



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

Site Location: 170 Slater Street

File No.: D07-12-24-0026

Date of Application: May 1, 2024

This SITE PLAN CONTROL application submitted by Fotenn Planning + Design c/o Tyler Yakichuk, on behalf of GWL Realty Advisors c/o Nikola Parenta, is APPROVED as shown on the following plan(s):

1. **Site Plan**, Drawing No. SPA_A103, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
2. **Site Plan (Phase 1)**, Drawing No. SPA_A104, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
3. **General West Elevation**, Drawing No. SPA_A400, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
4. **North Tower Elevations**, Drawing No. SPA_A401, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
5. **General East Elevation**, Drawing No. SPA_A402, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
6. **South Tower Elevations**, Drawing No. SPA_A403, prepared by Neuf Architect(e)s, dated 23.05.02, revision 4 dated 2024.04.25.
7. **North Elevation – Brick Wall Proposal**, Drawing No. SPA_A404, prepared by Neuf Architect(e)s, dated 23.05.02, revision 0 dated 2024.03.11.
8. **Landscape Plan & Tree Conservation Report – Phase 1 & 2 Complete**, Drawing No. L.1, prepared by James B. Lennox & Associates Inc., dated 23.06.12, revision 6 dated 24/03/12.
9. **Landscape Plan & Tree Conservation Report – Phase 1 Only**, Drawing No. L.2, prepared by James B. Lennox & Associates Inc., dated 23.06.12, revision 7 dated 24/03/12.
10. **Existing Conditions, Removals and Reinstatement Plan**, Drawing No. 123013-RP, prepared by Novatech Engineers, Planners & Landscape Architects, dated JULY 5/23, revision 3 dated APR 26/24.
11. **General Plan of Services – Phase 1 (South Tower)**, Drawing No. 123013-GP, prepared by Novatech Engineers, Planners & Landscape Architects, dated JUNE 15/23, revision 6 dated APR 26/24.

12. **General Plan of Services – Phase 2 (North Tower)**, Drawing No. 123013-GP2, prepared by Novatech Engineers, Planners & Landscape Architects, dated NOV 24/23, revision 4 dated APR 26/24.
13. **Grading, Erosion and Sediment Control Plan – Phase 1 (South Tower)**, Drawing No. 123013-GR, prepared by Novatech Engineers, Planners & Landscape Architects, dated JUNE 15/23, revision 5 dated APR 26/24.
14. **Grading, Erosion and Sediment Control Plan – Phase 2 (North Tower)**, Drawing No. 123013-GR2, prepared by Novatech Engineers, Planners & Landscape Architects, dated NOV 24/23, revision 3 dated APR 26/24.

And as detailed in the following report(s):

1. **170 Slater Street – Servicing and Stormwater Management Report**, prepared by Novatech Engineers, Planners & Landscape Architects, dated July 5, 2023, revised April 26, 2024.
2. **Phase One Environmental Site Assessment – 170 Slater Street, Ottawa, Ontario**, prepared by WSP Canada Inc., dated May 2023.
3. **Phase Two Environmental Site Assessment – 170 Slater Street, Ottawa, Ontario**, prepared by WSP Canada Inc., dated July 2023.
4. **Geotechnical Investigation – 170 Slater Street, Ottawa, ON**, prepared by WSP Canada Inc., dated July 7, 2023.
5. **Roadway Traffic Noise Assessment – 170 Slater Street, Ottawa, Ontario**, prepared by Gradient Wind Engineers & Scientists, dated June 30, 2023.
6. **Pedestrian Level Wind Study – 170 Slater Street, Ottawa, Ontario**, prepared by Gradient Wind Engineers & Scientists, dated June 16, 2023.
7. **GWL Realty Advisors – 170 Slater Street – Transportation Impact Assessment**, prepared by CGH Transportation, dated July 2023.

And subject to the following General and Special Conditions:

General Conditions

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

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 and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

2. **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 Department.

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 Department, 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 Department.

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 Department. 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 Department.

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 Department, 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 Department, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Development and Building Services Department 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 Department, 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 Department, 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 Department, shall have the right at all times to inspect the installation of the Works. The Owner acknowledges and agrees that should it be found in the sole opinion of the General Manager, Planning, Development and Building Services Department, that such personnel are not on-site or are incompetent in the performance of their duties, or that the said Works are not being carried out in accordance with the approved plans or specifications and in accordance with good engineering practice, then the General Manager, Planning, Development and Building Services Department, may order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Development and Building Services Department.

