



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

Site Location: 1137 Ogilvie Road

File No.: D07-12-25-0054

Date of Application: April 24, 2025

This SITE PLAN CONTROL application submitted by Tyler Yakichuk, Fotenn Planning and Design, on behalf of Soul Aviation L.P. c/o Evan Johnson, is APPROVED upon resolution of the conditions stated in this report

And the following plans are approved:

1. **Site Plan Phase 1 Interim**, SP-1, prepared by RLA Architecture, version 12, dated 2026-02-25,
2. **Site Plan Ultimate Condition**, SP-2, prepared by RLA Architecture, version 6, dated 2025-10-08,
3. **Landscape Plan**, L1.0, prepared by NAK Design Strategies, version 9, dated Feb 25/26,
4. **Roof Terrace**, L2.0, prepared by NAK Design Strategies, version 7, dated Feb 25/26,
5. **Details**, L3.0, prepared by NAK Design Strategies, version 9, dated Feb 25/26,
6. **Details**, L4.0, prepared by NAK Design Strategies, version 7, dated Feb 25/26,
7. **Landscape Plan Ultimate Condition**, L1.0, prepared by NAK Design Strategies, version 3, dated Aug 20/25,
8. **Phase 1 – East & West Elevations**, prepared by RLA Architecture, version 8, dated 26/01/23,
9. **Phase 1 – North & South Elevations**, prepared by RLA Architecture, version 8, dated 26/01/23,
10. **Erosion Control Plan and Detail Sheet**, EC-1, prepared by Stantec, version 8, dated 26.03.02,
11. **Existing Conditions and Removals Plan**, EX-1, prepared by Stantec, version 8, dated 26.03.02,
12. **Existing Conditions Storm Drainage Plan**, EXSD-1, version 8, dated 26.03.02,
13. **Grading Plan**, GP-1, prepared by Stantec, version 8, dated 26.03.02,
14. **Sanitary Drainage Plan**, SA-1, prepared by Stantec, version 8, dated 26.03.02,
15. **Storm Drainage Plan**, SD-1, prepared by Stantec, version 8, dated 26.03.02,
16. **Site Servicing Plan**, SSP-1, prepared by Stantec, version 8, dated 26.03.02.

And as detailed in the following report(s):

1. **Tree Conservation Report**, TCR 01, prepared by NAK Design Strategies, version 4, dated Apr 24/25,
2. **Tree Conservation Report**, TCR 02, prepared by NAK Design Strategies, version 4, dated Apr 24/25,
3. **1137 Ogilvie Road Servicing and Stormwater Management Report**, prepared by Stantec, dated November 25, 2025,
4. **Transportation Impact Assessment**, prepared by CGH Transportation, dated September 2025,
5. **Transportation Noise Assessment**, prepared by Gradient Wind, dated April 4, 2025,
6. **Pedestrian Level Wind Study**, prepared by Gradient Wind, dated June 2, 2025,
7. **Phase 1 – Environmental Site Assessment Update**, prepared by Paterson Group, dated February 6, 2025,
8. **Phase 2 – Environmental Site Assessment Update**, prepared by Paterson Group, dated February 7, 2025,
9. **Geotechnical Investigation**, prepared by Paterson Group, version 5, dated April 24, 2025.

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

General Conditions

1. **Lapsing of Approval**

The Owner shall enter into this Site Plan Control Agreement and/or Letter of Undertaking, 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/or Letter of Undertaking, complete the conditions to be satisfied prior to the signing of this Agreement, and have the corresponding building permit(s) issued within three (3) years of Site Plan approval, the approval shall lapse.

2. **Release of Site Plan Agreement**

The Owner acknowledges and agrees that the following site development agreement shall be released from title of the lands upon registration of this agreement.

- Development Agreement between David Simpson and The Corporation of the City of Gloucester, registered as Instrument N455607 on September 8, 1988

The Owner further acknowledges and agrees that the release of the aforementioned agreement shall be registered by the City, and all costs shall be borne by the Owner.

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. **Extend Internal Walkway**

The Owner shall extend internal walkways beyond the limits of the subject lands to connect to existing or proposed public sidewalks, at the sole expense of the Owner, to the satisfaction of the General Manager, Planning, Development and Building Services.

