



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

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Site Location: 1166 Bank Street

File No.: D07-12-23-0035

Date of Application: April 14, 2023

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This SITE PLAN CONTROL application submitted by NOVATECH Planners, Engineers & Landscape Architects c/o Jeffrey Kelly, on behalf of Ambassador Realty Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan: New Work**, Drawing No. A101, prepared by DCA, dated OCT. 2022, revision 10 dated 2024-02-16.
2. **East Elevation**, Drawing No. A300, prepared by DCA, dated OCT. 2022, revision 9 dated 2023-12-01.
3. **West Elevation**, Drawing No. A301, prepared by DCA, dated OCT. 2022, revision 9 dated 2023-12-01.
4. **South Elevation**, Drawing No. A302, prepared by DCA, dated OCT. 2022, revision 9 dated 2023-12-01.
5. **North Elevation**, Drawing No. A303, prepared by DCA, dated OCT. 2022, revision 9 dated 2023-12-01.
6. **Tree Conservation Report & Landscape Plan**, Drawing No. L.1, prepared by James B. Lennox & Associates Inc., dated NOVEMBER 2022, revision 7 dated 05/27/2024.
7. **Notes and Legend Sheet**, Drawing No. C000, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.
8. **Existing Conditions and Removals Plan**, Drawing No. C001, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.
9. **Site Servicing Plan**, Drawing No. C100, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.

10. **Site Grading Plan**, Drawing No. C200, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.
11. **Erosion and Sediment Control Plan**, Drawing No. C300, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.
12. **Post-Development Catchments**, Drawing No. C400, prepared by EXP Services Inc., dated January 2023, revision 4 dated 24/03/12.

And as detailed in the following report(s):

1. **1166 Bank Street, Ottawa, ON – Noise Control Detailed Study**, prepared by EXP Services Inc., dated March 21, 2023.
2. **Geotechnical Investigation Report – Proposed Multi-Storey Building, 1166 Bank Street, Ottawa, Ontario**, prepared by Paterson Group Inc., dated May 18, 2022, revision 1 dated July 25, 2023.
3. **Servicing and Stormwater Management Report – 1166 Bank Street, Ottawa, ON**, prepared by EXP Services Inc., dated February 7, 2023, revision 3 dated March 12, 2024.
4. **Phase I – Environmental Site Assessment – 1166 Bank Street, Ottawa, Ontario**, prepared by Paterson Group Inc., dated April 1, 2022.
5. **Phase II – Environmental Site Assessment – 1166 Bank Street, Ottawa, Ontario**, prepared by Paterson Group Inc., dated June 23, 2022, revised April 18, 2024.
6. **Remedial Action Plan and Cost Estimate Proposed Mixed-Use Development 1166 Bank Street – Ottawa, Ontario**, prepared by Paterson Group Inc., dated July 12, 2022.
7. **Proposed Mixed-Use Development – 1166 Bank Street, Ottawa**, prepared by NOVATECH Engineers, Planners & Landscape Architects, dated March 28, 2023.

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

### **General Conditions**

1. **Registration of Agreement and Building Permit issuance Within Three Years**

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 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.

10. **Designated Substances Survey**

Prior to demolition of any existing buildings located on the lands described in Schedule "A" herein, the Owner acknowledges and agrees to complete a designated substances survey and submit the findings and recommendations for the proper handling and disposal of waste as identified in said survey, to the satisfaction of the General Manager, Planning, Development and Building Services, and in accordance with Best Management Practices. The survey shall address, but not be limited to:

- (a) O.Reg. 278/05: Designated Substance - Asbestos on Construction Projects and in Buildings and Repair Operations under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 278/05);
- (b) Guideline - Lead on Construction Projects, prepared by the Ontario Ministry of Labour - Occupational Health and Safety Branch, published September 2004 and revised April 2011, as amended;
- (c) O.Reg. 213/91: Construction Projects under the Occupational Health and Safety Act, R.S.O. 1990, c.O.1, as amended (O.Reg. 213/91);
- (d) Registration Guidance Manual for Generators of Liquid Industrial and Hazardous Waste, prepared by the Ontario Ministry of the Environment, Conservation and Parks, published April 1995 and revised January 2016, as amended, to be used in conjunction with R.R.O. 1990, Reg. 347: General-Waste Management under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 347);
- (e) R.R.O. 1990, Reg. 362: Waste Management – PCB's under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended (R.R.O. 1990, Reg. 362).

