



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

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Site Location: 3030 St. Joseph Boulevard

File No.: D07-12-23-0090

Date of Application: June 16, 2023

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This SITE PLAN CONTROL application submitted by Fotenn Consultants Inc., on behalf of 3030 St. Joseph Inc., is APPROVED as shown on the following plans:

1. **Tree Conservation Report & Landscape Plan**, drawing no. L.1, prepared by James B. Lennox & Associates Inc, revision 9, dated August 23, 2024.
2. **Grading, Drainage and Erosion & Sediment Control Plan**, prepared by Egis, drawing no. C101, revision 5, dated Sept 05, 2024.
3. **Site Servicing Plan**, prepared by Egis, drawing no. C102, revision 5, dated Sept 05, 2024.
4. **Plan & Profile STA. 1+000 to 1+073**, prepared by Egis, drawing no. C201, revision 4, dated Sept 05, 2024.
5. **Plan & Profile STA. 2+000 to 2+040**, prepared by Egis, drawing no. C202, revision 4, dated Sept 05, 2024.
6. **Plan & Profile STA. 3+000 to 3+020**, prepared by Egis, drawing no. C203, revision 1, dated Sept 05, 2024.
7. **Site Plan**, prepared by RLA Architecture, sheet no. SP-1, revision 8, dated September 4, 2024.
8. **Site Plan**, prepared by RLA Architecture, sheet no. 2, revision 6, dated July 31, 2024.

9. **Elevations**, prepared by RLA Architecture, sheet no. 6, revision 6, dated July 31, 2024.
10. **Sections**, prepared by RLA Architecture, sheet no. 7, revision 6, dated July 31, 2024.

And as detailed in the following reports:

1. **Servicing & Stormwater Management Report**, prepared by Egis, dated Sept 05, 2024.
2. **Landslide Hazard Assessment**, prepared by Paterson Group, dated February 12, 2024.
3. **Transportation Impact Assessment (TIA)**, prepared by CGH Transportation, dated March 2024.
4. **Phase I Environmental Site Assessment**, prepared by Paterson Group, dated December 21, 2022.
5. **Geotechnical Investigation**, prepared by Paterson Group, dated May 3, 2024.
6. **Landslide Hazard Assessment**, prepared by Paterson Group, dated May 3, 2024.
7. **Roadway Traffic Noise Assessment**, prepared by GradientWind Engineers & Scientists, dated June 13, 2023.
8. **Pedestrian Level Wind Study**, prepared by GradientWind Engineers & Scientists, dated June 13, 2023.

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

## Requirements

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

## General Conditions

### 2. 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.

### 3. 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.

#### **4. 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.

#### **5. 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.

#### **6. 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.

#### **7. 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.

#### **8. 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.

#### **9. 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.

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

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

## Special Conditions

### **Roads, Right-of-Way and Traffic**

#### **11. Permanent Encroachment Agreement**

The Owner acknowledges and agrees to enter into a permanent Encroachment Agreement to permit the encroachment of the Planters and Pavers to be constructed within the City's St-Joseph Boulevard 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 Planters

and Pavers to be constructed within the City's St-Joseph Boulevard right-of-way, as shown on the approved Site Plan and Landscape Plan.

### **13. Notice on Title – On-site Parking**

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 the unit being sold/rented may not be provided with any on-site parking. Should the purchaser/lessee have a vehicle for which they wish to have parking, alternative and lawful arrangements may need to be made to address their parking needs at an alternate location and that such arrangements are solely the responsibility of the person seeking parking. The purchaser/lessee acknowledges that the availability and regulations governing on-street parking vary; that access to on-site street parking, including through residential on-street parking permits issued by the City of Ottawa, cannot be guaranteed now or in the future; and that the purchaser/lessee intending to rely on on-street parking for their vehicle or vehicles does so at their own risk.”

“The purchaser/lessee covenants with the vendor/lessor that the above 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.”

## **Access**

### **14. 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.

### **15. 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.

## **Noise**

### **16. 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. each unit is 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 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.

### **17. 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 road noise 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.”

“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.”

