVATECH Engineering , drawing 121255-GP, Project# 121255-00, Rev. 5 dated April 4th , 2022.
4. **Storm Drainage Area Plan** prepared by NOVATECH Engineering , drawing 121255-STM, Project# 121255-00, Rev. 3 dated April 4th , 2022.
5. **Erosion and Sediment Control Plan** prepared by NOVATECH Engineering , drawing 121255-ESC, Project# 121255-00, Rev. 3 dated April 4th , 2022.
6. **North Elevation**, prepared by CSV Architects, A3, dated January 12, 2022.
7. **South Elevation**, prepared by CSV Architects, A4, dated January 12, 2022.
8. **East Elevation**, prepared by CSV Architects, A5, dated January 12, 2022.
9. **West Elevation**, prepared by CSV Architects, A6, dated January 12, 2022.
10. **Landscape Plan**, prepared by CSW, L1.0, dated November 17, 2021, Revision 2 dated April 1, 2022.
11. **Landscape Details**, prepared by CSW, L2.0, dated November 17, 2021, Revision 2 dated April 1, 2022.
12. **Landscape Details**, prepared by CSW, L2.1, dated November 17, 2021, Revision 2 dated April 1, 2022

And as detailed in the following report(s):

1. **Phase I ESA** , prepared by Paterson Group Report: PE5434-1 dated July 13th, 2022
2. **Phase II ESA** , prepared by Paterson Group Report: PE5434-2 dated July 13th, 2022
3. **Roadway Traffic Noise Assessment**, prepared by GRADIENTWIND , Report# GW21-363 – Traffic Noise, dated Nov 22, 2021

4. **Site Servicing Brief and Stormwater Management Report**, prepared NOVATECH Engineering Project# 121255, Revision 2 dated April 4th 2022.
5. **Geotechnical Investigation**, prepared by Paterson Group, Report# PG6078-1, Revision 1, dated Nov 17th 2021.
6. **Tree Conservation Report**, prepared by CSW, TCR 01, dated September 12, 2021, Revision 1 dated January 28, 2022.
7. **Tree Conservation Report**, prepared by CSW, TCR 02, dated September 12, 2021, Revision 1 dated January 28, 2022.

And subject to the following General and Special Conditions:

General Conditions

1. Letter of Undertaking

The Owner shall execute the City's standard Letter of Undertaking and satisfy the conditions contained within this Delegated Authority Report. In the event the Owner fails to execute the required Letter of Undertaking and submit any required fees and/or securities within six months, this approval shall lapse.

2. Securities

(a) The owner acknowledges and agrees that the City shall secure site plan securities, as referenced in Schedule "B" hereto, through the withholding of funding from the Ontario Priorities Housing Initiative (OPHI) and Action Ottawa, the particulars of which are outlined in the Affordable Housing Contribution Agreement between the Owner and the City registered on January 10, 2022 as Instrument No. OC2443040 (the "Contribution Agreement"). The Contribution Agreement implementing the withholding provisions shall be provided to the satisfaction of the General Manager, Planning, Real Estate and Development, prior to the issuance of an occupancy permit. If the Contribution Agreement is not received at the time of the request for the issuance of an occupancy permit, the Owner acknowledges and agrees to submit securities at a rate of 100% of Total Estimated Cost of Works on public property and 50% of Total Estimated Cost of Works on private property and as indicated on Schedule "B" hereto.

(b) Subject to Clause (a) above, the Owner acknowledges and agrees that the required security as indicated in Schedule "B", in the amount of \$176,081.50, hereto will be secured by the withholding of milestone payments in the Contribution Agreement and that said milestone payments will continue to be withheld until all site Works, including but not limited to, sanitary sewers, storm sewers, stormwater management Works, watermain Works, landscaping Works and road Works, have been completed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

3. 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, Infrastructure and Economic Development.

4. 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, Infrastructure and Economic Development.

5. 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.

6. Reinstatement of City Property

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

7. 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, Infrastructure and Economic Development.

8. 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.