12. Interim Condition between Phases

The Owner agrees that if construction of the Phase 2 building located within the area identified as "Phase 2" on the approved Site Plan and Landscape Plan & Tree Conservation Report – Phase 1 Only referenced in Schedule "E" hereto does not commence within two (2) years of the date of occupancy of the Phase 1 building identified on approved Site Plan (Phase 1) and Landscape Plan & Tree Conservation Report – Phase 1 & 2 Complete referenced in Schedule "E" hereto, the Owner shall replace the approved Phase 1 granular surface and landscape the "Phase 2" area with interim conditions that may include wall murals, plantings, parkettes, outdoor private amenity space, seating, temporary uses, event spaces etc., to the satisfaction of the General Manager of Planning, Development and Building Services Department. All costs shall be borne by the Owner.

13. Shared Services

If any building, or any part of any building, on the Subject Lands does not have its own independent water, sanitary, and storm sewer connection directly to City infrastructure then the Owner shall, prior to the registration of the Site Plan Agreement, at its own cost and expense:

- (a) Obtain Environmental Compliance Approval ("ECA") from the Ministry of the Environment, Conservation and Parks;
- (b) Provide in-preparation Transfer Easement documents for any easement(s) required, in the sole opinion of the General Manager, Planning, Development and Building Services Department, to facilitate access to and maintenance of the water, sanitary, and/or storm sewer services and a solicitor's undertaking to register same immediately prior to the registration

of the Site Plan Agreement.

- (c) Register on title to the Subject Lands a Joint Use, Maintenance and Liability Agreement that is binding upon all Owners of the whole or any part of the Subject lands and deals with the joint use, maintenance and liability of all water, sanitary, and/or storm sewer services on the Subject Lands to the satisfaction of the General Manager, Planning, Development and Building Services Department; and
- (d) File with the General Manager, Planning, Development and Building Services Department a copy of the Joint Use, Maintenance and Liability Agreement and an opinion from a solicitor authorized to practice law in the Province of Ontario that: the Joint Use, Maintenance and Liability Agreement deals with all matters referred to in Subparagraph (13)(c) above; the Joint Use, Maintenance and Liability Agreement has been registered on title to the Subject Lands; and the Joint Use, Maintenance and Liability Agreement is binding upon all Owners of the whole or any part of the Subject Lands and their heirs, executors, administrators, successors, and assigns.

14. **Sanitary Monitoring Maintenance hole**

The Owner acknowledges and agrees to install and maintain in good working order the required Sanitary Monitoring maintenance hole inside the Property Line as required in Section 13 of the Sewer use Bylaw 2003-514 as amended. The Owner further acknowledges and agrees it shall assume all maintenance and replacement responsibilities in perpetuity. The Owner shall keep all records of inspection and maintenance in perpetuity and shall provide said records to the City upon its request.

15. **Temporary Erosion and sediment Control measures in the Swale**

The Owner acknowledges and agrees to install and maintain in good working order the temporary erosion and sediment control measures in the proposed temporary swale to control the erosion from Interim Granular Surface in Future Phase 2. 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.

16. **Detailed post development Stormwater Management plan**

Prior to issuance of Building Permit, the Owner acknowledges and agrees to provide the General Manager, Planning, Development and Building Services Department, with a detailed post development drainage stormwater management plan prepared by a Professional Engineer, licensed in the Province of Ontario, showing every catchment area including location of area drains, roof drain and drainage arrows. The Owner further acknowledges and agrees that said plan shall

be to the satisfaction of the General Manager, Planning, Development and Building Services Department, and all associated costs shall be the Owner's responsibility.

17. **Asphalt Overlay**

Due to the number of road cut permits required to service this development, the Owner shall install an asphalt overlay over the total area of the public driving surface of Laurier Avenue West, fronting the subject lands, as shown on the approved Existing Conditions, Removals and Reinstatement Plan, Drawing No. 123013-RP, prepared by Novatech Engineers, Planners & Landscape Architects, dated JULY 5/23, revision 3 dated APR 26/24, referenced in Schedule "E" hereto. The overlay shall be carried out to the satisfaction of the General Manager, Planning, Development and Building Services Department. The Owner acknowledges and agrees that all costs are to be borne by the Owner.