## **Engineering**

### **Geotechnical Engineering and Soils**

#### **18. Slope Stability**

The Owner shall have a Professional Structural Engineer and a Soils Engineer, licensed in the Province of Ontario to inspect and confirm the constructed retaining walls have been constructed in accordance with the approved Geotechnical Investigation, prepared by Paterson Group.

### **19. Landslide Hazard Assessment**

The Owner acknowledges and agrees that it shall ensure that the recommendations of the Landslide Hazard Assessment, prepared by Paterson Group, are fully implemented to the satisfaction of the General Manager, Planning, Development and Building Services.

### **20. 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 (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.

### **21. Geotechnical – Encroachments**

The Owner acknowledges and agree that Geotechnical Investigation has recommended a method of shoring that may encroach onto the adjacent property or onto the City's St. Joseph Blvd Road 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.



## **22. 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 Landscape Plan 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.

## **Civil Engineering**

### **23. Plans and Reports to be Updated**

Prior to the earlier of the registration of this Agreement or a commence work notification, The Owner acknowledge and agrees to update the Site Servicing Plan, Grading Plan, Landscape Plan and Design Brief to address Forestry's comments and demonstrate to the engineer the comments have been accommodated to the satisfaction of the General Manager, Planning, Development and Building Services. The Owner acknowledges and agrees that the submission may necessitate changes to the plans and reports approved herein. If necessary, the Owner further acknowledges and agrees to provide all revised plans and reports to the General Manager, Planning, Planning, Development and Building Services prior to the earlier of the registration of this Agreement or the issuance of a Commence Work Notification.

### **24. 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.”

## **25. 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 St. Joseph Blvd and Duford Dr. 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 St. Joseph Blvd and Duford Dr. 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 St. Joseph Blvd and Duford Dr. 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 St. Joseph Blvd and Duford Dr. 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 St. Joseph Blvd and Duford Dr. and compensate the City for the full amount of any required repairs to the City Sewer System.

## **26. 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.

## **27. 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.

## **28. Inlet Control Devices (ICDs)**

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top and 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.

## **29. 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.

### **30. Relocate existing services**

The Owner acknowledges and agrees to relocate the existing Sanitary Sewer and Watermain infrastructure presently located within the subject lands, as well as any impacted infrastructure in the ROW, including, but not limited to infrastructure such as streetlighting, as per the approved plans, and all at the Owner's sole expense to the satisfaction of the General Manager, Planning, Development and Building Services.

The Owner further acknowledges and agrees to reinstate any property of the City, including, but not limited to, road, sewers, watermain, sidewalks, streetlighting, curbs and boulevards, which is damaged as a result of the relocation works, and shall be reinstated at the Owner's sole expense to the satisfaction of the General Manager, Planning, Development and Building Services.

## **Blasting**

### **31. 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.

## **Site Lighting**

### **32. Site Lighting Certificate**

- (c) 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.
- (d) 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.

## **Professional Engineering Inspection**

### **33. 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, 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, 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, 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, Planning, Development and Building Services.

## **Traffic**

### **34. Traffic Management Plan**

The Owner acknowledges and agrees to prepare a Traffic Management Plan for the proposed construction within the City's St-Joseph Boulevard and Duford Drive Right-of-Ways to the satisfaction of the General Manager, Planning, Development and Building Services.

The Owner further acknowledges and agrees that the cost of preparation and implementation of the Traffic Management Plan will be borne by the Owner.

## **Planning and Other**

## **Planning and Design**

### **35. Exterior Elevations Drawings**

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved Architectural Plans, 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.

### **36. 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 St-Joseph Boulevard right-of-way, as shown on the approved Landscape Plan referenced in Schedule “E” herein, including all plant and landscaping material (except municipal trees), Planters and Pavers. 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.

## **Waste Collection**

### **37. 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.

## **Parks**

### **38. Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City is 317.28 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:
- (i) For cash-in-lieu of conveyance of parkland (residential > 18 units/net ha):
  - (ii) 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.
  - (iii) 2% of the gross land area (commercial & industrial uses).

### **39. 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 (\$312,424.67). 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 1 funds. 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.

