



File No. D07-12-18-0016

September 27, 2018

Novatech
240 Michael Cowpland Drive, Suite 200
Kanata, ON
K2M 1P6

Attention: Greg Winters

Dear Mr. Winters:

**Subject: Site Plan Control Application
20 Frank Nighbor Place**

The City has approved the Site Plan Control application received on February 12, 2018, subject to Owner of the subject lands entering into a Site Plan Agreement.

It is important to note that this Site Plan Control Approval will lapse if certain requirements are not fulfilled by September 25, 2019. Specific details of the requirements will be provided to you once it has been indicated that the Owner is prepared to enter into an agreement with the City. These requirements may include, but are not limited to the following:

- Site Plan Agreement is signed.
- Security in the form of a Letter of Credit – in the City's standard format and wording, certified cheque or bank draft is provided.
- Certificate of Liability Insurance provided.
- Any required fees are paid.

Please note that the documents referred to above, if not submitted in the City's required format(s), will be returned, resulting in a delay issuing a building permit and/or a commence work order.

If you have any questions or concerns, please contact Amanda Marsh by telephone at 613-580-2424, extension 13409 or by e-mail at Amanda.Marsh@ottawa.ca.

Sincerely,

Amanda Marsh
Planner
Development Review

c.c. Councillor Allan Hubley
Santhosh Kuruvilla, Infrastructure Approvals Project Manager, PIED
Matthew.Wilson@ottawa.ca, Development Inspections
Matthew.Hayley@ottawa.ca, Environmental Planner
John.Buck@ottawa.ca, Building Inspections
Patrick.Kennedy@ottawa.ca, Building Code - Permit Approvals
Todd.O'Rourke@ottawa.ca, Zoning Plan Examiner
Addressing and Signs
Joseph Langiano, Right of Way Agreements Coordinator
Jake.Gravelle@ottawa.ca, By-Law Enforcement
Wendy.Hickson@ottawa.ca, Development Agreement Officer
Joumana.Tannouri@ottawa.ca, Finance
Jake.Lefebvre@mpac.ca, Account Manager, MPAC
OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5
20 Frank Nighbor Inc. (sbains35@gmail.com)
Ministry of Transportation
Ministry of Tourism, Culture and Sport
Canada Post
Enbridge Gas Distribution
Hydro Ottawa
Mississippi Valley Conservation Authority



**SITE PLAN CONTROL APPROVAL APPLICATION
DELEGATED AUTHORITY REPORT
MANAGER, DEVELOPMENT REVIEW**

Site Location: 20 Frank Nighbor Place

File No.: D07-12-18-0016

Date of Application: February 12, 2018

This SITE PLAN CONTROL application submitted by Novatech, on behalf of 20 Frank Nighbor Inc., is APPROVED as shown on the following plan(s):

1. **Site Plan**, Drawing No. A-001, prepared by N45 Architecture Inc., dated January 2018, revision 4 dated May 25, 2018.
2. **Site Plan Details**, Drawing No. A-002, prepared by N45 Architecture Inc., dated January 2018, revision 4 dated May 25, 2018.
3. **Exterior Elevations**, Drawing No. A-201, prepared by N45 Architecture Inc., dated January 2018, revision 2 dated May 25, 2018.
4. **Exterior Elevations**, Drawing No. A-202, prepared by N45 Architecture Inc., dated January 2018, revision 2 dated May 25, 2018.
5. **Landscape Plan**, L-01, prepared by Ruhland & Associates Ltd., dated January 2018, revision 4 dated August 22, 2018.
6. **Grading and Erosion & Sediment Control Plan**, Drawing No. 117193-GR1, prepared by Novatech, dated February 9, 2018, revision 7 dated August 19, 2018.
7. **Grading and Erosion & Sediment Control Plan**, Drawing No. 117193-GR2, prepared by Novatech, dated February 9, 2018, revision 7 dated August 19, 2018.
8. **General Plan of Services**, Drawing No. 117193-GP1, prepared by Novatech, dated February 9, 2018, revision 8 dated August 19, 2018.
9. **General Plan of Services**, Drawing No. 117193-GP2, prepared by Novatech, dated February 9, 2018, revision 8 dated August 19, 2018.

10. **Stormwater Management Plan**, Drawing No. 117193-SWM1, prepared by Novatech, dated February 9, 2018, revision 5 dated August 19, 2018.
11. **Stormwater Management Plan**, Drawing No. 117193-SWM2, prepared by Novatech, dated February 9, 2018, revision 5 dated August 19, 2018.
12. **Roadway Pavement Markings and Signage**, Figure PM, prepared by Novatech, dated May 2018.