9. 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, 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, Infrastructure and Economic Development (the "Certification Letter") stating that he certifies acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

(b) The Certification Letter shall be unconditional and shall address all requirements as well as all relevant information relating to the development, including project name, lot numbers, building identification, drawing numbers, noise study report number, dates of relevant documents and in particular reference to the documents used for the building permits and site

grading applications. The Certification Letter(s) shall bear the certification stamp of a Professional Engineer, licensed in the Province of Ontario, and shall be signed by said Professional Engineer, 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, Infrastructure and Economic Development, and shall be to his satisfaction.

10. Noise Control Attenuation Measures

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Noise Assessment, as follows:

- a. each unit is to be equipped with central air conditioning;
- b. further to subsection (a) 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.

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, 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.

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 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.

13. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater inlet control devices, as recommended in the approved Servicing and SWM 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.

14. 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.

15. 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. 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.

16. 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.

17. Off-Site Contamination Management Agreement

The Owner acknowledges and agrees that where contamination emanating from the site and impacting the City's rights-of-way is discovered during the course of the Works, the Owner shall notify the Manager, Realty Services immediately in writing and agrees to enter into an Off-Site Management Agreement with the City to address the contamination in the rights-of-way. The Owner shall be responsible for all associated costs with the Off-Site Management Agreement, which agreement shall be to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

18. Environmental Site Remediation Program

The Owner acknowledges and agrees to implement an environmental site remediation program, as per the recommendations of the Supplemental Phase II Environmental Site Assessment, referenced in Schedule "E" herein, involving the excavation and off-site disposal of all impacted soil and the pumping treatment or off-site disposal of all impacted groundwater, which is to be completed concurrently with the site redevelopment. The Owner acknowledges and agrees that

- a. soils that are found to be contaminated, must be disposed, treated or recycled at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment, Conservation and Parks;
- b. groundwater found to be contaminated, shall be removed, managed and/or treated in accordance with the appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-law, being By-law 2003-514, as amended.

19. Site Lighting Certificate

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.

20. Tree Permit

The Owner acknowledges and agrees to abide by the City's Tree Protection Bylaw, being By-Law No. 2020-340, as amended and that any trees to be removed shall be removed in accordance with an approved Tree Permit and the Tree Conservation Report.

21. 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.

22. Soil Remediation and Tree Removal

The Owner agrees that if soil remediation requires additional tree removal not identified in the approved TCR, the city will be provided a TCR addendum with the following:

- a. verification that the soils are contaminated
- b. verification that the trees will need to be removed
- c. permission from the adjoining landowner if the tree(s) are not growing fully on the development site.

Special Conditions

23. Zoning Compliance

The Owner(s) hereby acknowledges that a Minor Variance application to the Committee of Adjustment is required for the property known municipally as 44 Eccles Street to permit a canopy projection in excess of 1.8 metres, as stipulated by the Zoning By-law. The Owner further acknowledges and agrees that all levels of appeal shall be exhausted for the required Minor Variance application. Confirmation of the Committee of Adjustment's decision shall be provided to Development Review staff.

24. Record of Site Condition

The owner acknowledges and agrees that prior to issuance of a building permit for a tenant fit up to add any residential units within the ground floor/basement floor of the subject building, a Record of Site Condition (RSC) shall be submitted in support of the subject application and deemed acceptable to the General Manger, Planning, Real Estate and Economic Development.

The RSC shall be 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.

Where available information reveals that contamination extends into a City right-of-way and submission of an RSC is not possible, a building permit may be issued, at the sole discretion of the Chief Building Official, on a phased basis:

a. where the Owner has executed an off-site management agreement with the City to remediate the right-of-way and the site or;

b. where the Owner has completed remediation Work on the right-of-way to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

September 21, 2022

Date



Andrew McCreight
Manager (A), 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: D07-12-22-0024

SITE LOCATION

44 Eccles Street, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site, known municipally as 44 Eccles Street, is located on the southern side of Eccles Street, between Booth Street and Lebreton Street. The site is approximately 2,583 square metres in size. The site is occupied by a four-storey office building, formerly a school, with accessory parking in the rear yard. Currently, there are two drive aisles off Eccles Street with which the site can be accessed.

To the north of the subject site lies two Community Health Centres, as well as office and commercial buildings. To the south of the subject are a mix of residential and commercial businesses, including an automotive garage. A variety of low-rise housing typologies exist to the west and east of the subject site.