18. **Noise Control Attenuation Measures**

The Owner acknowledges and agrees to implement the noise control attenuation measures recommended in the approved Roadway Traffic Noise Assessment – 170 Slater Street, Ottawa, Ontario, prepared by Gradient Wind Engineers & Scientists, dated June 30, 2023, referenced in Schedule "E" of this Agreement, as follows:

- (a) each unit is to be equipped with central air conditioning.
- (b) further to subclause (a) above, the location and installation of any outdoor air conditioning device(s) shall comply with the noise criteria of the Ministry of the Environment, Conservation and Parks' Publication NPC-216, dated 1993, and the Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices, dated September 1994, as amended, in order to minimize the noise impacts both on and off the immediate vicinity of the subject lands;
- (c) prior to the issuance of a Building Permit, a review of building components (windows, walls, doors) is required and must be designed to achieve indoor sound levels within the City's and the Ministry of the Environment, Conservation and Parks' noise criteria. A letter shall be prepared by a qualified professional and provided to the General Manager, Planning, Development and Building Services Department confirming the plans submitted for building permit issuance have incorporated any and all mitigation measures to achieve the required indoor sound levels;
- (d) upon completion of the development and prior to occupancy and/or final building inspection, a professional engineer, licensed in the Province of Ontario with expertise in the subject of acoustics related to land use planning, shall be retained to visit the lands, inspect the installed noise control measures and satisfy themselves that the installed recommended interior noise control measures comply with the measures in the Roadway

Traffic Noise Assessment – 170 Slater Street, Ottawa, Ontario, prepared by Gradient Wind Engineers & Scientists, dated June 30, 2023 referenced in Schedule “E” hereto. The professional engineer shall prepare, sign and stamp a letter to the General Manager, Planning, Development and Building Services Department (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 Department.

19. **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 A – Increasing Roadway Traffic

“The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that noise levels due to increasing roadway may be of concern, occasionally interfering with some activities of the dwelling occupants as the outdoor sound level exceeds the City of Ottawa’s and the Ministry of the Environment, Conservation and Parks’ noise criteria.”

Type D – Central Air Conditioning

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

Ending Paragraph

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

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 – 170 Slater Street, Ottawa, ON, prepared by WSP Canada Inc., dated July 7, 2023 (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 Department 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 Department.

21. **Geotechnical – Encroachments**

The Owner acknowledges and agree that the Geotechnical Investigation – 170 Slater Street, Ottawa, ON, prepared by WSP Canada Inc., dated July 7, 2023 has recommended a method of shoring that may encroach onto the adjacent property or onto the City’s 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 or adjacent property, the Owner shall ensure that there will be no conflicts between the proposed shoring method and the municipal or private services or utilities in the said Road or adjacent property.

22. **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 Department, 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 Department.

23. **Remediation Report**

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Development and Building Services Department, 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.

24. **Groundwater Management**

The Owner acknowledges and agrees to retain an environmental consultant to test groundwater to be removed from the site during and after redevelopment. If through further testing the groundwater samples are found to be contaminated, all contaminated groundwater must be removed, managed or treated in accordance with appropriate Ontario regulations and/or discharged in accordance with the City's Sewer Use By-Law, being By-law No. 2003-514, as amended.

25. **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.”

26. **Protection of City Sewers**

- (a) Prior to the issuance of a building permit, the Owner shall, at its expense:
 - (i) obtain a video inspection of the City Sewer System within Sanitary Sewer MHSA37680 and MHSA37681 and Storm Sewer MHST38531 and MHST38532 within Laurier Avenue West 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 Department.
- (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 Department:
 - (i) obtain a video inspection of the existing City Sewer System within Sanitary Sewer MHSA37680 and MHSA37681 and Storm Sewer MHST38531 and MHST38532 within Laurier Avenue West 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 Sanitary Sewer MHSA37680 and MHSA37681 and Storm Sewer MHST38531 and MHST38532 within Laurier Avenue West and compensate the City for the full amount of any required repairs to the City Sewer System.

27. **Stormwater Management Memorandum**

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

28. **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 Department 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.