And as detailed in the following report(s):

1. **Development Servicing Study and Stormwater Management Report**, prepared by Novatech, dated February 9, 2018, revised August 19, 2018.
2. **Stage 1 and 2 Archaeological Assessment**, prepared by Golder Associates Ltd., dated May 30, 2018.
3. **Geotechnical Investigation**, Report PG4409-1 prepared by Paterson Group, dated February 9, 2018.
4. **Phase 1 Environmental Site Assessment**, Report PE4065-1 prepared by Paterson Group, dated July 17, 2017.
5. **Environmental Impact Statement**, prepared by Muncaster Environmental Planning Inc., dated February 13, 2018.

And subject to the following Standard and Special Conditions:

Standard Conditions

1. **Site Plan Agreement**

The Owner 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, the approval shall lapse.

2. **Permits**

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, Infrastructure and Economic Development Department

3. **Extend Internal Walkways**

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, Infrastructure and Economic Development Department.

4. **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 approved drawings of a design professional, such drawings to be approved by the General Manager, Planning, Infrastructure and Economic Development Department.

5. **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.

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, Infrastructure and Economic Development Department. Such sidewalk(s) shall be constructed to City Standards.

7. **Reinstatement of City Property**

The Owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development 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.

8. **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, Infrastructure and Economic Development Department.

9. **Completion of Works**

The Owner acknowledges and agrees that no building shall be occupied on the lands, nor will the Owner convey title to any building 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, Infrastructure and Economic Development 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, conveyance and/or occupancy of a lot or structure may otherwise

be permitted, if in the sole opinion of the General Manager, Planning, Infrastructure and Economic Development Department, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development Department for such conveyance and/or occupancy in writing.

Special Conditions

10. Geotechnical Investigation

The Owner acknowledges and agrees that it shall retain the services of a geotechnical engineer, licensed in the Province of Ontario, to ensure that the recommendations of the Geotechnical Investigation Report (the "Report"), referenced in Schedule "E" herein, are fully implemented. The Owner further acknowledges and agrees that it shall provide the General Manager, Planning, Infrastructure and Economic Development 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, Infrastructure and Economic Development Department.

11. Non-Residential/Commercial Units

The Owner acknowledges and agrees that waste collection and recycling collection will not be provided by the City and it shall make appropriate arrangements with a private contractor for waste collection and recycling collection. The Owner shall consult a private contractor regarding any access requirements for waste and/or recycling collection.

12. Exterior Elevations Drawings

The Owner acknowledges and agrees to construct the proposed building in accordance with the approved Exterior Elevations Plans, referenced in Schedule "E" herein. The Owner further acknowledges and agrees that any subsequent proposed changes to the approved Elevations Plans shall be filed with the General Manager, Planning, Infrastructure and Economic Development Department 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.

13. 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, Infrastructure and Economic Development 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.

14. 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) a certificate of conformance and As-Built drawing(s) 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
- b) 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, Infrastructure and Economic Development Department.

15. 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, Infrastructure and Economic Development 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, Infrastructure and Economic Development 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, Infrastructure and Economic Development Department, may

order all Work in the project to be stopped, altered, retested or changed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

16. 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, Infrastructure and Economic Development 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.

17. Site Dewatering

The Owner acknowledges and agrees that while the site is under construction, any water discharged to the sanitary sewer due to dewatering shall meet the requirements of the City's Sewer Use By-law No. 2003-514, as amended.

18. Spill Contingency and Pollution Prevention Plan

The Owner shall, within six (6) months of signing this Agreement, develop and implement a spill contingency and pollution prevention plan, which plan, at a minimum, will include a set of written procedures describing how to prevent and/or mitigate the impacts of a spill within the area serviced by the Works:

- a) the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the buildings;
- b) the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency and pollution prevention plan;
- c) a site plan drawn to scale showing the facility, nearby buildings, streets, catch basins and manholes, drainage patterns (including direction of flow in storm sewers), and receiving water course that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
- d) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
- e) a listing of telephone numbers for local clean-up companies who may be called upon to assist in responding to spills, local emergency responders including health

institution(s), and the Ministry of the Environment and Climate Change Spills Action Centre;

- f) Materials Safety Data Sheets (MSDS) for each hazardous material which may be transported or stored in the said building;
- g) the means (internal corporate procedures) by which the spill contingency and pollution prevention plan is activated;
- h) a description of the spill response training provided to employees assigned to work in the said building, the date(s) on which the training was provided and by whom;
- i) an inventory of response and clean-up equipment available to implement the spill contingency and pollution prevention plan, location and date of maintenance/replacement if warranted; and
- j) the dates on which the spill contingency and pollution prevention plan was prepared and subsequently, amended.

