



**SITE PLAN CONTROL APPROVAL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW, URBAN SERVICES,
PLANNING AND GROWTH MANAGEMENT DEPARTMENT**

Site Location: 129 Main Street

File No.: D07-12-10-0196

Date of Application: July 30, 2010

This SITE PLAN CONTROL application submitted by Roderick Lahey, on behalf of 129 Main Street Properties Ltd., is APPROVED as shown on the following plan(s):

1. **Ultimate Site Plan, SP-1, 129 Main Street** prepared by **Roderick Lahey Architect Inc.**, dated **July 11, 2007**, revised February 11, 2014 (Rev 8) and dated as received by the City of Ottawa on February 11, 2014.
2. **Interim Site Plan, SP-2, 129 Main Street** prepared by **Roderick Lahey Architect Inc.**, dated **July 11, 2007**, revised February 11, 2014 (Rev 8) and dated as received by the City of Ottawa on February 11, 2014.
3. **Ultimate Landscape Plan, L-1, 129 Main Street** prepared by **Kallala Designs**, dated **April 2007**, revised February 11, 2014 (Rev 6) and dated as received by the City of Ottawa on February 11, 2014.
4. **Interim Landscape Plan, L-2, 129 Main Street** prepared by **Kallala Designs**, dated **April 2007**, revised February 11, 2014 (Rev 6) and dated as received by the City of Ottawa on February 11, 2014.
5. **Parking Level / Ground Floor Plan, A101, 129 Main Street** prepared by **Roderick Lahey Architect Inc.**, dated **July 11, 2007**, revised February 11, 2014 (Rev 7) and dated as received by the City of Ottawa on February 11, 2014.
6. **Building Elevations, A104, 129 Main Street** prepared by **Roderick Lahey Architect Inc.**, dated **July 11, 2007**, revised February 11, 2014 (Rev 7) and dated as received by the City of Ottawa on February 11, 2014.

7. **Site Servicing and Grading Plan, SSGP-1, 129 Main Street** prepared by **Stantec**, dated **July 21, 2010**, revised February 26, 2014 (Rev 5) and dated as received by the City of Ottawa on March 25, 2014.
8. **Storm Drainage Plan, SD-1, 129 Main Street** prepared by **Stantec**, dated **July 21, 2010**, revised February 19, 2014 (Rev 5) and dated as received by the City of Ottawa on March 25, 2014.
9. **Erosion Control Plan, EC-1, 129 Main Street** prepared by **Stantec**, dated **July 21, 2010**, revised February 19, 2014 (Rev 5) and dated as received by the City of Ottawa on March 25, 2014.

And as detailed in the following report(s):

- a. Servicing Brief (including Stormwater Management Report), dated March 21, 2014, prepared by Stantec Consulting Ltd, Project #1604-00602/83.
- b. Phase I Environmental Site Assessment, 129 Main Street, dated September 27, 2007, Report #PE1071-1, prepared by Paterson Group.
- c. Environmental Remediation Monitoring Program, 129 Main Street, dated September 25, 2007, FILE# PE1071-LET.01, prepared by Paterson Group.
- d. Noise Assessment & Control, 129 Main Street, dated April 22, 2010, prepared by Gradient Microclimate Engineering Inc and amended on November 15th, 2013.
- e. Seismic Shear Wave Velocity Testing Results, 129 Main Street, dated May 27, 2010, prepared by Paterson Group.
- f. Geotechnical Investigation, 129 Main Street, dated April 7, 2010, Report #PG2036-1, prepared by Paterson Group.
- g. Transportation Memo, 129 Main Street, dated May 27, 2008, prepared by Delcan.

And subject to the following Standard and Special Conditions:

Standard Conditions

1. The applicant shall enter into a standard site development agreement consisting of the following conditions. In the event the Owner fails to enter into such agreement within one year, this approval shall lapse.
2. The Owner shall obtain such permits as may be required from Municipal or Provincial authorities and shall file copies thereof with the General Manager, Planning and Growth Management.
3. The Owner agrees to 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 and Growth Management Department.

