



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

Site Location: 424 Churchill Avenue North

File No.: D07-12-22-0152

Date of Application: October 25, 2022

This SITE PLAN CONTROL application submitted by Fotenn Planning + Design (c/o Jillian Simpson), on behalf of Churchill Properties Inc. (formerly GSI Slough Street Properties), is APPROVED upon resolution of the conditions stated in this report

And the following plans are approved:

1. **Site Plan**, A0001, prepared by open plan architects inc., dated 2022-JAN-06, 2022, revision 7 dated 23 Sep. 2025.
2. **Site Plan – Walkways & Landscaping**, A001.1, prepared by open plan architects inc., dated 2022-JAN-06, revision 05 dated 23 Sep. 2025.
3. **North and South Elevations**, A200, prepared by open plan architects inc., dated 2022-SEP-12, revision 6 dated 23 Sep 2025.
4. **East and West Elevations**, A201, prepared by open plan architects inc., dated 2022-SEP-12, revision 7 dated 23 Sep. 2025.
5. **Tree Preservation Plan**, TPP-1, prepared by ARCADIS, dated 2023-03-24, revision 6 dated 2025-09-18.
6. **Tree Preservation Plan**, TPP-2, prepared by ARCADIS, dated 2023-03-24, revision 6 dated 2025-09-18.
7. **Landscape Plan**, LP-1, prepared by ARCADIS, dated 2023-03-24, revision 6 dated 2025-09-18.
8. **Landscape Details**, LD-1, prepared by ARCADIS, dated 2023-03-24, revision 6 dated 2025-09-18.
9. **Landscape Details**, LD-2, prepared by ARCADIS, dated 2023-03-24, revision 6 dated 2025-09-18.
10. **General Notes Plan**, Dwg C001, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
11. **Erosion & Sediment Control Plan**, Dwg C101, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
12. **Demolition Plan**, Dwg C102, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
13. **Grading & Drainage Plan**, Dwg C301, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.

14. **Servicing Plan**, Dwg C401, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
15. **Stormwater Management Plan**, Dwg C601, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
16. **Pre-Development Watershed Plan**, Dwg C701, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
17. **Post-Development Watershed Plan**, Dwg C702, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.
18. **Construction Detail Plan**, Dwg C901, prepared by LRL, dated 2022-10-11, Rev. 6, dated 2025-07-03.

And as detailed in the following report(s):

1. **Pedestrian Level Wind Study**, prepared by Gradient Wind, dated September 16, 2022.
2. **Roadway Traffic Noise Assessment**, prepared by Gradient Wind, dated September 20, 2022.
3. **Phase One ESA**, prepared by ENGLOBE, dated February 2023.
4. **Geotechnical Investigation Report**, prepared by ENGLOBE, dated October 10, 2023, Rev 3.
5. **Site Grading and Servicing Plan Review Letter**, prepared by ENGLOBE, dated October 10, 2023.
6. **Hydrogeological Assessment**, prepared by ENGLOBE, dated December 2023.
7. **Phase Two ESA**, prepared by ENGLOBE, dated March 2024.
8. **Concrete Planter Design Confirmation Letter**, prepared by D+M Structural Engineering Ltd., dated October 8, 2024
9. **Tree Conservation Report (TCR)**, prepared by ARCADIS, dated June 26, 2025.
10. **Phase Two ESA Conceptual Site Model**, prepared by ENGLOBE, dated July 2025.
11. **Stormwater Management Report & Servicing Brief**, prepared by LRL, dated July 3, 2025.
12. **Dewatering Pumping Plan**, prepared by AQUATECH, date July 8, 2025.
13. **Recommendations & Vibration Estimations for Urban Blasting Applications**, prepared by Groupe Blastforce Canada Inc., dated August 1, 2025.
14. **Response to City of Ottawa – Hydrostatic Pressure Letter**, prepared by D+M Structural Engineering, dated August 3, 2025
15. **Confirmation of Watertight Underground Structure Memo**, prepared by ENGLOBE, dated August 7, 2025.
16. **Concrete Landscape Planter Letter – Drainage Design Letter**, prepared by LRL, dated August 8, 2025.
17. **Environmental Remedial Action Plan**, prepared by ENGLOBE, dated September 17, 2025.