## **Conveyances to the City**

### **Road Widening**

#### **40. Road Widening**

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, an unencumbered road widening across the complete St. Joseph Boulevard frontage of the lands, measuring 37.5 metres, respectively, from the existing centreline of pavement/the abutting right-of-way. 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.

## **Agencies**

### **School**

#### **41. Notice on Title – School Accommodation**


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 the Ottawa-Carleton District School Board has pupil accommodation concerns for this dwelling unit. The purchaser/lessee agrees to inform prospective purchasers or tenants in all subsequent agreements of purchase and sale and lease agreements that school accommodation pressures exist in the Ottawa-Carleton District School Board, which are currently being addressed by the utilization of portable classrooms and/or by directing students to school outside their community.”

“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.”



January 9, 2025

Date

John Sevigny  
Manager (A), Development Review East,  
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:** D07-12-23-0090

## **SITE LOCATION**

3030 St. Joseph Boulevard, and as shown on Document 1.

## **SYNOPSIS OF APPLICATION**

The subject site is an undeveloped, triangular-shaped property located on the southwest corner of the intersection of St. Joseph Boulevard and Duford Drive. The site has a total area of 2,664 square metres, with frontage on both St. Joseph Boulevard and Duford Drive. The site narrows eastward across the property and has an irregularly configured westerly property line.

The area surrounding the site is characterized by a mixture of uses. To the north of the subject site is Place d'Orléans, a regional shopping centre with several standalone buildings present on the site, including a retail food store. The Place d'Orléans Bus Rapid Transit (BRT) Station is located on the north side of the shopping centre. To the east of the site is the escarpment, which is forested and continues along the south side of St. Joseph Boulevard for several kilometres. To the south is the Queenswood Heights neighbourhood, comprising predominantly single-detached residential dwellings. To the west of the site is the St. Joseph Boulevard Mainstreet Corridor, which consists of various commercial uses.

An 18-storey mixed-use building, comprising 207 residential units with 190 m<sup>2</sup> of commercial gross floor area at-grade. Three levels of underground parking are proposed, facilitating 144 parking spaces and 230 bicycle parking spaces below grade. Access to the building is located on the western edge of the site along St. Joseph Boulevard. The ground floor of the building contains the internal refuse storage space and a ramp, which serves as access to the underground parking levels. A total of 2,250 square metres of amenity space is provided in the form of an at-grade communal area, a communal amenity room, a communal terrace, and private terraces and balconies.

**Residential Units and Types**

Dwelling Type	Number of Units
Dwelling units in mixed use building	207

**Related Applications**

The following applications are related to this proposed development:

- Official Plan Amendment – D01-01-23-0010
- Zoning By-law Amendment – D02-02-23-0057

**DECISION AND RATIONALE**

This application is approved for the following reasons:

- The proposed building is consistent with the policies related to the Corridor – Mainstreet designation in the Official Plan. The plan also conforms to the amended Orléans Corridor Secondary Plan which now permits 18 storeys on this property.
- The proposal was designed to conform with the AM3[2705]S438 zone in the Consolidated Zoning By-law 2008-250 as approved on July 10, 2024.
- This project consists of an 18 storey mixed-use building which meets the Urban Design Guidelines for High-rise Buildings.
- The site is to be developed on full municipal services. Building locations, landscaping and public realm reflect good site plan design principles.

**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 December 1, 2023.

The panel’s recommendations from the formal review meeting are attached in Document 2.

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

- The applicant made changes to improve the interaction of the corner feature with the public street;
- The pedestrian crossings were more defined with ground pavers at the entrance to the parking garage and visitor parking spaces; and
- The top of the building was refined to accommodate the mechanical and amenity spaces.

## **CONSULTATION DETAILS**

### **Councillor's Comments**

Councillor Matthew Luloff indicated the following comments:

This development would be an exciting addition to the housing mix in Orléans. This type of housing is currently non-existent in Orléans and diversity in our housing stock is sorely missed. With its proximity to transit as well as commercial and recreational amenities, this development would provide an opportune housing choice for many and set an important precedent in my community when it comes to revitalizing our main street.