8. **Completion of Works**

The Owner acknowledges and agrees that no new building will be occupied on the lands until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager, Planning, Development and Building Services, including the installation of municipal numbering provided in a permanent location visible during both day and night and the installation of any street name sign on relevant streets. Notwithstanding the non-completion of the foregoing Works, occupancy of a lot or structure may otherwise be permitted, if in the sole opinion of the General Manager, Planning, Development and Building Services, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Development and Building Services for such occupancy in writing.

Until all requirements with respect to completion of the Works as identified in this Agreement have been carried out and received Approval by the General Manager,

Planning, Development and Building Services, the Owner shall give notice to the City of a proposed conveyance of title to any building at least thirty (30) days prior to any such conveyance. No conveyance of title to any building shall be effective unless the Owner has complied with this provision.

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

9. **Development Charges**

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

Special Conditions

10. **Professional Engineering Inspection**

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

Roads Right-of-Way and Traffic

11. **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

12. Private Approach Detail

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

Noise

13. Noise Control Attenuation Measures

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

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

Transportation 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.

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

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

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

Type B – Increasing Roadway Traffic

“The purchaser/lessee for themselves, their heirs, executors, administrators, successors and assigns, acknowledges being advised that despite the inclusion of noise control features in this development and within building units, noise levels from increasing roadway 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.”

15. **Stationary Noise Study**

The Owner covenants and agrees that it shall retain the services of a professional engineer licensed in the Province of Ontario to undertake a Stationary Noise Study

and acceptance of the report by the City is required. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Real Estate and Economic Development Department with confirmation issued by the professional engineer that the Owner has complied with all recommendations and provisions of the Stationary Noise Report, prior to building occupancy, which confirmation shall be to the satisfaction of the General Manager, Planning, Real Estate and Economic Development Department.

ENGINEERING

Geotechnical Engineering and Soils

16. **Geotechnical Investigation**

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation (the "Report"), referenced in Schedule "E" herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Development and Building Services with confirmation issued by the geotechnical engineer that the Owner has complied with all recommendations and provisions of the Report, prior to construction of the foundation and at the completion of the Works, which confirmation shall be to the satisfaction of the General Manager, Planning, Development and Building Services.

17. **Record of Site Condition**

Prior to the issuance of any building permit, the Owner shall submit to the General Manager, Planning, Development and Building Services, and the Chief Building Official, a Record of Site Condition ("RSC") completed in accordance with the *Environmental Protection Act*, R.S.O. 1990, c. E.19, *O.Reg. 153/04* ("*O.Reg. 153/04*"), as amended, and such RSC shall be acknowledged by the Ministry of the Environment, Conservation and Parks. The RSC shall confirm that all or part of the site is suitable for the proposed use in accordance with *O.Reg. 153/04*. The City may issue a building permit on a phased basis to allow for site investigation and remediation activities if permitted by *O.Reg. 153/04* which shall be at the sole discretion of the Chief Building Official.

Where available information reveals that contamination extends into a City right-of-way and submission of an RSC is not possible, a building permit may be issued, at the sole discretion of the Chief Building Official, on a phased basis:

where the Owner has executed an off-site management agreement with the City to remediate the right-of-way and the site or;

where the Owner has completed remediation Work on the right-of-way to the satisfaction of the General Manager, Planning, Development and Building Services.

Civil Engineering

18. 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."

19. 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.

20. 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.

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

The Owner acknowledges and agrees to install and maintain in good working order the required roof-top stormwater inlet control devices, as recommended in the approved Stormwater Management 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.

22. **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.

Private Systems

23. **Private Storm Sewer Connection to City Sewer System**

The Owner acknowledges and agrees that any new storm sewers to be installed as part of this development shall not be connected to the City’s existing storm sewer system until such time as either:

a certificate of conformance and As-built Drawings have been received from a Professional Engineer, licensed in the Province of Ontario, certifying that all required inlet control devices have been properly installed to City Standards or Specifications, and that the storm sewer system has been installed in accordance with the approved engineering drawings for site development and City Sewer Design Guidelines. The inlet control devices shall be free of any debris; or

a flow limiting orifice plate, designed by a Professional Engineer licensed in the Province of Ontario and to the satisfaction of the City, has been installed at the storm water outlet prior to connecting any upstream storm sewers. Such orifice plate shall not be removed until subsection (a) above has been satisfied and approved by the General Manager, Planning, Development and Building Services.