And subject to the following Requirements, 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, 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. Barrier Curbs

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

3. Water Supply for Fire Fighting

The Owner shall provide adequate water supply for fire fighting for every building. Water supplies may be provided from a public water works system, automatic fire pumps, pressure tanks or gravity tanks.

4. Reinstatement of City Property

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

5. Construction Fencing

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

6. Construct Sidewalks

The Owner shall design and construct 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. 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, Development and Building Services.

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

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

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

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, 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.

11. **Permanent Encroachment Agreement**

The Owner acknowledges and agrees to enter into a permanent Encroachment Agreement to permit the encroachment of the retaining wall to be constructed within the City's Danforth Avenue and Churchill Avenue North right-of-way and the planters to be constructed within the City's Danforth Avenue right-of-way. The Owner shall, at its expense, provide a reference plan for registration, indicating the approved encroachments, and the Owner shall submit the draft reference plan to the City's Surveyor for review and approval prior to its deposit in the Land Registry Office. The Owner further acknowledges and agrees that the cost of preparation and registration of the Encroachment Agreement will be borne by the Owner.

12. **Letter of Tolerance – Right-of-Way**

The Owner shall, within two (2) weeks of Site Plan Control Approval, file with the General Manager, Planning, Development and Building Services a copy of the letter of tolerance issued by the Right-of-Way Unit for the encroachment of the retaining wall to be constructed within the City's Danforth Avenue and Churchill Avenue North right-of-way and the planters to be constructed within the City's Danforth Avenue right-of-way, as shown on the approved Site Plan and Landscape Plan, referenced in Schedule "E" herein.

13. **Private Approach Detail**

The Owner acknowledges and agrees that all private approaches serving the proposed development shall be designed and constructed, at the sole expense of the Owner, in accordance with the City's "Curb Return Entrances – Uncontrolled Intersections" Plan, Drawing No. SC7.1, dated March 2007 and revised March 2021, and the Owner shall comply with the City's Private Approach By-law, being No. 2003-447, as amended.

14. **Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Roadway Traffic Noise Assessment, referenced in Schedule "E" of this Agreement, as follows:

- (a) each unit is to be equipped with central air conditioning;

- (b) further to subsection (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, dated 1993, and the Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands;
- (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. A letter shall be prepared by a qualified professional and provided to the General Manager, Planning, Development and Building Services confirming the plans submitted for building permit issuance have incorporated any and all mitigation measures to achieve the required indoor sound levels;
- (d) upon completion of the development and prior to occupancy and/or final building inspection, a professional engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, shall be retained to visit the lands, inspect the installed noise control measures and satisfy themselves that the installed recommended interior noise control measures comply with the measures in the Roadway Traffic Noise Assessment referenced in Schedule "E" hereto. The professional engineer shall prepare, sign and stamp a letter to the General Manager, Planning, Development and Building Services (the "Certification Letter") stating that they certify acoustical compliance with all requirements of the applicable conditions in this Agreement, to the satisfaction of the General Manager, Planning, Development and Building Services.

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

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

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

Type B – Increasing Roadway Traffic

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that despite the inclusion of

noise control features in this development and within building units, noise levels from increasing roadway traffic may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

Type D – Central Air Conditioning

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that this dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the City of Ottawa's and the Ministry of the Environment, Conservation and Parks' noise criteria."

Ending Paragraph

"The purchaser/lessee covenants with the vendor/lessor that the above clauses, verbatim, shall be included in all subsequent agreements of purchase and sale and lease agreements for the lands described herein, which covenant shall run with the said lands."

16. **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 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.

17. **Geotechnical – Encroachments**

The Owner acknowledges and agrees that the Geotechnical Investigation Report has recommended a method of shoring that may encroach onto the adjacent property or onto the City's Churchill Avenue North, Bryon Avenue and Danforth Avenue right-of ways. The Owner acknowledges and agrees that it shall be required to obtain the approval of the adjacent property owner and/or receive municipal consent for any Works within the said Road, prior to the installation of any encroachments. The Owner acknowledges and agrees that for encroachments within the said Road, the Owner shall ensure that there will be no conflicts between the proposed shoring method and the municipal services or utilities in the said Road.