29. **Inlet Control Devices (ICDs) and pump system**

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater inlet control devices and pump systems, as recommended in the approved 170 Slater Street – Servicing and Stormwater Management Report, prepared by Novatech Engineers, Planners & Landscape Architects, dated July 5, 2023, revised April 26, 2024, 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.

30. **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 Department 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.

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.

32. **Site Lighting Certificate**

- (a) In addition to the requirements contained in Clause 19 of Schedule "C" hereto, the Owner acknowledges and agrees, prior to the issuance of a building permit, to provide the City with a certificate from an acceptable professional engineer, licensed in the Province of Ontario, which certificate shall state that the exterior site lighting has been designed to meet the following criteria:
- (i) it must be designed using only fixtures that meet the criteria for full cut-off (sharp cut-off) classification, as recognized by the Illuminating Engineering Society of North America (IESNA or IES); and
 - (ii) it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- (b) The Owner acknowledges and agrees that, upon completion of the lighting Works and prior to the City releasing any associated securities, the Owner shall provide certification satisfactory to the General Manager, Planning, Development and Building Services Department, 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.

33. **Waste Collection**

The Owner acknowledges and agrees that residential cart (and/or container) garbage, recycling, and organic waste collection will be provided by the City from a centralized refuse room or area. The Owner shall provide, at its own expense, adequate storage for the containers and carts and acknowledges it is recommended that they be placed on a concrete floor. The Owner shall provide an adequately constructed road for direct access to the garbage/recycling/organic waste storage room or area suitable for garbage/recycle/organic waste collection vehicles. Any additional services (i.e. winching of containers) may result in extra charges.

34. **Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City is 418.93 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):

- 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) For conveyance of parkland, cash-in-lieu of conveyance parkland, or combination thereof:
 - i. 2% of the gross land area (commercial & industrial uses).
- (iii) 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.

35. **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, and 60% shall be directed to Ward 14 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.

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.

37. **Pedestrian Surface Easement (Mid-Block Connection)**

- (a) Prior to completion of the Works, the Owner acknowledges and agrees to convey to the City, at no cost to the City, a pedestrian surface easement over the proposed mid-block connection within the subject lands, shown along the western portion of the property between Slater Street and Laurier Avenue West on the approved Site Plans and Landscape Plans and Tree Conservation Reports referenced in Schedule “E” herein. The Owner further

acknowledges and agrees that the conveyance of the pedestrian easement shall be free from all encumbrances other than those shown on the approved Landscape Plans and Tree Conservation Reports referenced in Schedule "E" herein. The exact location of the said easement must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating such easement, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. 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 registration of such easement. All cost shall be borne by the Owner.

- (b) The Owner further acknowledges and agrees that the securities retained, as described in Schedule "B" herein, shall not be reduced by more than fifty percent (50%), until such time as a reference plan for the pedestrian surface easement has been submitted and approved by the City Surveyor, and the Transfer of Easement has been registered on title to the subject lands, to the satisfaction of the City Solicitor.
- (c) The Owner further acknowledges and agrees that the pedestrian pathway shall be maintained by the Owner, including regular snow clearing, in perpetuity. All costs associated with the maintenance of the pedestrian pathway shall be the Owner's responsibility. The Owner shall assume all liability in perpetuity.

38. **Pedestrian Surface Easement (Laurier Avenue West)**

- (a) Prior to completion of the Works, the Owner acknowledges and agrees to convey to the City, at no cost to the City, a 0.6-metre-wide pedestrian surface easement along the entirety of the Laurier Avenue West frontage within the subject lands, shown along the southern portion of the property on the approved Site Plans and Landscape Plans and Tree Conservation Reports referenced in Schedule "E" herein. The Owner further acknowledges and agrees that the conveyance of the pedestrian easement shall be free from all surface-level encumbrances. The exact location of the said easement must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating such easement, to the City Surveyor for review and approval prior to its deposit in the Land Registry Office. 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 registration of such easement. All cost shall be borne by the Owner.
- (b) The Owner further acknowledges and agrees that the securities retained, as described in Schedule "B" herein, shall not be reduced by more than fifty percent (50%), until such time as a reference plan for the pedestrian surface easement has been submitted and approved by the City Surveyor, and the Transfer of Easement has been registered on title to the subject lands, to the satisfaction of the City Solicitor.