Given that this site is already zoned for 16 storeys, the addition of two storeys is negligible in terms of height and other impacts, but will play a positive role in addressing the housing crisis by providing much needed affordable units near transit and amenities.

I am pleased that the applicants are providing a community benefit by having two storeys of dedicated affordable units, during a time when affordable housing options are needed more than ever.

I acknowledge that some residents in the immediate vicinity are opposed to this project and I have worked hard with the developer to ensure as many of their concerns were addressed as possible. Change in an established neighbourhood is difficult, there's no doubt about that. However, we need to ensure we are providing real housing options city-wide, especially in proximity to transit.

### **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 are listed in Document 3.

### **Technical Agency/Public Body Comments**

Summary of Comments –Technical

The Rideau Valley Conservation Authority reviewed and accepted the findings of the

Landslide Risk Assessment

## **Advisory Committee Comments**

Summary of Comments – Advisory Committees

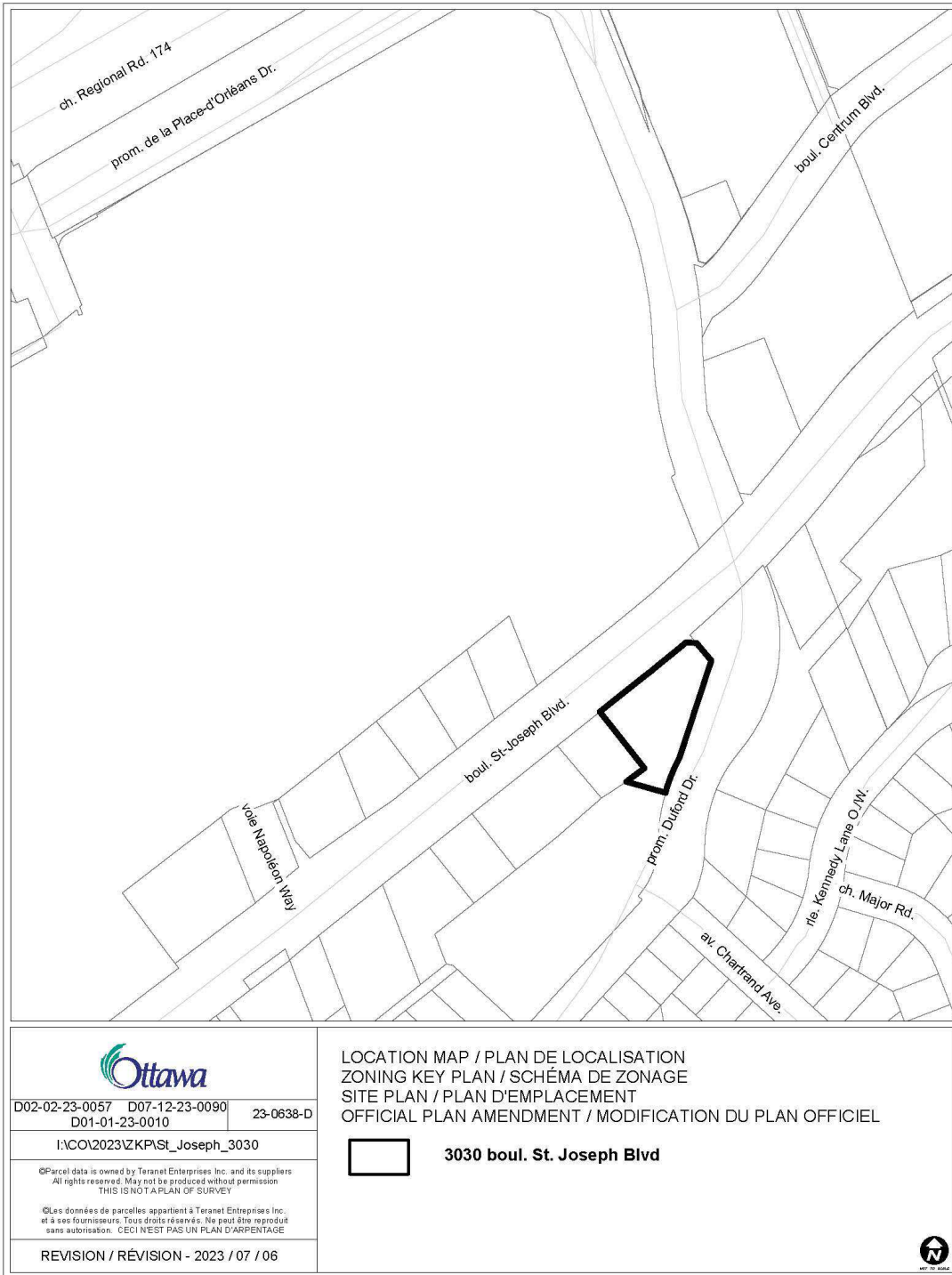
N/A

## **APPLICATION PROCESS TIMELINE STATUS**

This Site Plan application was not processed by the On Time Decision Date due to complexity associated with retrogressive landslide risk.

**Contact:** Steve Belan Tel: 613-580-2424, ext. 27591 or e-mail: [Steve.Belan@ottawa.ca](mailto:Steve.Belan@ottawa.ca)

# Document 1 – Location Map



# Document 2 – Urban Design Review Panel Recommendations – December 1, 2023

3030 St-Joseph Boulevard | Formal Review | Official Plan Amendment, Zoning By-law Amendment & Site Plan Control Application | Mastercraft Starwood, RLA Architecture, Fotenn Planning + Design



### Key Recommendations

- The Panel appreciates the refinements to the proposal since it last attended the UDRP in 2019.
- The Panel recommends further refining the integration of the development with the public realm, with particular regard to the interactions at the ground level along St-Joseph Boulevard and the 1st level along Duford Drive.
  - o Consider encroachment agreements to further develop the public realm spaces and enable greater animation of the corner as a community amenity space and gateway element.
  - o Consider embellishing that corner space for community use and to help anchor the building within a stronger public realm; further improving the relationship of the building to the streets surrounding it.
- The Panel recommends refining and simplifying the podium expression by applying a brick materiality rather than spandrels at the north-east and south-west corners of the podium.