18. **Record of Site Condition**

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Development and Building Services, and the Chief Building Official, a Record of Site Condition ("RSC") completed in accordance with the *Environmental Protection Act*, R.S.O. 1990, c. E.19, *O.Reg. 153/04* ("*O.Reg. 153/04*"), as amended, and such RSC shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all of the site, including parts to be conveyed to the City of Ottawa, 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.

19. **Retaining Wall**

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

20. **Retaining Wall – Stability**

The Owner acknowledges and agrees to install the proposed retaining walls in accordance with the approved Retaining Wall Design for 424 Churchill Avenue North and as shown on the approved Grading & Drainage Plan and Landscape Plan, both referenced in Schedule "E" hereto. The Owner shall provide written confirmation, satisfactory to the General Manager, Planning, Development and Building Services, that a Geotechnical Engineer/Professional Structural Engineer, licensed in the Province of Ontario, has inspected and confirmed that the retaining walls have been constructed in accordance with the said approved Retaining Wall Design for 424 Churchill Avenue North. The Owner further acknowledges and agrees to provide an Internal Compound Stability (ICS) analysis from a Geotechnical Engineer / Professional Structural Engineer, licensed in the Province of Ontario, that all retaining walls, which are greater than one metre in height have been checked for global stability, have a factor of safety of at least 1.5 for static conditions (as calculated through SLIDE) and 1.1 for seismic conditions is achieved, which shall be to the satisfaction of the General Manager, Planning, Development and Building Services. The report shall provide structural details of the retaining wall(s).

The Owner further acknowledges and agrees to retain the services of a

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

21. **Groundwater Management**

Prior to issuance of a permit for bedrock excavation by blasting, the Owner is to provide a technical memorandum prepared by an environmental consultant confirming existing groundwater quality and flow direction. The memorandum will detail how groundwater will be managed during blasting operations to control the off-site migration of contaminants. The Owner acknowledges and agrees to retain an environmental consultant to test groundwater to be removed from the site during and after redevelopment. All contaminated groundwater must be removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-law, being By-law No. 2025-94, as amended.

22. **Protection of City Sewers**

- (a) Prior to the issuance of a building permit, the Owner shall, at its expense:
 - (i) provide the General Manager, Planning, Development and Building Services with the engineering report from a Professional Engineer, licensed in the Province of Ontario, which report shall outline the impact of the proposed building's footing and foundation walls, on the City sewer system, that crosses the Churchill Avenue North, Byron Avenue and Danforth Avenue frontages (the "City Sewer System") and the impact of the existing City Sewer System on the building's footing and foundation walls;
 - (ii) obtain a legal survey acceptable to the General Manager, Planning, Development and Building Services and the City's Surveyor, showing the existing City Sewer System within the frontages of Churchill Avenue North, Byron Avenue and Danforth Avenue 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 frontage of Churchill Avenue North prior to any construction to determine the condition of the existing City Sewer System prior to construction on the lands and to provide said video inspection to the General Manager, Planning, Development and Building Services.
- (b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Development and Building Services:

- (i) obtain a video inspection of the existing City Sewer System within the frontage of Churchill Avenue North 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 frontage of Churchill Avenue North, Byron Avenue and Danforth Avenue frontages and compensate the City for the full amount of any required repairs to the City Sewer System.

23. **Stormwater Management Memorandum**

Prior to registration of this Agreement, the Owner acknowledges and agrees to provide the General Manager, Planning, Development and Building Services, 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, and all associated costs shall be the Owner's responsibility.

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 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. **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 Stormwater Management Report and Servicing Brief, 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.

26. **Water Demand for Fire Fighting**

The Owner acknowledges and agrees that the City's boundary conditions were provided for the subject development site setting out the available municipal water supply. The Owner further acknowledges and agrees that prior to building permit

issuance, a letter shall be prepared by a qualified Building Code professional, licensed in the Province of Ontario, and provided to the General Manager, Planning, Development and Building Services confirming the plans submitted for building permit issuance have incorporated any and all requirements of the Fire Underwriters Survey, 2020, or as amended, to achieve the low construction coefficient used within the proposed building design.

27. **Off-site Contamination Management Agreement**

Prior to the issuance of a building permit, the Owner enters into an Off-Site Contaminants Agreement with the City to address the City's concerns with respect to the off-site contaminants from the subject lands.