- (c) The Owner further acknowledges and agrees that the pedestrian pathway shall be maintained by the Owner, including regular snow clearing, in perpetuity. All costs associated with the maintenance of the pedestrian pathway shall be the Owner's responsibility. The Owner shall assume all liability in perpetuity.
- (d) The Owner further acknowledges and agrees to replace the proposed concrete pavers indicated on the approved Landscape Plans and Tree Conservation Reports referenced in Schedule "E" herein and extend the abutting City sidewalk into the area subject to the easement in accordance with City standards, to the satisfaction of the General Manager, Planning, Development and Building Services Department, at no cost to the City.

39. **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 Slater Street frontage of the lands, measuring 0.6 metres from the existing property line. 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.

The Owner further acknowledges and agrees to replace the proposed concrete pavers indicated on the approved Landscape Plans and Tree Conservation Reports referenced in Schedule "E" herein and extend the abutting City sidewalk into the area to be conveyed in accordance with City standards, to the satisfaction of the General Manager, Planning, Development and Building Services Department, at no cost to the City.

40. **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 Department.

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

41. **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.

42. **Relocate/ Adjust Lay-by/ Bus Stop**

The Owner shall relocate/adjust those OC-Transpo's lay-by/bus stops which will be impacted by the proposed new roadwork and private approaches to the site.

The Owner acknowledges and agrees that it has entered into a licence agreement on August 15, 2010 with the City of Ottawa on Part of Lots 40, 21 and 42, Registered Plan No. 3922, City of Ottawa being PIN 04115-0295 for an existing bus shelter located at 170 Slater Street adjacent to the City's Slater Street right of way.

The Owner further acknowledges and agrees that in accordance with the City's CP000317 – Albert and Slater Street Improvement capital project the existing bus shelter is proposed to be removed and relocated in proximity of a new bus stop located in front of 269 Laurier Avenue West.

The Owner agrees to enter into an agreement with the City concerning the relocation of the bus shelter to a mutually agreed upon location in proximity of 269 Laurier Avenue West and that such agreement may include conveyance of an easement for such purpose.

43. **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.

The Owner agrees to provide a response letter addressing transportation-related comments contained in the Feedback Form, dated May 30, 2024, immediately prior to approval.

44. **Plan of Survey**

The Owner agrees to provide a revised Plan of Survey satisfactory to the General Manager, Planning, Development and Building Services Department, signed by a Land Surveyor, licensed in the Province of Ontario, prior to execution of this agreement.

June 13, 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

File Number: D07-12-24-0026

SITE LOCATION

170 Slater Street, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is a through lot located on a block between Laurier Avenue West, Slater Street, Bank Street and O'Connor Street in Downtown Ottawa, with frontages both on Laurier Avenue West (42.63 metres) and Slater Street (42.87 metres). The lot has a total area of 8,010.7 square metres. The property is currently occupied by a four-storey parking garage that is to be demolished to make way for the proposed building.

The area surrounding the subject site is generally characterized by high-rise and mid-rise buildings with a mix of commercial, office, mixed-use, residential and hotel uses. To the north of the subject property are a 22-storey hotel building and a 13-storey office building. To the east of subject property is a 14-storey commercial and office building. To the west of the subject property is an 18-storey office building and low-rise buildings within the Bank Street Heritage Conservation District. To the south of the subject property is the L'Esplanade Laurier complex – two 22-storey towers with commercial and office uses. The subject site is in a location highly accessible to public transit. It is located within a 600-metre radius of the Parliament LRT Station.

The purpose of this application is to accommodate the redevelopment of the site to construct two mixed-use towers in two phases – one 26-storey tower fronting Laurier Avenue West to be constructed in the 1st phase and another 25-storey tower fronting Slater Street to be constructed in the 2nd phase. The development will include 586 dwelling units in total, 297 bicycle parking spaces, 128 vehicle parking spaces (including 94 residential parking spaces and 30 visitor parking spaces). Bicycle parking storage and the majority of amenity areas will be provided in the 1st phase of the development. Access to the two-level underground parking garage will be provided from Laurier Avenue West.