Blasting

24. 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

25. Site Lighting Certificate

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

PLANNING AND OTHER

Planning and Design

26. Exterior Elevations Drawings

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved Phase 1 - East and West Elevations, and Phase 1 – North and South Elevations 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.

27. **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 Cummings Avenue and Ogilvie Road rights-of-way, as shown on the approved Landscape Plan referenced in Schedule "E" herein, including all unit 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.

28. **Phased Development**

The Owner acknowledges and agrees that the proposed development will be constructed in Phases as shown on the approved Site Plan Ultimate Condition referenced in Schedule "E" herein. The Owner acknowledges and agrees that the Owner shall receive subsequent Site Plan Control approval and enter into an Amending Site Plan Agreement, for the lands shown as Phase 2 on the approved Site Plan Ultimate Condition referenced in Schedule "E" herein, including the payment of any applicable fees and securities, and any other requirements that the City may require, all to the satisfaction of the General Manager, Planning, Development and Building Services.

The Owner further acknowledges and agrees that the Privately Owned Public Space (POPS) will be constructed in Phases with development and the final POPS will be provided with Phase 2 of development, consistent with the design shown on the approved Site Plan Ultimate Condition referenced in Schedule "E" herein and that the POPS shall also be consistent with all other requirements contained in this Agreement, all to the satisfaction of the General Manager, Planning, Development and Building Services.

29. **Privately Owned Public Space**

The Owner acknowledges and agrees that the Privately Owned Public Space shall have a minimum size of 700 square metres, include a public art installation, provide for a direct public connection to the abutting Ken Steele Park along the Ogilvie Road frontage, and have a landscaping design that is substantially similar to and consistent with the design provided on the Site Plan Ultimate Condition, referenced in Schedule "E" herein, all to be reviewed and approved through a Site Plan Control application, to the satisfaction of the General Manager, Planning, Development and Building Services.

The Owner further acknowledges and agrees that both a Maintenance and Liability Agreement, and an unrestricted Pedestrian Access Easement shall be required and provided for over the POPS lands with the registration of the Phase 2 Site Plan Agreement.

30. **Lot Line Adjustment**

The Owner acknowledges and agrees that prior to the registration of this agreement, to obtain a lot line adjustment for the shared property boundary between 1137 and 1147 Ogilvie Road, such that the shared property boundary is consistent with the Future Line of Severance line shown on the approved Site Plan Phase 1 Interim plan, referenced in Schedule "E" herein, to the satisfaction of the General Manager, Planning, Development and Building Services.

Waste Collections

31. **Waste Collection**

The Owner acknowledges and agrees that residential cart (and/or container) garbage, 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/organic waste storage room or area suitable for garbage/organic waste collection vehicles. Any additional services (i.e. winching of containers) may result in extra charges. It is expressly acknowledged that this service may be amended or discontinued at the City's sole discretion, if in the City's opinion, access is not appropriate or due to policy/process changes within the operating department.

AND

The Owner acknowledges and agrees that commercial 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

32. **Parkland Dedication**

- (a) The Owner acknowledges and agrees that the conveyance requirement to the City for the whole of the Phase 1 and 2 lands (inclusive of 1137 and 1147 Ogilvie Road, and 1111 Cummings Avenue) is 700.63 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.

Conveyance Requirement Table A

Net Land Area (NLA)	7,006.33 m ²	
Net gain in residential units	"676" units	
Development Type	Calculation	Conveyance Requirement (m²)
Credit for existing use	N/A	
Residential > 18 units/net hectare	676 units @ 1ha/1000du (10 m ² per unit), not to exceed 10% of lot area (700.63 m ²)	700.63 m ²
Convert Conveyance Requirement to land value		
Phase 1	362.59 m ² x 1,447.59 per m ²	\$524,886.00
Phase 2	338.04 m ² x 1,447.59 per m ²	\$489,343.32
Total	Land Value (\$1,447.59 per m ²) x 700.63m ²	\$1, 014,229.32

33. **Cash-in-lieu of Conveyance of Parkland**

Prior to issuance of first occupancy permit, if building permit is obtained on or before April 7, 2027, otherwise at time of building permit, for residential occupancies, and at building permit issuance for non-residential occupancies, the owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds (Account 830015), and 60% shall be directed to Ward 11 funds (Account 830300).