The applicant has submitted a Site Plan Control application to convert the existing 4-storey office building into a mixed-use building with 46 dwelling units and an accessory office space. The proposed office space will be 132.7 square metres in size and would be located in the basement of the existing building. As part of the proposed conversion, an addition on the southwestern portion of the building is also proposed in order to accommodate a new elevator. Amenity space will be provided interior to the building in the form of a 117.9 square metre community room as well as, exterior in the form of a two-level patio and softly landscaped area.

Currently, the site has 46 vehicular parking spaces in the rear yard, serving the existing office use. It is proposed to reduce the vehicular parking spaces provided from 46 to 20, of which 17 spaces would be for residents and 3 would be for visitors. The reduction of vehicular parking in the rear yard will enable the creation of the exterior amenity area and will allow for the introduction of soft landscaping in the rear yard. It is also proposed to convert one of the existing two accesses to the parking lot into a pathway, which will access a new entrance on the western side of the building. The existing driveway on the eastern portion of the site will remain in place and provide access to the parking spaces. A waste enclosure will be provided at the rear of the building.

As part of the proposed conversion, the applicant is increasing the amount of soft landscaping on site, particularly in the rear yard. A variety of perennials, grasses, shrubs and 9 new trees are proposed to be planted. The species listed are largely native species and include but, are not limited to the following: Red Maple, Serviceberry, Pin

Cherry, False Spirea, Canadian Golden Juniper, False Sunflower, Black-eyed Susan and, Little Bluestem.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject site is designated General Urban Area on Schedule B of the City's Official Plan. The General Urban Area permits a range of uses and encourages intensification and infill development. The proposed development will utilize an existing low-rise building and will provide much needed housing. The proposed development represents a form of gentle intensification that the policies of the General Urban Area support.
- The subject site is zoned General Mixed-Use Zone, Exception 65, Floor Space Index of 1.5, Height limit of 13.5 metres (GM[65] F(1.5) H(13.5)). The General Mixed-Use Zone permits a variety of residential and non-residential uses, including the proposed low-rise apartment building. Exception 65 prohibit some uses including (but not limited to) a ban, a retail store, and a retail food store. The proposed low-rise apartment building, which would utilize the existing building meets the intent of the Zoning By-law and conforms to the floor space index (FSI) and height limitations.
- The applicant also applied for a Minor Variance (File No. D08-02-22/A-00026) with the Committee of Adjustment to permit a reduced minimum width for the following: to permit a reduced landscaped area abutting a residential zone (from 3 metres to 0 metres along the access drive aisle and 1.5 metres for the remaining parking lot), to permit a reduction in the number of bicycle parking spaces to 6 where the by-law requires 23, to permit storage outside of a building and, to permit a reduced minimum width of a double traffic driveway accessing a parking lot of 3.9 metres whereas the by-law requires a width of 6 metres. At the public hearing held March 16, 2022, the Committee of Adjustment approved the variances proposed.

In August of 2022, the applicant filed a further minor variance application requesting an increase in the maximum permitted projections of a canopy into a required side yard from 1.8 metres to 2.4 metres. This variance has yet to appear before a hearing of the Committee of Adjustment and, accordingly, a condition has been included herein in this regard.

- The proposed development upholds the Urban Design Guidelines for Low-rise Infill Development.
- The proposed development represents good planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2009-95, is not applicable to this development.

CONSULTATION DETAILS

Councillor's Comments

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

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

Staff received comments from the Dalhousie Community Association. The comments received are below.

Comment

Landscaping:

In the southwest corner of the lot, a large area of asphalt is shown to be left in-situ. This is not being used for parking. This area ought to be treed and grassed. Somerset Ward has the very lowest percentage of tree canopy and green space in the City. Every tree counts. The zoning required landscaping buffer is not being provided around the perimeter of the parking lot. Providing landscaping in the southwest corner would ameliorate this deficiency. (We are pleased to see only native tree species listed. However the drawings don't yet show which go where and their caliper.)

Response

Through the review of the application, the applicant has increased the amount of soft landscaping proposed in the rear yard. Existing trees along the property line at the rear will be protected. A total of 9 new trees are proposed to be planted on site. In addition to the proposed trees, a variety of perennials, grasses and shrubs are proposed to be planted on site.

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 processed by the On Time Decision Date.

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

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-22-0024	22-0122-L	 44 rue Eccles St.	
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