The tower portions of the building reflect point-tower design with typical floorplates of 621.8 square metres and will site atop a seven-storey podium that runs the full length of the site between Slater Street and Laurier Avenue West. The ground floor of the building is highly activated with commercial units on both the north and south sides of the building, as well as lobbies for each of the towers at the corners of the building. Running along the western side of the building is an indoor-outdoor amenity area opening up to a

cut-through woonerf that will connect Laurier Avenue West and Slater Street with public access. Public access surface easements will be provided to facilitate this. The woonerf will be landscaped and treated with paving materials. Bollards, exterior lighting and seating will be included within this area. The woonerf will also provide limited vehicular access to the surface parking lot located at 269 Laurier Avenue West, a building also owned and operated by the owner of 170 Slater Street.

Residential Units and Types

| Dwelling Type | Number of Units |
|----------------------|------------------------|
| Apartment (Phase 1) | 312 |
| Apartment (Phase 2) | 274 |

Related Applications

N/A

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal is consistent with the Official Plan policies for Mainstreet Corridors in the Downtown Core Transect and the Central and East Downtown Core Secondary Plan.
- The proposal is consistent with the Urban Design Guidelines for High-Rise Buildings.
- The proposal conforms to the provisions of the MD[132] S33 zone.
- Conditions of approval are recommended to ensure the timely and orderly development of the project and to ensure coordination with public works.
- The proposal represents good 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 7, 2023.

The panel’s recommendations from the formal review meeting are:

Key Recommendations

- The Panel supports integrating this development within the existing tower context.
- The Panel cautions against the dark-coloured approach to the façades.

- The Panel has concerns with the access to sunlight, especially on the lower levels, and the minimal amenity space being provided.
 - Consider adding amenity on some of the upper levels to provide more variety and access to sunlight for residents.
- The Panel recommends further investigating how the existing parkette, future second phase, and the mid-block woonerf connect and how they holistically help to support the pedestrian uses on Slater Street. Perhaps a temporary POPS should be considered prior to Phase 2.
- The Panel is highly supportive of the woonerf approach in the mid-block laneway.
- The Panel highly recommends tying-in the datum lines and rhythm of the adjacent heritage façade on Laurier Avenue in a more deliberate manner to inform the design and architectural language of the podium.
- The Panel has concerns with the access to the parking garage and the complexity of frequent vehicular crossings over the bike lanes.
 - Consider consolidating the parking access with the existing parking access off Slater Street for more efficient use of space.

Site Design & Public Realm

- The Panel recommends carefully considering the interim period between the first and second phases of development in terms of how interim façade conditions and the at-grade areas are treated/animated.
 - Consider a phasing strategy that enhances the spaces in the interim, such as having an art wall on the north side and a temporary POPS.
 - Consider options other than surface parking for the interim landscaping phase.
 - The Panel supports the idea of adding a large mural, that idea would mesh well with a public open space.
- The Panel strongly recommends the two sites (this eastern portion and the adjacent western portion) be taken through the approvals process together, not separately.
 - The Panel recommends the applicants include the parkette on the north-western portion of the site as a crucial component of this application, rather than a separate application. At the very least, the parkette needs to be incorporated in this approvals package in order for the site to suitably permit two towers. Without the parkette in this application, the Panel recommends this should be a single tower site rather than a two-tower site.
- The Panel has concerns with the vehicular entrance from Laurier Avenue and its interaction with the existing westbound bike lane.
 - Consider sharing the existing parking ramp with the adjacent building and consolidating them as a single vehicular entrance to minimize curb-cuts and reduce intersections with the bike lane.
- The Panel recommends extending the woonerf treatment of the laneway all the way to the edges of the site, and temporarily extending the linear parkette at the north-west corner into the future Phase 2 location to provide an interim POPS.
- The Panel suggests the site would be better suited as a single tower development, with the parkette along Slater Street continuing eastward past the

mid-block connection to create a linear parkette that fills part, or all, of the location currently allocated to the north tower.

Sustainability

- The Panel recommends further considering the future evolution of the site and adjacent sites in the design.
- The Panel recommends giving more thought to how this proposal could adhere to the City's sustainability standards, such as the upcoming High-Performance Development Standards, and add valuable environmental & social sustainability to the downtown community.