Prior to building permit issuance, the Owner shall pay the parkland appraisal fee of \$880.00 plus H.S.T. of \$114.40, as referenced in Schedule "B" herein.

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

The Owner acknowledges and agrees that payment of Cash-In-Lieu of Conveyance of Parkland will be accepted in phases proportional to the land area being

developed in each Phase and shall be paid as required by Condition 32 herein. For greater certainty, the total conveyance requirement is 700.63 square metres and the Phase 1 dedication is 362.59 square metres. The amount owing with the future Phase 2 is 338.04 square metres. The Owner further acknowledges and agrees that a new parkland appraisal fee may be required with Phase 2 and that parkland conveyance requirement for Phase 2 will be recalculated and revised in accordance with the land valuation applicable at that time.

Community Benefits Charge

35. Community Benefits Charge

The Owner acknowledges that the Phase 1 lands are 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*. The Owner acknowledges that Community Benefits Charges will only be collected on the Phase 1 lands at this time and that future development will be subject to a further charge.

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.

CONVEYANCES TO CITY

36. Corner Sight Triangle

Prior to registration of this Agreement, the Owner acknowledges and agrees to convey to the City, at no cost to the City, unencumbered overlapping corner sight triangles measuring 15 metres x 5 metres at the intersection of Ogilvie Road and Cummings Avenue. The exact location and area of the corner sight triangle must be determined by legal survey. The Owner shall provide a reference plan for registration, indicating the corner sight triangle, to the City Surveyor for review prior to its deposit in the Land Registry Office. Such reference plan must be tied to the Horizontal Control Network in accordance with the municipal requirements and guidelines for referencing legal surveys. The Owner acknowledges and agrees to provide an electronic copy of the Transfer and a copy of the deposited reference plan to the City Solicitor prior to the execution of this Agreement by the City. All costs shall be borne by the Owner.

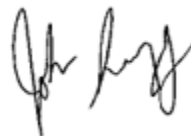
37. Road Widening

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 Ogilvie Road frontage of the lands, measuring 22.25 metres from the

existing centreline of pavement and an unencumbered road widening across the complete Cummings Avenue frontage of the lands, measuring 13 metres from the existing centreline of pavement. 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.

38. **Pedestrian Easement**

Prior to the registration of this Agreement, the Owner shall grant to the City, at no cost to the City, an unencumbered pedestrian easement for public access on the Phase #1 POPS, as shown on the approved Site Plan Phase 1 Interim referenced in Schedule "E" hereto. The Owner shall provide a Reference Plan for registration, indicating the pedestrian easement, 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 registration of the easement. All costs shall be borne by the Owner.



March 16, 2026

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

File Number: D07-12-25-0054

SITE LOCATION

1137 Ogilvie Road, 1111 Cummings Avenue and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject lands are 0.74-hectares (7383.98 square metres) in size and located in the Beacon Hill-Cyrville community on the northeast corner of the intersection of Ogilvie Road and Cummings Avenue. The current Site Plan application is the first phase of construction associated with the Zoning by-law amendment application which rezoned both 1137 and 1151 Ogilvie Road and 1111 Cummings to support two high rise residential buildings across two phases of development. The three parcels of land combined have approximately 100 metres of street frontage along Ogilvie Road and 75 metres of frontage to Cummings Avenue.

The property is currently occupied by a single-storey strip mall containing a restaurant and a grocery store which are permanently closed and currently being demolished. The subject property is located approximately 600 metres from the Cyrville LRT station. The area to the north consists mainly of townhouses, detached dwellings, mid-rise apartment dwellings, parkland and a community centre. Immediately east is Ken Steele Park and Aviation Parkway. The west side of Cummings Avenue includes a gas station with a car wash, and a new mid-rise development. To the south are low-rise commercial buildings, the new 36-storey LUXO high-rise development, parkland and Cyrville LRT station.