4. The Owner agrees that the parking areas (and entrances) shall have barrier curbs and shall be constructed in accordance with a design professional and approved by the General Manager, Planning and Growth Management Department.
5. The Owner shall provide adequate water supply for fire fighting for every building. Water supplies may be a public water works system, automatic fire pumps, pressure tanks or gravity tanks.
6. Any portion of the subject property which is intended to be used for snow storage shall be as shown on the approved site plan or as otherwise approved by the General Manager, Planning and Growth Management Department and shall not interfere with approved grading and drainage patterns or servicing. Snow storage areas shall be setback from property lines, foundations, fencing or landscaping a minimum of 1.5 metres. Snow storage areas shall not occupy driveways, aisles, required parking spaces or any portion of a road allowance.
7. The Owner shall be responsible to design and construct sidewalk(s) within public right-of-ways or on other city owned lands (to provide a pedestrian connection from or to the site) as may be determined by the General Manager of Planning and Growth Management Department. Such sidewalk(s) shall be located and constructed to City Standards and as approved by the General Manager, Planning and Growth Management Department.
8. The Owner shall reinstate at its expense, to the satisfaction of the General Manager, Planning and Growth Management Department, any property of the City, including, but not limited to, sidewalks and curbs, boulevards, that are damaged as a result of the subject development.
9. The Owner shall be required to install construction fencing at its expense, in such a location as may be determined by the General Manager, Planning and Growth Management Department.
10. All exterior lighting proposed for the subject lands shall be installed only in the locations and in accordance with specifications shown on the approved plans attached hereto unless otherwise approved in writing by the General Manager, Planning and Growth Management Department. Sharp cut-off fixtures or an alternative fixture design approved by the General Manager, Planning and Growth Management Department shall be used to minimize possible lighting glare onto adjacent properties.
11. The Owner shall submit a certificate of insurance, in a form satisfactory to the City. The certificate of insurance must be issued in favour of the City of Ottawa in an amount not less than two million dollars per occurrence; must contain an endorsement naming the City as an additional insured and must also provide the City with an unconditional thirty days notice of any material change or cancellation of the policy.
12. The Owner shall be required to enter into a maintenance and liability agreement for all plant and landscaping material placed in the City right-of-way and the Owner shall assume all maintenance and replacement responsibilities in perpetuity.

Special Conditions

13. Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to acquire a permission letter from the property owner at 55 Springhurst Avenue for the purpose of trimming, cutting and/or removing trees on the property at 55 Springhurst Avenue, to the satisfaction of the General Manager, Planning and Growth Management.
14. Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to acquire a permit for removal of the two deciduous trees located at 55 Springhurst Avenue, to the satisfaction of the General Manager, Planning and Growth Management.
15. Prior to registration of the Site Plan Agreement, the Owner shall convey, at no cost to the City, an unencumbered road widening across the complete Main Street frontage measuring 10.0 meters from the existing centerline of pavement. The exact widening must be determined by legal survey. The Owner shall provide an electronic copy of the Deed and a copy of the Deposited Reference Plan indicating the widening, prior to execution of the agreement by the City. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys and will have been submitted to the City Surveyor for review prior to its deposit in the Registry Office, to the satisfaction of the General Manager, Planning and Growth Management and the City Surveyor.
16. Prior to registration the Owner acknowledges and agrees to provide cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, pursuant to Section 51 of the Planning Act. Said cash-in-lieu amount shall also include the fee for appraisal services, to the satisfaction of the General Manager, Planning and Growth Management.
17. The Owner acknowledges and agrees that during major storm events, depressed driveways and below grade parking areas may be subject to flooding due to drainage from the public road allowance. The owner further acknowledges and agrees the City is not responsible for flooding claims in the future. It is also recommended that a backwater valve be installed on any catch basins located in depressed driveways.
18. The Owner agrees to undertake analytical testing for contamination of any soil to be removed from the site during construction. If this soil is found to be contaminated, it must be disposed, treated or recycled at a waste disposal site or landfill licensed for that purpose by the Ministry of the Environment.
19. The Owner agrees to undertake testing of groundwater to be removed from the site during redevelopment, and if through further testing the groundwater samples are found to be contaminated, all groundwater must be removed, managed or treated in accordance with the appropriate Ontario regulations/or discharged in accordance with the City of Ottawa Sewer Use By-law 2003-514, as amend.

20. The Owner agrees to remove/decommission any on-site monitoring wells, if not required for future groundwater monitoring process, in accordance with O.Reg. 903 (as amended), under the Ontario Water Resources Act.
21. The Owner acknowledges and agrees to implement the noise control measures recommended in the approved Noise Report and agrees to insert the following Warning Clause into all purchase and sale agreements:

“Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the City’s and the Ministry of the Environment’s noise criteria.”

Date

John Smit
Manager, Development Review, Urban Services
Planning and Growth Management Department

Attach: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

SITE LOCATION

129 Main Street, D07-12-10-0196

SYNOPSIS OF APPLICATION

The subject site is located at 129 Main Street, on the northeast corner of Springhurst Avenue and Main Street in the Old Ottawa East community. The site is approximately 1,030 square metres in area, with approximately 25 metres of frontage on Main Street, and a lot depth of 40 metres.

The purpose of the subject Site Plan Control application is to permit the development of a 4-storey mixed-use building, with at-grade commercial and 3 storey's of residential above. The mixed-use building will comprise 3 commercial units fronting onto Main Street totaling 346 square metres in gross floor area (each unit being less than 150 square metres in size). The residential component will include both 1 and 2 bedroom units comprising a total of 50 units.

The main pedestrian access to the residential component of the building will be from Springhurst Avenue with individual access to the 3 commercial units from both Main Street and Springhurst Avenue.