## **Special Conditions**

### **11. 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, 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, 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, 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.

### **12. Sanitary Monitoring Maintenance Hole**

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Development and Building Services and to the Chief Building Official a detailed design of the sanitary monitoring maintenance hole to be located within the underground structure of the building as shown in the approved Site Servicing Plan, C100, referenced in Schedule "E" of this agreement. The detailed design of the sanitary monitoring maintenance hole is required to be in accordance with Section 13 of the City's Sewer Use By-law (By-law No.2003-514), as amended, and to the satisfaction of the General Manager, Planning, Development and Building Services and the Chief Building Official.

### **13. Private Approach Detail**

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

### **14. Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved **1166 Bank Street, Ottawa, ON Noise Control Detailed Study**, referenced in Schedule "E" of this Agreement, as follows:

- (a) East façade units are to be equipped with central air conditioning;
- (b) North and South façade units are to be fitted with a forced air heating system and ducting, and shall be sized to accommodate central air conditioning;

- (c) further to subsection (b) above, the location and installation of any outdoor air conditioning device(s) shall comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216, 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;
- (d) 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;
- (e) 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 **1166 Bank Street, Ottawa, ON Noise Control Detailed Study** 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 East Façade Units, 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 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."

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

The Owner acknowledges and agrees that a notice shall be registered on title to the subject lands South, and North façade units, 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 C – Forced Air Heating System and Ducting

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that this dwelling unit has been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning by the purchaser/lessee 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."

"The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges and agrees it shall identify the location and install any outdoor air conditioning device(s) so as to 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."

17. **Geotechnical Investigation**

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the **Geotechnical Investigation Report Proposed Multi-Storey Building 1166 Bank Street Ottawa, Ontario** (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.

18. **Geotechnical – Encroachments**

The Owner acknowledges and agrees that the **Geotechnical Investigation Report Proposed Multi-Storey Building 1166 Bank Street Ottawa, Ontario** has recommended a method of shoring that may encroach onto the adjacent property or onto the City's Grove Avenue and Bank Street right-of way. 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.

19. **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 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, Development and Building Services.

20. **Notice on Title – Below Grade Parking Areas and Depressed Driveways**

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:



“The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the road allowance. The purchaser/lessee further acknowledges being advised that the City of Ottawa shall not be liable for flooding claims. Backwater valves are recommended for installation on catch basins located in depressed driveways.”

“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.”

21. **Protection of City Sewers**

- (a) Prior to the issuance of a building permit, the Owner shall, at its expense:
  - (i) provide the General Manager, Planning, Development and Building Services 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 Grove Avenue and Bank Street 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 Grove Avenue and Bank Street 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 Grove Avenue and Bank Street 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 Grove Avenue and Bank Street 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 Grove Avenue and Bank Street and compensate the City for the full amount of any required repairs to the City Sewer System.

22. **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.

23. **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.

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

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top stormwater inlet control devices, as recommended in the approved **Servicing and Stormwater Management Report 1166 Bank Street, Ottawa, ON**, 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.

25. **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, Development and Building Services.

26. **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:

- i. 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;
- ii. 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.
- iii. 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 revised phase two Environmental Site Assessment report with a site remediation report appended upon completion of the remedial activities 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. The report shall confirm that the soil and groundwater quality onsite meets the applicable site condition standards as per the 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.

27. **Private Access**

The Owner acknowledges and agrees that all private accesses to Roads shall comply with the City's Private Approach By-Law being By-Law No. 2003-447 as amended, or as approved through the Site Plan control process.

28. **Transportation Impact Assessment**

The Owner has undertaken a Transportation Impact Assessment for this site, referenced in Schedule "E" herein, to determine the infrastructure and programs needed to mitigate the impact of the proposed development on the local transportation network and to establish the site design features needed to support system-wide transportation objectives. The Owner shall ensure that the recommendations of the Transportation Impact Assessment, are fully implemented, to the satisfaction of the General Manager, Planning, Real Estate and Economic Development.

29. **Permanent Features**

The Owner acknowledges and agrees that no permanent features shall be permitted above and below grade within the City's widened right-of-way or corner sight triangle, including commercial signage, except as otherwise shown on the approved Site Plan referenced in Schedule E" herein.