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

The Owner acknowledges and agrees that all blasting activities will conform to the City's Standard S.P. No. F-1201 entitled Use of Explosives, as amended. Prior to any blasting activities, a pre-blast survey shall be prepared as per S.P. No. F-1201, at the Owner's expense, for all buildings, utilities, structures, water wells and facilities likely to be affected by the blast based on the location where explosives are to be used. In particular, a pre-blast survey shall be completed in accordance with Table 1 of S.P. No. F-1201. The standard inspection procedure shall include the provision of an explanatory letter to the owner or occupant and owner with a formal request for permission to carry out an inspection.

29. **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); and
 - (ii) 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, 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.

30. **Exterior Elevations Drawings**

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved North and South Elevations, A200, prepared by open plan architects inc., dated 2022-SEP-12, revision 6 dated 23 Sep 2025 and East and West Elevations, A201, prepared by open plan architects inc., dated 2022-SEP-12, revision 7 dated 23 Sep. 2025, referenced in Schedule “E” herein. The Owner further acknowledges and agrees that any subsequent proposed changes to the approved plans shall be filed with the General Manager, Planning, Development and Building Services and agreed to by both the Owner and the City prior to the implementation of such changes. No amendment to this Agreement shall be required.

31. **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 Danforth Avenue and Churchill Avenue North right-of-way, as shown on the approved Site Plan – Walkways & Landscaping, Drawing No. A001.1 and Landscape Plan, Drawing No. LP-1, referenced in Schedule “E” herein, including all plant and landscaping material (except municipal trees), planters, and walkways. 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.

32. **Waste Collection**

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.

33. **Monetary Compensation for City Tree Removal**

Prior to registration of this Agreement, the Owner acknowledges and agrees it shall pay the sum of \$11,600.00 to the City as compensation for the removal of twenty-two City trees located within the City’s right-of-way along Danforth Avenue, as shown in approved the Tree Preservation Plan, prepared by Arcadis, dated 2025-09-18. Upon receipt of compensation, the Director of Climate Change and Resiliency or their designate will issue a tree permit for the trees identified for removal, at which time the Owner may make arrangements with a contractor to remove said trees, at the Owner’s expense. The tree removal permit for this site shall not be issued until receipt of compensation payment.

34. **Cash-In-Lieu of Conveyance of Parkland**

a) Prior to issuance of first occupancy permit, for residential occupancies, 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 15 funds.

- b) Prior to building permit issuance, 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.

35. **Community Benefits Charge**

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

For the purposes of calculating the charge payable, the City will provide a property valuation which has an effective date of the date of the site plan approval. An estimate of the Community Benefits Charge will further be provided based on that valuation and the currently proposed area subject to development or redevelopment. The Owner acknowledges that the City will collect this amount at the time of building permit issuance, provided (a) the first building permit is issued within twenty-four months of the date of the present site plan approval and (b) the land area subject to development or redevelopment has not changed.

36. **Corner Sight Triangle and Intersection Widening**

The Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered corner sight triangle measuring 5 metres x 5 metres at the intersection of Byron Avenue and Churchill Avenue North, as well as a 0.75 metre by 6 metre intersection widening along the Churchill Avenue North frontage, as shown on the approved Site Plan referenced in Schedule “E” herein. The exact location and area of the lands to be conveyed must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the corner sight triangle and rectangle, to the City Surveyor for review prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner acknowledges and agrees to provide an electronic copy of the Transfer and a copy of the deposited reference plan to the City Solicitor prior to the execution of this Agreement by the City. All costs shall be borne by the Owner. The Owner acknowledges and agrees that the full amount of securities held by the City under this Agreement shall not be eligible for any reductions or release until such road widening is conveyed to the City, to the satisfaction of the City. The Owner further acknowledges and agrees that the delayed conveyance to the City shall be contingent upon the following criteria:

- (1) A filed RSC approved by the Ministry of the Environment, Conservation and Parks, and to the satisfaction of the General Manager, Planning Development and Building Services;
- (2) Written confirmation that the road widening and intersection widening lands are free from contamination. In the event such lands are contaminated, the Owner

shall undertake such steps necessary to remediate said lands at the Owner's expense and to the satisfaction of the City;

- (3) The road widening lands shall be free of encumbrances, at no cost to the City; and
- (4) Registration of the conveyance shall be completed immediately following the completion of the timeline of works in the Right-of-Way (satisfying Condition 28) and the completed Record of Site Condition (satisfying Condition 18).