To support the commercial and residential units the building is designed with a one storey underground parking garage accessed from Springhurst Avenue. The underground garage will contain 34 parking spaces, 26 of which are dedicated to the residential units and 8 will be dedicated to visitor parking spaces. The commercial units do not have specific parking spaces dedicated within the underground garage, but through the redesign of Main Street (Main Street Renewal Project) on-street parking will be provided. It can be anticipated that approximately 17 on-street parking spaces will be provided on Main Street between Evelyn Avenue and Oblate Avenue.

Through the approval of the subject Site Plan application, the City will be acquiring a road widening of approximately 0.4 metres along the frontage of the property (the widening varies 0.47 metres from the north end of the property to 0.38 metres south end of the property). As a result the building will be setback approximately 2.5 metres from the new property line.

The Main Street Renewal Project currently illustrates a cross section along the frontage of 129 Main Street such that a 1.5 metre dedicated bike lane, a 0.7 metre 'dooring zone', a 0.6 metre pedestrian lighting and tree planting zone and approximately a 3.0 metre public sidewalk will form the public frontage of the subject site (as illustrated on the approved 'Ultimate Site Plan').

DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject proposal is designated ‘Traditional Main Street’ on Schedule ‘B’ of the City’s Official Plan (Volume 1). Traditional Main Streets are planned to provide for mixed-use, pedestrian orientated streets. The subject building meets the intent of this designation where retail, commercial service use, offices, and residential uses are permitted in mixed use buildings, and generally height is supported up to six storey’s.
- The subject proposal is designated ‘Traditional Main Street’ within the Old Ottawa East Community Design Plan and within the Old Ottawa East Secondary Plan of the City’s Official Plan (Volume 2a). The building meets the intent of this designation where this a mixed-use built form is encouraged that maintains compatibility with existing residential fabric through setbacks and height limitations (six storeys). Furthermore, the Traditional Main Street designation sets out to improve the public realm and streetscape along Main Street through building setbacks, which the subject application adheres to.
- The subject proposal is zoned Traditional Main Street, Subzone 7, Exception 1839 (TM7 [1839]), which was adopted as a result of the implementation strategy for Old Ottawa East Community Design Plan (By-law 2011-308). The TM7[1839] zone permits the at-grade commercial uses and above grade residential uses, while establishing a minimum front yard setback to Main Street of 2.0 metres (through Urban Exception 1839). The subject building adheres to all provisions of the TM7 [1839] zone.
- The subject proposal is in keeping with the Ontario Municipal Board decision issued on June 23, 2008 (Case #PL071253) related to the companion Minor Variance application (City File #D08-02-07/A-00346).
- The subject proposal represents good planning and urban design.

URBAN DESIGN REVIEW PANEL

The Site Plan Control application was not subject to the Urban Design Review Panel process, as this application preceded the establishment of the Panel.

CONSULTATION DETAILS

Councillor David Chernushenko - Capital **has/has not** concurred with the proposed conditions of approval.

Councillor David Chernushenko - Capital indicated the following:

Response to Comments

Public Comments

Summary of Comments - Public

Question 1.

Please advise why the City is not perusing to protect a 23 metre Right of Way along the frontage of 129 Main Street?

Response 1.

The current Site Plan Control Application was received in August of 2010 and is therefore being reviewed against the current Official Plan (OP 2008), not Official Plan Amendment 150 passed at Council December 2013 and currently before the Province for review/approval. Thus the 129 Main Street project has been proceeding under the OP requirement for a 20m ROW from OP76. See link below:

Link to Table 1 – Right of Way Protection:

<http://ottawa.ca/en/official-plan-0/volume-1-official-plan/section-7-annexes/annex-1-road-classification-and-rights-wa-2>

To explain further, if the Planning and Growth Management Department pursued an additional widening for the 129 Main Street project we would effectively terminate the project in its current design and form. The proponents single storey underground garage is at a zero lot line to the new property line (where we are taking a widening to achieve the 20m ROW). If we take any additional land the parking stalls and drive-aisles won't work, and the garage will need to go an additional story underground to make up for lost spaces. This additional story would not make the project work financially. Further, the additional widening would have adverse impacts on unit sizes and the overall design of the building.

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date established for the processing of an application that has Manager Delegated Authority due to complexities related to zoning deficiencies and the implications of the proposed Main Street Renewal Project on the subject application

Contact: Sean Moore Tel: 613-580-2424, Extension 16481, Fax 613-560-6006 or E-mail: sean.moore@ottawa.ca

DRAFT

PUBLIC NOTIFICATION OF DECISION LIST

Site Plan Control Application:

Site Address: 129 Main Street

File No.: D07-12-10-0196

The persons, community organizations, advisory committees and/or technical agencies noted on the attached lists are to be notified of the decision, given they have provided comments and/or requested to be notified of the decision, through the Department's Public Notification and Consultation or Technical Circulation Processes:

List of Owner, Applicant, technical agencies and advisory committees who commented on the application or requested to be notified of the decision.

List of Persons and Community Organizations who commented on the application or requested to be notified of the decision.

The supporting information attached to the notification of the decision does not need to be bilingual, because no comments were received in French.