30. **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 Bank Street and Grove Avenue rights-of-way, as shown on the approved Tree Conservation Report & Landscape Plan referenced in Schedule "E" herein, including all plant and landscaping material (except municipal trees), pavers, sodded grass, bike racks and driveways. 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.

31. **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.

32. **Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City is 93.43 square metres.
- (b) The Owner covenants and agrees that the conveyance requirement has been calculated at the rate set out below in accordance with the Parkland Dedication By-law, being By-law No. 2022-280, as amended:

For cash-in-lieu of conveyance of parkland (residential > 18 units/net ha):

- i. One hectare per 1,000 net residential units, but shall not exceed a maximum of 10% of the gross land area where less than or equal to five hectares.
- ii. Where land is developed for a mix of uses within a building, the conveyance requirement shall be the cumulative sum for each use, as calculated using the applicable rate prorated proportionally to the gross floor area allocated to each use;

**Conveyance Requirement Table (mixed-use buildings):**

|                                      |                        |
|--------------------------------------|------------------------|
| <b>Gross Land Area (GLA)</b>         | 1015.47 m <sup>2</sup> |
| <b>Net gain in residential units</b> | 45 units               |

|  |  |                                  |   |
|--|--|----------------------------------|---|
| <b>Total Gross Floor Area (GFA)</b>            | 2980.9 m <sup>2</sup>  |                                  |   |
| <b>Proportion of GFA allocated to each use</b> | Residential  | 90%                              |   |
|  | Commercial   | 10%                              |   |
|  |  |                                  |   |
| <b>Development Type</b>                        | <b>Calculation</b>   | <b>% of GFA allocated to use</b> | <b>Conveyance Requirement (m<sup>2</sup>)</b> |
| <b>Residential &gt; 18 units/net hectare</b>   | 45 units @ 10sq.m. per net residential unit conveyance of land (450 m <sup>2</sup> ), not to exceed 10% of the gross land area for sites <ha .(101.55 m <sup>2</sup> ) | 90%                              | 91.40 m <sup>2</sup>                          |
| <b>Commercial</b>                              | 2% of Gross Land Area  | 10%                              | 2.03 m <sup>2</sup>                           |
| <b>Total Conveyance Requirement</b>            |  |                                  | 93.43 m <sup>2</sup>                          |

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

Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland as referenced in Schedule “B” herein. Pursuant to the City’s Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds (830015), and 60% shall be directed to Ward 17 funds (830306). The Owner shall also pay the parkland appraisal fee of \$820.00 plus H.S.T. of \$106.60, as referenced in Schedule “B” herein.

34. **Corner Sight Triangle**

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered corner sight triangle measuring three point zero five metres by three point zero five metres (3.05 m x 3.05 m) at the intersection of Bank Street and Grove Avenue. The exact location and area of the corner sight triangle must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the corner sight triangle, 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.

35. **Road Widening**

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, a compromised road widening along the Bank Street frontage of the subject lands, measuring one point zero five metres (1.05 m) from the abutting right-of-way and twenty one point three nine metres (21.39 m) along the Bank Street frontage of the subject lands. The said road widening will satisfy the maximum land requirement for the subject lands. The exact widening must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the widening, to the City Surveyor for review and approval 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.

36. **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.

July 16, 2024

\_\_\_\_\_  
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

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**File Number:** D07-12-23-0035

### **SITE LOCATION**

1166 Bank Street, and as shown on Document 1.

### **SYNOPSIS OF APPLICATION**

The subject property is located along the west side of Bank Street, between Glen Avenue and Grove Avenue. It is a rectangular parcel with an approximate area of 1,015 square metres, and frontage on two streets – approximately 36 metres along Bank Street and 29 metres along Grove Avenue. The site is currently occupied by a low-rise commercial building and associated surface parking. Surrounding uses include a four-storey mixed-use building to the south across Grove Avenue, a low-rise residential neighbourhood to the west, and a mix of low-rise retail, restaurant, commercial uses to the north and south, along Bank Street. A City-owned public lane is located immediately west and abutting this site.

The applicant proposes to construct a six-storey, mixed-use building containing four ground floor commercial units and 45 residential units. The proposed residential units range in size from one-bedroom to two-bedroom-plus-den units. The principal access to the residential units is proposed along Grove Avenue and the commercial access is proposed along Bank Street. A total of 14 vehicle parking spaces are proposed within an underground parking garage to serve residents and visitors, which will also be accessed from Grove Avenue. A total of 59 bicycle parking spaces are provided within the building, as well as along Grove Avenue for the benefit of visitors and commercial patrons.