The proposed building for Phase 1 of development is 21 storeys in height, including a four-storey podium, and has 271 residential units. The ground floor includes an amenity/commercial space with frontage to Ogilvie Road. Amenity areas that will serve the future residents include interior lounges, rooftop terraces, and landscaped outdoor spaces. Bicycle parking spaces are primarily located in the underground garage with 271 spaces below-grade, but 12 spaces are accessible at grade. Vehicular access will be provided from Cumming Avenue, connecting to a driveway that includes on-site short-term parking for deliveries, pick-up, drop-off; loading zones; and access to the underground parking garage with 147 vehicular parking spaces. Phase 1 also provides a temporary Privately-owned Public Space (POPS) which, in addition to a cash-in-lieu of parkland payment, will constitute the required parkland dedication for this phase. A future Phase 2 will include the construction of Tower B, and the full buildout of the “ultimate” POPS condition as required by the Zoning By-law Amendment that was passed in 2025 and which is shown in the approved “Site Plan Ultimate Condition” plan.

The applicant is proposing multiple pedestrian entrances from both Ogilvie Road and Cummings Avenue, with associated landscaping and tree planting along each frontage. The proposal includes a landscaped privately-owned public space (POPS) between the two buildings and along Ogilvie Road. As mentioned, the applicant will pay cash-in-lieu of parkland in each phase in addition to providing a landscaped POPS.

There are no capacity issues identified within the existing storm, sanitary, or watermain infrastructure in the subject site or near the subject property. Therefore, the proposed development is not expected to negatively impact the existing infrastructure. The proposed development will connect to the existing services on Cummings Avenue, which have sufficient capacity to accommodate projected demands. Water service for 1151 Ogilvie Road will be provided through 1137 Ogilvie Road, while sanitary and storm services will be connected separately during Phase 2. On site stormwater management will be designed to control flows in accordance with City’s design standards respecting both quantity and quality control. The site is located in a fully serviced area with adequate utility services, where existing utility networks have a sufficient capacity to accommodate the proposed development.

Lastly, the applicant has expressed an interest in submitting a Consent application to the Committee of Adjustment for a lot line adjustment to slightly widen the 1151 Ogilvie property and more clearly delineate ownership interests between the two ownership groups. Staff have reviewed and subject to the Committee of Adjustments review and approval have no concerns with the lot line adjustment. Conditions herein have been written to account for both the existing and future lot fabric.

Residential Units and Types

Dwelling Type	Number of Units
Apartment	271

Related Applications

The following application is related to this proposed development:

- Zoning By-law Amendment – D02-02-24-0028

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal aligns with the Mainstreet Corridor and Minor Corridor designation with an Evolving Neighbourhood overlay on Schedule B2 – Inner Urban Transect of the Official Plan.
- The proposal aligns with the Inner East Lines 1 and 3 Stations Secondary Plan and Urban Design Guidelines for High-rise Buildings.
- The proposed site development complies with the TD3[3062] S[516] and TD3[3062] S516-h, Transit-Oriented Development, Subzone 3, zoning, including

increased height and setback allowances, reduced minimum vehicle parking requirements, and increased minimum bicycle parking requirements, as approved by related Zoning By-law Amendment application on October 1, 2025.

- The Inner East Lines 1 and 3 Stations Secondary Plan requires a minimum residential density of 350 units per net hectare and permits heights up to 30 storeys with a required rezoning to an appropriate TD zone, which the proposal complies with.
- Section 5.2.2. of the Inner Urban Transect encourages development that prioritizes sustainable transportation options such as walking and public transit, which are being done by this development with a reduced vehicular parking rate, 1:1 ratio for bicycle parking spaces, and intensification near to LRT.
- The proposal aligns with the Official Plan Section 4.6.3.2., offering publicly accessible amenity that contributes positively to the public realm and providing design of the POPS in accordance with applicable urban design guidelines.

The above conditions of site plan control approval would serve to ensure that the development proceeds in accordance with the approved plans and conditions of site plan control approval.

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 not held for the Site Plan Control application.

The property is within a Design Priority Area and the Zoning By-law Amendment application was subject to the Urban Design Review Panel (UDRP) process. The formal review meeting for the Zoning By-Law Amendment application was held on March 7, 2025.

For reference, the Panel's recommendations from the formal review meeting were:

Key Recommendations

- The Panel supports the project and recognizes that it is moving in the right direction. The purchase of the second property has significantly improved the project, unlocking better site planning opportunities.
- The Panel recommends that the alignment of the eastern podium with Ogilvy should be explored further to improve the useability of the POPS area.
- The Panel recommends refining the overall configuration of the public realm, particularly in response to concerns regarding wind impacts and refining design elements.