  - o The Panel suggests considering more of a feature architectural element along the eastern edge of the building, potentially referencing the flatiron approach of past renditions.
  - o The Panel suggests simplifying and selecting a singular cladding material for the backdrop of the proposed eastern plaza space.
  - o The Panel suggests wrapping the canopy and stone colonnade around the eastern portion of the podium at the corner to give it more depth as a ground level feature.

- The Panel recommends adjusting some aspects of the material palette.
  - o The Panel suggests a warmer tone of brick, such as a red brick, at the podium level to further differentiate the massing of the podium from that of the tower portion.
- The Panel recommends further exploring options for articulating the top element of the tower which screens the mechanical penthouse.
  - o Consider screening the mechanical penthouse at the top of the tower with a lighter material or architectural element rather than a dark solid brick wall.
- The Panel recommends further establishing a sustainability strategy for the site, with particular regard to how the site will manage stormwater run-off, retention, and drainage.

### **Site Design & Public Realm**

- The Panel strongly recommends opening up the corner plaza element beyond the property line to provide a robust corner POPS/public realm at the intersection of St-Joseph Boulevard and Duford Drive, as previously contemplated in the 2019 UDRP submission.
  - o Consider including street trees and hardscaping beyond the property line along St-Joseph Boulevard and at the corner intersection.
- The Panel has concerns with the currently proposed curved retaining wall closing the plaza space off from the public.
  - o Consider opening up the corner plaza element by either extending the retaining wall along Duford Drive straight out to the intersection or by minimizing the location of the retaining wall / seating, which is related to the potential restaurant, creating publicly accessible space beyond.
- The Panel recommends further developing the greenspace on the south side of the building along Duford Drive into a publicly accessed POPS with street trees, seating, and plantings.
  - o Consider continuing the street tree planting from St-Joseph Boulevard around the corner and up the hill into the neighbourhood along Duford Drive.
- The Panel recommends pursuing the opportunity for public art in the corner plaza, and establishing the corner as a community gateway.
- The Panel has concerns with the potential for hydro lines to interfere with the long-term viability of the street trees along St-Joseph Boulevard.
  - o Consider working with the City to bury the servicing and hydro lines.