37. **Construction Management Plan**

The Owner acknowledges and agrees that site construction is to be coordinated with the City's planned improvements to the intersection of Churchill Avenue North and Byron Avenue, referred to as "Byron Ave & Churchill Ave in the Transportation Master Plan (the "Intersection Improvements").

Prior to issuance of any building permit for the development, the Owner acknowledges and agrees to prepare a Construction Management Plan detailing both on-site and off-site activities and staging area ("CMP"). Such CMP shall provide for the removal of all encroachments from the Churchill Avenue North and Byron Avenue rights-of-way within two (2) years of the first building permit for above-grade works.

38. **Timeline of Works in the Right-of-Way**

The Owner acknowledges and agrees that it shall, within two (2) years of the first building permit for above-grade works, permanently remove all encroachments, at any height, including but not limited to scaffolding, garbage receptacles, trailers, fencing, construction equipment and vehicles, from the Churchill Avenue North and Byron Avenue rights-of-way to permit the City of Ottawa to commence construction of the Intersection Improvements.

The Owner further acknowledges and agrees to:

- (a) Cover all costs incurred by the City arising from a delay of the construction of the Intersection Improvements provided the delay is caused by encroachments not being removed from the Churchill Avenue North and Byron Avenue rights-of-ways in accordance with this agreement,
- (b) Notify the General Manager, Planning, Development, and Building Services Department of changes which arise that have the potential to impact the Owner's ability to permanently remove all encroachments as required above,
- (c) Notify the [General Manager] when all encroachments are removed, and
- (d) Indemnify and save harmless the City from any losses arising from the City's construction of the Intersection Improvements, including timing thereof.
- (e) Enter into a Cost-Sharing Agreement with the City.

39. **Cost-Sharing Agreement**

But-for the Intersection Improvements, the Owner acknowledges that it would be responsible for the reinstatement of the Churchill Avenue North and Byron Avenue rights-of-ways, including the installation of sidewalks, trees and landscaping as per the approved Landscape Plans. Therefore, the Owner acknowledges and agrees to enter into a third-party Cost-Sharing Agreement with the City of Ottawa which shall require the Owner to contribute to the cost of the Intersection Improvements an amount reflective of the cost of reinstatement of the affected rights-of-ways, had the Infrastructure Improvements not been planned.

The Owner further acknowledges and agrees that the site securities will not be reduced below 50% until such time as the Cost-Sharing Agreement has been registered.

The Owner acknowledges and agrees that it shall be responsible for all costs associated with the preparation and registration of the agreement.

October 30, 2025

Date



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

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-22-0152

SITE LOCATION

424 Churchill Avenue North, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is located in the Westboro neighbourhood and is known municipally as 424 Churchill Avenue North. The subject site is a through, corner-lot occupying the entire west side of Churchill Avenue North, between Danforth Avenue and Byron Avenue. It is irregularly shaped with approximately 55 metres of frontage along Danforth Avenue, 25 metres of frontage along Churchill Avenue North, and 50 metres of frontage along Byron Avenue, with a total area of approximately 1,000 square metres. Other than the subject site, only one other property is located along the block. The site is surrounded by a mix of uses, including commercial, office, institutional, and low-and mid-rise residential.

The property has steep slopes rising toward the south-east corner of the site (the intersection of Churchill Avenue North and Byron Avenue). Along both the north property line (facing Danforth Avenue) and the east property line (facing Churchill Avenue North) there are hydro poles and hydro wires. The site is currently occupied by a building which is now vacant but was previously used as a personal service business (dry cleaning outlet and laundromat). Due the former dry-cleaning outlet use the site is contaminated and requires remediation.

A protected intersection at Byron Ave and Churchill Ave N was approved by City Council through the approval of the Transportation Master Plan – Part 1 on April 23, 2023. To accommodate the planned construction of this intersection, the Owner will be conveying to the City of Ottawa a 5 metre by 5 metre corner site triangle at Byron Ave and Churchill Ave N, as well as a 0.75 metre by 6 metre rectangle along the Churchill Ave N frontage.