Built Form & Architecture

- The Panel has concerns with the location and amount of amenity space. According to the shadow studies, the rooftop amenity spaces at 2nd level have very little sunlight, even in the mid-June period.
- The Panel highly recommends developing amenity spaces at the 6-storey podium rooftop between the two towers as well as at the upper most rooftops of the two towers. The current amount and quality of sunlight at the 2nd level amenity is insufficient as a standalone amenity space, and more options and variety of amenity spaces with greater access to sunlight should be investigated.
- The Panel recommends the datum lines of the adjacent heritage façade (to the east along Laurier Ave. W) should more closely match the datum lines in the proposed podium along Laurier Avenue.
- The Panel recommends further investigating whether the proposal would benefit from the link between the two towers being lower, in order to allow more sunlight to penetrate through that space. Coupled with the creation of a rooftop amenity on the (lowered) link, this would hopefully improve the quality of light in that space and thus the quality of the amenity.
- The Panel appreciates the inspirational images provided on page 8. The architecture of those buildings is strong and should more closely inform the architecture of the proposal.
 - Consider taking more cues from those inspirational buildings in refining the architecture of the proposal.
- The Panel recommends increasing the amount of solidity and simplifying the proposed architecture.
- The Panel recommends considering fins as a functional method of articulating the façades more.
 - Currently, the façades appear more like floating screens, and the precast portions do not appear grounded.
- The Panel supports the idea behind the articulation of the crowns at the top of the towers. Perhaps adding depth to the articulation with fins and tying the rhythm of the fins down into the building would help increase the overall "temperance" and handsomeness of the architecture.
- The Panel appreciates the overall architecture of the building and its inspirational images.
 - The Panel recommends the depth and articulation of the façades be refined.

- The Panel recommends increasing the amount of amenity space and providing different kinds of amenity spaces throughout the building.
- The Panel recommends aligning the podium height with the adjacent 6-storey heritage building on Laurier Avenue.
- The Panel has concerns with the 7-storey podium height of the tower link negatively impacting the amount daylight in units and on balconies.
- The Panel has concerns with the treatment of the commercial ground-level and its visual disconnection from the residential treatment above.
 - Consider treating the ground-level in a manner that links it to the rest of the building more cohesively, and equally grounding the building rather than having the residential portion appear as a floating façade.
 - Consider bringing some of the verticality from the pre-cast portions down to ground-level to create a connection between the architectural expression of the residential façades and the commercial at ground-level.
- The Panel recommends enhancing the lobby entrance element along Slater Street, suggesting the currently proposed entrance is a bit understated.
 - Consider developing and elevating the 'entrance moment' further. In particular, the entrance along Slater Street will always be highly visible given its adjacency to the urban plaza space.
- Consider ways to enhance the corner presence and entrance from Slater Street.
- The Panel has concerns with the dark colours of the materials as viewed in the renderings and perspectives.
 - Consider pursuing lighter coloured materials as shown in many of the inspirational images on page 8.
- The Panel recommends taking cues from the 6-storey Art Deco building located directly to the east along Laurier Avenue.
 - Consider the datum lines of the base, middle, and top portions of the Art Deco building and try to reinforce the legibility of the podium to mimic its neighbouring heritage in a thoughtful way. That is not to say copy the design, but rather complement the neighbouring design in a more deliberate manner.

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

- A lighter panel of materials was selected for the building's facades.
- The podium of the building visually relates to the datum line of the roof of the abutting historic building at 124 O'Connor Street.
- The architectural expression of the building has been simplified.
- The interim condition of the Phase 2 site has been considered for a private landscaped area with a possible mural facing Slater Street on the Phase 1 building.

CONSULTATION DETAILS

Councillor's Comments

Councillor Ariel Troster was aware of the application related to this report.

Councillor Ariel Troster indicated the following comments:

“I’m pleased to see this development come forward. There are too many temporary parking lots downtown that have outlived their original intent, and it’s great to see this project moving forward to put this land to its highest and best use, and to build a more people friendly landscape right downtown.”

Response to Councillor Comments

Staff have noted the Councillor’s comments and have no concerns.

Public Comments

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

Technical Agency/Public Body Comments

Summary of Comments –Technical

All technical agency correspondence was forwarded to the applicant, and the applicant was advised to contact technical agencies directly for additional information and requirements.