The Owner covenants and agrees to maintain the spill contingency and pollution prevention plan up to date through revisions undertaken from time to time as required by changes to the general operations of the site. The Owner further covenants and agrees to retain a copy of the spill contingency and pollution prevention plan in a conspicuous, readily accessible location on-site such that it can be used as a reference by employees assigned to work in the said building. The Owner further covenants and agrees that it will make available, for inspection and copying by City personnel, the spill contingency and pollution prevention plan.

19. Water Plant

The Owner acknowledges and agrees that the water plant within the lands is a private watermain. The Owner further acknowledges and agrees that the private watermain and appurtenances thereto are to be maintained by the Owner at its own expense, in perpetuity. The Owner performing maintenance on critical infrastructure, such as private watermains and private fire hydrants, shall maintain adequate records as proof of having done so in accordance with applicable regulations, and that the records shall be retained for review by the City and or the Fire Department when requested.

20. Roof Drain Connection

The Owner acknowledges and agrees to accept all potential risks associated with the roof drain connection to the upstream of the restrictor pipe, grouted in place inside the storm sewers to control the stormwater flow from the site.

21. Security Fence Adjacent Highway 417

The Owner acknowledges and agrees that the existing chain link fence along Highway 417 shall be maintained in accordance with the requirements of and to the satisfaction of the Ministry of Transportation.

22. Private Approach Detail

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.

23. Pavement Markings

The Owner acknowledges and agrees that pavement markings, in accordance with the approved Roadway Pavement Markings and Signage plan, are the responsibility of the contractor where installation is scheduled after November 15th and prior to May 15th and such works shall be completed to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

24. Installation of Signs on Private Property

The Owner acknowledges and agrees that, prior to installation of any signage on the lands, it shall obtain approval from the Chief Building Official, Building Code Services, and the General Manager, Planning, Infrastructure and Economic Development Department, which signage shall be in accordance with the City's Permanent Signs on Private Property By-law No. 2005-439, as amended.

25. Joint Use, Maintenance and Liability Agreement

- a) The Owner acknowledges and agrees to enter into a Joint-Use, Maintenance and Liability agreement with the Owner of 30 Frank Nighbor which shall set forth the obligations between the Owners to deal with the access to and sharing of the private road as shown on the approved Site Plan A-001 referenced in Schedule "E" herein.
- b) The Owner acknowledges and agrees that the Joint Use, Maintenance and Liability Agreement shall include a clause to require all future purchasers to enter into an Assumption Agreement in order to transfer all legal and financial obligations required under the Joint Use, Maintenance and Liability Agreement.
- c) The Joint Use, Maintenance and Liability Agreement shall be registered on the Owner's lands at no cost to the City, and a copy shall be provided to the City.

September 25, 2018



Date

Derrick Moodie
Manager, Development Review
Development Review, West
Planning, Infrastructure and Economic Development
Department

Enclosure: Site Plan Control Application approval – Supporting Information



SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-18-0016

SITE LOCATION

The subject property is municipally known as 20 Frank Nighbor Place, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject property has an area of approximately 20, 271.3 square metres and is currently being utilized for agricultural purposes. The property is located south of Highway 417 and east of the Carp River corridor in the Terry Fox Business Park. Lands to the east of the property contain The Home Depot with further agricultural land to the south.

The applicant is proposing to construct a single-storey recreational vehicle and trailer dealership building. The proposed building has an area of 2,794 square metres and will include a 1,140 square metres showroom area, a 1,000 square metres servicing area, containing 8 service bays, a 200 square metres office component and a 60 square metres supply store. The proposal includes 87-vehicle parking spaces, 2-bicycle parking spaces and one loading space south of the building that is to be accessed from Frank Nighbor Place.

Access to the site will be provided off Frank Nighbor with a secondary access provided from a private street located on 30 Frank Nighbor Place, which is being reviewed concurrently under a separate application. A variety of landscape treatments are proposed along the properties boundaries with emphasis along the Highway 417 frontage as it is designated a 'Scenic-Entry Route' under the City's Official Plan.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal conforms to the applicable policies within the City of Ottawa Official Plan;
- The proposal conforms to the applicable regulations within the City of Ottawa Zoning By-law 2008-250. Given that the proposed use is not classified as a retail store or a shopping centre, the holding provisions does not apply; and

- The proposal represents good planning and an appropriate development of the site.

CONSULTATION DETAILS

Councillor Allan Hubley has concurred with the proposed conditions of approval.

Public Comments

This application was subject to the Public Notification and Consultation Policy and no public comments were received.