The proposed development is for an eight-storey mixed-use building with commercial and residential uses. The building includes 214m² of commercial space and 70 dwelling units, of which 24 is a bachelor unit, 25 are one-bedroom units, seven are one-bedroom plus den units, eight are two-bedroom units, and six are two-bedroom plus den. A two-level parking garage with 32 vehicular parking spaces is to be accessed from Danforth Avenue. There are also 70 bicycle parking spaces proposed, of which 32 spaces are located within a bike room that can be accessed directly from Byron Avenue (on the second level, which is for practical purposes considered “ground level”) and 38 spaces located in the first level of underground parking. Approximately 341 square metres of

amenity space is proposed.

Residential Units and Types

Dwelling Type	Number of Units
Apartment	70

Related Applications

The following applications are related to this proposed development:

- Official Plan Amendment – D01-01-22-0011
- Zoning By-law Amendment – D02-02-22-0098
- Minor Variance Application – D08-02-25/A-00117

DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject site is located within the Inner Urban Transect of the Official Plan and is designated Minor Corridor, as it has frontage along Churchill Avenue North. The subject site is also subject to the Richmond Road / Westboro Secondary Plan.
- An Official Plan Amendment (File No. D01-01-22-0011) was approved by Council on November 13, 2024, and no appeals were received. The Official Plan Amendment sought to allow for an eight-storey building in an area previously designated with a maximum height of “four to six storeys” in the Richmond Road / Westboro Secondary Plan, Schedule C – Maximum Building Height. The Secondary Plan has been amended to allow for a Maximum Building Height of “seven to nine-storeys”.
- A Zoning By-law Amendment (File No. D02-02-22-0098) was approved by Council on November 13, 2024, and no appeals were received. The Zoning By-law Amendment sought to rezone the site from TM H(24) – Traditional Mainstreet Zone, Height Limit 24 metres to TM[2992] H(28) – Traditional Mainstreet Zone, Site Specific Exception, Height Limit 28 metres. The proposed site-specific exception established new setbacks and stepbacks in massing, relief from permitted projection requirements, and other site-specific provisions. The maximum permitted building height increased by four metres.
- A Minor Variance application (File No. D08-02-25/A-00117) was approved by Committee of Adjustment on June 13, 2025, and no appeals were received. After the Zoning By-law Amendment application was approved, the applicant changed their proposal to introduce commercial uses and increase the number of dwelling units. As a result of the change to the proposal, there were new areas of non-conformity with the Zoning By-law and a Minor Variance application was required.

- The property is within the study area of the Richmond Road / Westboro Community Design Plan. The policy within the CDP supports this proposal as the development creates a community focus on a corner lot, serving as a gateway moving north into Westboro Village.
- The property abuts the Byron Avenue and Churchill Avenue North intersection, where the City of Ottawa is working on a design for a protected intersection. Conditions associated with the re-construction of this intersection in relation to the new development are included in this approval.
- The proposed site design represents good planning. Staff support remediating the site and replacing a vacant dry-cleaning business with housing close to transit along a Minor Corridor in the Inner Urban Transect Area.

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 Jeff Leiper provided concurrence.

Public Comments

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

Technical Agency/Public Body Comments

Summary of Comments –Technical

Hydro Ottawa: There are required hydro pole relocation works required due to the development.

Response to Comments –Technical

Planning staff understood the required pole relocations and Planning Forestry Staff issued tree permits for areas where trees were required to be removed.

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date. The Council

approved timeline has not been met due to the proposal changing multiple times and the complexity of the issues associated with the topography, proximity to hydro poles and wires, required land conveyances for a Council approved protected intersection at Byron Ave and Churchill Ave N, and on-site contamination that requires remediation.

Contact: Ann O'Connor Tel: 613-580-2424, ext. 72658 or e-mail:
ann.oconnor@ottawa.ca

Document 1 – Location Map



D02-02-22-0098
D07-12-22-0152 D01-01-22-0011 22-1165-D

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REVISION / RÉVISION - 2022 / 12 / 05

LOCATION MAP / PLAN DE LOCALISATION
SITE PLAN / PLAN D'EMPLACEMENT
ZONING KEY PLAN / SCHÉMA DE ZONAGE
OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL



424 av. Churchill Avenue N.



Heritage (Section 60)
Patrimoine (Article 60)

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)