- The Panel supports the six-story podium expression and massing along Ogilvie Road, stepping down to four on Cummings and along the park, successfully addressing transition concerns.
- The Panel appreciates the material study, but further study of the two towers should be explored to enhance their distinctiveness.
- The Panel recommends exploring views from the parkway to further refine the tower treatments.

Site Design and Public Realm

- The Panel supports the idea of connecting the site with the park along both the north and south edges of the site and recommends creating a continuous trail connection between Cummings and the park along the north edge.
- The Panel recommends reconsidering the POPS, potentially consolidating it into a more centralized rectangular area for a stronger public presence.
 - The connection between the park and the POPS could be improved by widening the Ogilvy sidewalk and reinforcing pedestrian linkages.
 - Seating, play elements, and active programming should be introduced to ensure the POPS feels inviting and not just a private courtyard.
- The Panel recommends examining the transition between public and semi-private areas to ensure patios for retail and restaurant spaces remain outside the POPS.
- The Panel recommends refining the podium's height and articulation to ensure a comfortable microclimate within the POPS, mitigating wind impacts.
- The Panel recommends reconsidering the northeast walkway connection to ensure smoother integration with the surrounding site circulation.

Sustainability

- The Panel suggests that carbon emission analysis at the early stage of the project should be considered using Pathfinder or other methods to inform material and design choices.
- The Panel recommends improving bicycle accessibility by providing a more direct entry route and considering a bike repair room as an amenity on the P1 level.
- The Panel acknowledges the sustainability approach of the project. Explore opportunities to create stormwater management as an integral feature of the landscape design rather than merely a technical requirement.
- The Panel recommends exploring opportunities to integrate green roofs, particularly given the proximity to parkland with its wildlife considerations.
- The Panel recommends that wind and sun protection strategies should be further developed to enhance outdoor comfort in the public realm.

Built Form and Architecture

- The Panel recommends differentiating the two towers through massing, materiality, and articulation.
- The Panel supports the podiums stepped massing approach, transitioning from six to four stories, successfully mediating between the towers and the lower-scale neighborhood.

- The tower heights should be reconsidered, potentially stepping the western tower down slightly to reinforce hierarchy.
- The Panel recommends further refining the expression of the towers with inset balconies and additional articulation to provide variation in the façade treatment.
- The Panel supports the podium’s materiality, particularly the brick elements, which is appreciated and should continue to be emphasized.
- The Panel recommends further study of the relationship between the towers and the podium to ensure a cohesive architectural expression.
 - Further studies of distant views, particularly from the parkway, should be conducted to refine the overall composition and presence of the development.

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

- An improved linkage to Ken Steele park through this development
- A refined design of the towers and podium elements
- A better POPS design and configuration, including improved wind conditions within the future POPS

ROAD MODIFICATIONS

N/A

CONSULTATION DETAILS

Councillor’s Comments

Councillor Tim Tierney was aware of the application related to this report.

Public Comments

During the Planning and Housing Committee meeting for Zoning by-law Amendment application, two members of the public expressed concerns about the potential traffic impacts, building height and shadow impacts on their property.

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. None of the comments received were exclusive to the Site Plan application and were otherwise considered through the Zoning By-law Amendment.

Technical Agency/Public Body Comments

Summary of Comments –Technical

Technical agency comments were considered during the review and evaluation of the proposed development. The conditions contained within the standard Site Plan Agreement adequately addresses the agencies’ comments.

Comments were received from the Telus Communications, Hydro Ottawa, Bell Canada and Ottawa-Carleton District School Board.

Advisory Committee Comments

N/A


APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date due to complexity of the file, number of revisions considered, time for conversation and eventual concurrence on the conditions of approval, and the interest of both the City and Applicant to ensure the approved plans did not have to be further revised after approval. The Council approved timeline has not been met.

Contact: Kelly Livingstone Tel: 613-580-2424, ext. 26842 or e-mail:
Kelly.Livingstone@ottawa.ca

Document 1 – Location Map



	
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REVISION / RÉVISION - 2026 / 01 / 16	

LOCATION MAP / PLAN DE LOCALISATION
SITE PLAN / PLAN D'EMPLACEMENT



**1137 ch. Ogilvie Rd.
1111 av. Cummings Ave.**



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