Advisory Committee Comments

Summary of Comments – Advisory Committees

N/A

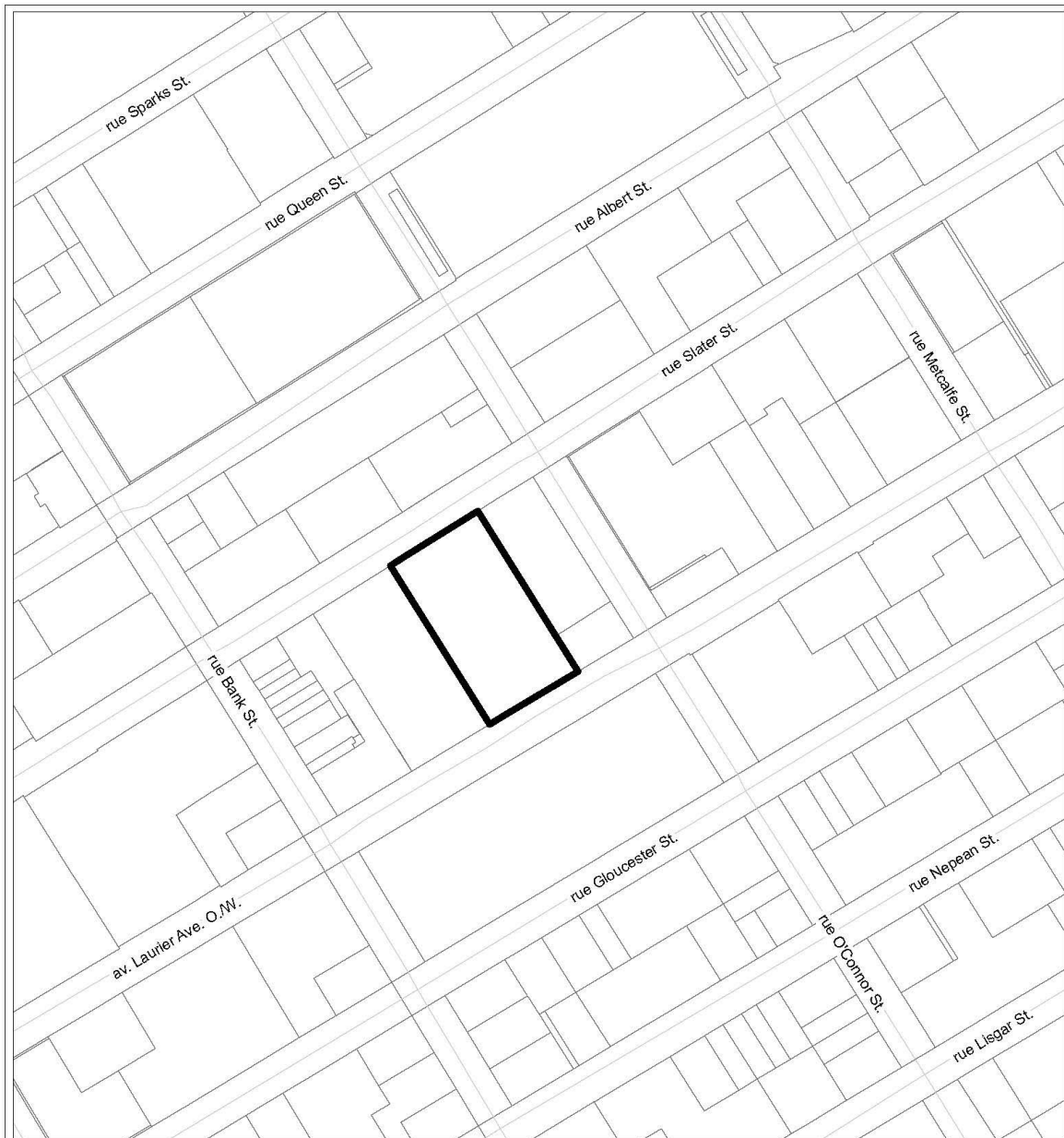
APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was processed by the On Time Decision Date.

Contact: Adrian van Wyk Tel: 613-580-2424, ext. 21607 or e-mail:

Adrian.vanWyk@ottawa.ca

Document 1 – Location Map



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|--|-----------|---|---|
|  | | LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT | |
| PC2024-0104 | 24-0409-D | | |
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