Technical Agency/Public Body Comments

Summary of Comments –Technical

Canada Post, Enbridge, Rogers, Zayo, the Mississippi Valley Conservation Authority, Hydro Ottawa, and the Ministry of Transportation provided comments.

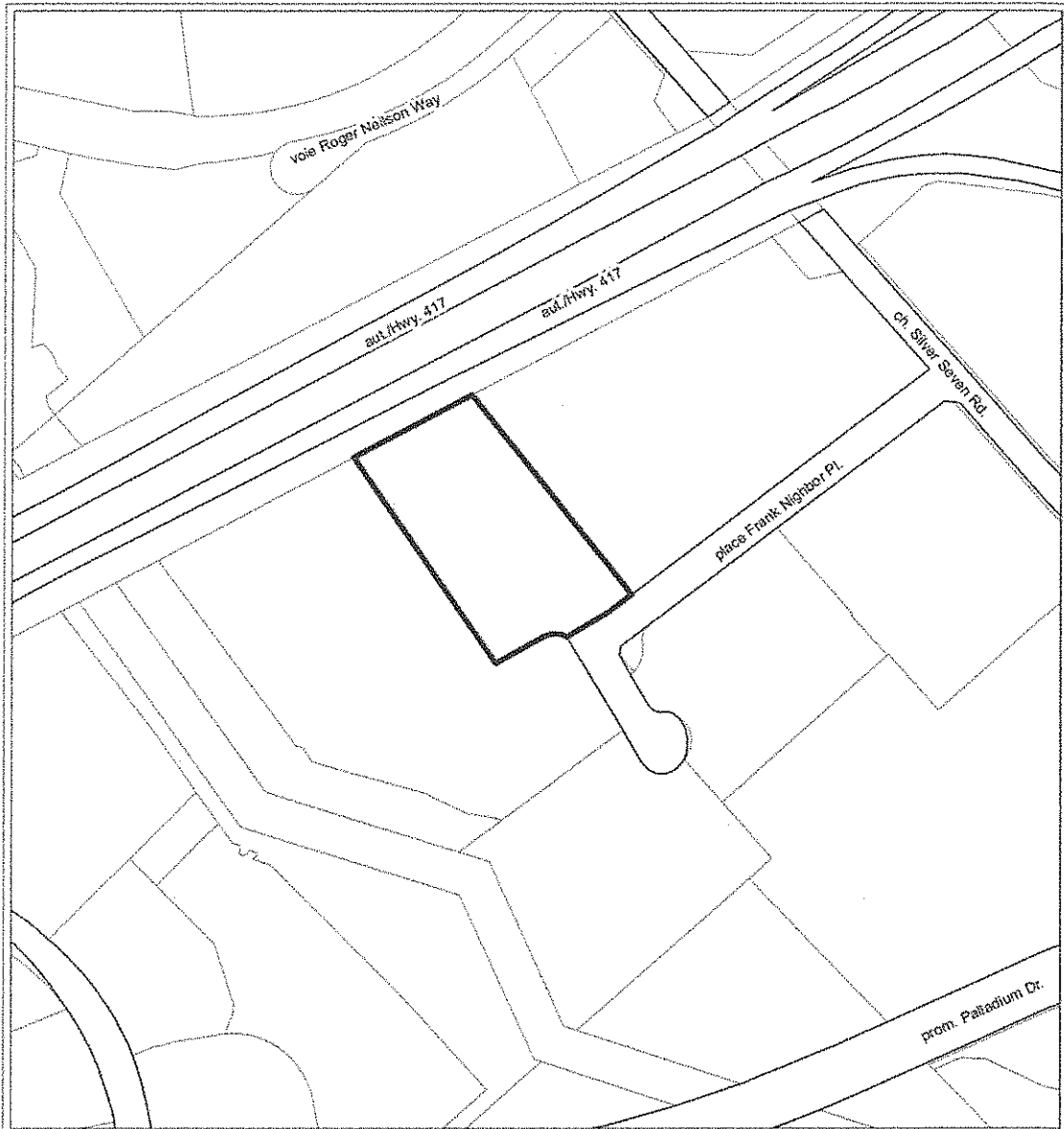
Comments provided through the site plan control process were provided to the applicant for review and response.



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 as the applicant was required to make revisions to their application.

Contact: Amanda Marsh - Tel: 613-580-2424, ext. 13409; Fax: 613-580-2576; or e-mail: Amanda.Marsh@ottawa.ca

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
D07-12-18-0016	18-0200-A		
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			20 place Frank Nighbor Place
REVISION / RÉVISION - 2018/02/20			
			