A Zoning By-law Amendment (D02-02-23-0023) was approved by Council on May 1, 2024, which had the effect of permitting an increased building height, reduced rear yard setbacks and corner/front yard setbacks, a change to the point at which the 45-degree angular plane is measured, a decrease in vehicular parking and an increase in bike parking.

Given an unusual front property line configuration and a compromised Right-of-Way protection requirement, the proposed building has been modeled to respond to this particular condition. Condition 35 has been adapted to reflect this condition.

## Residential Units and Types

| Dwelling Type | Number of Units |
|---------------|-----------------|
| Apartment     | 45              |

## Related Applications

The following applications are related to this proposed development:

- Zoning By-law Amendment (D02-02-23-0023)

## DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject site is located within the Inner Urban Transect policy area of the Official Plan, is further designated as a Mainstreet Corridor and is affected by the "evolving" overlay. Policies support a higher density of development and a greater degree of mixed uses than the surrounding neighbourhoods, and the proposal represents a built-form consistent with the planned function while also maintaining compatibility with the existing surroundings. The property is zoned TM2[2959] H(20) (Traditional Mainstreet, Subzone 2, Exception 2959, Maximum Height 20 metres) which permits the proposed use along with the site-specific performance standards resulting from the rezoning application D02-02-23-0023.
- The development is consistent with the Urban Design Guidelines for Development along Traditional Mainstreets. The proposal offers quality architecture in a mixed-use, high-density development, in close proximity to shops and transit.
- The development complies with the relevant planning policy context and complies with the zoning bylaw. Accordingly, the development represents good land use planning.

## PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2022-280, is being satisfied within this approval through the taking of cash-in-lieu of parkland as detailed in the above conditions.

## URBAN DESIGN REVIEW PANEL

The Site Plan Control application was subject to the Urban Design Review Panel process. A formal review meeting was held on September 8, 2023.

The panel's recommendations from the formal review meeting can be found on the [City's website](#).

The Panel was successful in aiding in the implementation of the following:



- A modest increase in the public realm along Bank Street with revised retail unit locations/entrances and a wider ground floor plane with a more consistent pedestrian-building interaction with larger windows.
- Revised massing including elimination of a cantilever of the second-fourth floors at the rear results in a simpler approach and an increased setback from the residential properties to the west.
- A refinement of the materials, massing and geometry to create a simpler building.

## **CONSULTATION DETAILS**

### **Councillor's Comments**

Councillor Shawn Menard is aware of the application related to this report.

### **Public Comments**

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

## **APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was not processed by the On Time Decision Date due to multiple revisions to address zoning deficiencies.

**Contact:** Jean-Charles Renaud Tel: 613-223-7273, or e-mail: [Jean-Charles.Renaud@ottawa.ca](mailto:Jean-Charles.Renaud@ottawa.ca)

# Document 1 – Location Map



|  |           |  |  |
|--|-----------|--|--|
|   |           | LOCATION MAP / PLAN DE LOCALISATION<br>ZONING KEY PLAN / SCHÉMA DE ZONAGE<br>SITE PLAN / PLAN DE EMPLACEMENT   |  |
| D02-02-23-0023   | 23-0357-D |  |  |
| D07-12-23-0035   |           |  |  |
| I:\CO\2023\ZKPI\Bank_1166  |           |  |  |
| <small>©Parcel data is owned by Teranet Enterprises Inc. and its suppliers. All rights reserved. May not be produced without permission. THIS IS NOT A PLAN OF SURVEY.</small>                             |           |  |  |
| <small>©Les données de parcelles appartient à Teranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CE CI N'EST PAS UN PLAN D'ARPENTAGE.</small> |           |  |  |
| REVISION / RÉVISION - 2023 / 04 / 26   |           | Entire map area is affected by the Mature Neighbourhoods Overlay (section 139) /<br>Tout le secteur de la carte est touché par la Zone sous-jacente de quartiers établis (article 139) |  |

|  |  |
|--|--|
|  | <b>1166 rue Bank Street</b>  |
|  | Heritage (Section 60)<br>Patrimoine (Article 60)   |
|  | Existing Flood Plain (Section 58) /<br>Plaine inondable (Article 58)   |
|  | Flood Plain - Area Specific Provisions (Section 58) / Plaine<br>inondable - Dispositions propres à des emplacements (Article 58) |