- The Panel recommends treating the hardscaping in the public realm with pavers, including the driveway, rather than asphalt.

### **Sustainability**

- The Panel recommends further developing the landscape, particularly with regard to water runoff, stormwater retention and drainage.
- The Panel recommends further greening the site, particularly along the south side of the building.
  - o Consider stepping the site from the south of the building down to St-Joseph Boulevard, with a more naturalized landscape of trees and bioswales, to further manage stormwater on-site and contribute to the resiliency and sustainability of the neighbourhood.
- The Panel recommends providing less parking in favour of more space for sustainable and active transportation modes.

### **Built Form & Architecture**

- The Panel recommends refining the eastern elevation of the podium, as it is a particularly important view.
  - o The Panel suggests the earlier design, which took more of a flatiron approach to the corner element, was more successful at capitalizing on the unique shape of the property parcel and creating a gateway element into the neighbourhood.
  - o Consider the importance of that eastern corner view along the streetscape and as a gateway to the neighbourhood up the hill.
- The Panel has concerns with the window-wall element and how it wraps around the corners, both at the north-east corner and the south-west corner of the podium.
  - o Consider using the podium brick material in place of the spandrels at both corner locations.
  - o Consider bringing the canopy and stone colonnade from the north façade around the eastern portion of the podium at the corner.
- The Panel recommends pursuing a more contextual material for the podium than the black brick.
  - o Consider red brick, or a warmer tone than black brick, at this site.
- The Panel has concerns with the stark blank walls surrounding the garage entrance area.
  - o Consider adding some architectural detailing to the lower 1- or 2-storeys of the building.





### **Document 3 - Consultation Details**

#### Notification and Consultation Process

Notification and public consultation were undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Official Plan amendments. No public meetings were held in the community.

#### Public Comments and Responses

##### Comment:

There is a pressing need for more affordable housing in Orleans.

##### Response

The Owner has obtained Canada Mortgage and Housing Corporation (CMHC) financing and will be providing a percentage of the units as affordable, as per the financing agreement with Canada Mortgage and Housing Corporation.

##### Comment:

This property was just rezoned to allow for a high-rise building. Why is it being rezoned for a taller building?

##### Response:

The owner is requesting the increase in height due to changing economics. With obtaining affordable housing financing, the owner is going with more smaller units which created a need for another level of parking. Further, the City has adopted a new Official Plan and the Orléans Corridor Secondary Plan was also approved changing the planning policy and allowing for two additional floors.

##### Comment:

The size of the building is imposing and significantly larger than any other buildings on St. Joseph Boulevard. This will result in losses of views and privacy.

##### Response:

The building is taller than other buildings in the area. However, over time other projects will be approved and constructed in accordance with the Official Plan and Secondary Plan, which will see more intensification in and around the transit stations along the light-rail transit (LRT) line. The design of the building is in keeping with the design approved in 2021. The tower is slender and is oriented towards St. Joseph Boulevard. The proposal also respects the transition guidelines for high-rise buildings when near low-rise development.

##### Comment:

More development happens in Orléans without addressing the overburdened infrastructure. More cars are using the same streets, more residents are using the same community centres and pools.

Response:

The City is investing in transit. The Place d'Orléans station is within 600 metres of this site. Intensification will contribute to the evolution of a 15-minute neighbourhood in and around these stations. The area is already well serviced by commercial activities and other services will develop as more people live and working in these areas.

Comment:

The site is at the bottom of an escarpment consisting of sensitive marine clays. There is a history of slope failures along this escarpment. How are they going to construct this building given the soil conditions?

Response:

A professional engineer prepared a report using the criteria provided by the Conservation Authority. The report was reviewed and the conclusion was accepted that the retrogressive landslide risk is less than the RVCA's recommended per annum probability. Construction will need to be conducted using the recommendations contained in the reports supporting the application.