

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

Site Location: 200 Nipissing Court

File No.: D07-12-20-0031

Date of Application: March 27, 2020

This SITE PLAN CONTROL application submitted by Braden Walker, Taggart Realty Management, on behalf of Richard Harding, Harding Heating & Air Conditioning, is APPROVED as shown on the following plan(s):

1. **Site Plan**, SP-A01, prepared by Deimling Architecture & Interior Design, dated December 2019, revision 13 dated 24 Jun 2020.
2. **Landscape Plan**, L1.01, prepared by Levstek Consultants Inc., dated February 2020, revision 4 dated June 19/20.
3. **Proposed Elevations**, A200, prepared by Deimling Architecture & Interior Design, dated December 2019, revision 8 dated 17 Aug 2020.
4. **Proposed Elevations**, A201, prepared by Deimling Architecture & Interior Design, dated December 2019, revision 6 dated 17 Aug 2020.
5. **Site Servicing Plan**, C-001, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
6. **General Notes, Legend and CB Data Table**, C-010, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
7. **Site Grading Plan**, C-200, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
8. **Erosion and Sediment Control Plan**, C-900, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
9. **Sanitary Drainage Area Plan**, C-400, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
10. **Storm Drainage Area Plan**, C-500, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.
11. **Site Ponding Plan**, C-600, prepared by IBI Group, dated March 2020, revision 3 dated 2020:08:27.

And as detailed in the following report(s):

1. **Design Brief Harding Heating and Air Conditioning (5010779 Ontario Inc.), 200 Nipissing Court, Ottawa, ON**, prepared by IBI Group, March 2020, revised August 2020.
2. **Geotechnical Investigation, Proposed Commerical Building, Kanata West Business Park – Phase 4, Block 2 – Nipissing Court, Ottawa, ON**, prepared by Paterson Group, dated February 13, 2020.
3. **Phase I – Environmental Site Assessment, Part of 100 Nipissing Court Ottawa, Ontario**, prepared by Paterson Group, dated February 10, 2020.

And subject to the following General and Special Conditions:

General Conditions

1. Execution of Agreement Within One Year

The Owner shall enter into this Site Plan Control Agreement, including all standard and special conditions, financial and otherwise, as required by the City. In the event that the Owner fails to sign this Agreement and complete the conditions to be satisfied prior to the signing of this Agreement within one (1) year of Site Plan approval, the approval shall lapse.

2. 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.

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, Infrastructure and Economic Development.

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, Infrastructure and Economic Development, 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, Infrastructure and Economic Development.

7. 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, Infrastructure and Economic Development, 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, Infrastructure and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Infrastructure and Economic Development 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, Infrastructure and Economic Development, 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.

8. Development Charges

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

9. Development Charges – Instalment Option

- (a) The Owner acknowledges that for building permits issued after January 15, 2010, payment of non-residential development charges, excluding development charges for institutional developments, may be calculated in two (2) installments at the option of the Owner, such option to be exercised by the Owner at the time of the application for the building permit. The non-discounted portion of the development charge shall be paid at the time of issuance of the building permit and the discounted portion of the development charge shall be payable a maximum of two (2) years from the

date of issuance of the initial building permit subject to the following conditions:

- (i) a written acknowledgement from the Owner of the obligation to pay the discounted portion of the development charges;
 - (ii) no reduction in the Letter of Credit below the amount of the outstanding discounted development charges; and
 - (iii) indexing of the development charges in accordance with the provisions of the City's Development Charges By-law, as amended.
- (b) The Owner further acknowledges and agrees that Council may terminate the eligibility for this two (2) stage payment at any time without notice, including for the lands subject to this Agreement and including for a building permit for which an application has been filed but not yet issued.
- (c) For the purposes of this provision,
 - (i) "discounted portion" means the costs of eligible services, except fire, police and engineered services, that are subject to 90% cost recovery of growth-related net capital costs for purposes of funding from development charges. The 10% discounted portion, for applicable services, must be financed from non-development charge revenue sources.
 - (ii) "non-discounted portion" means the costs of eligible services, fire, police and engineered services, that are subject to 100% cost recovery of growth-related net capital costs for purposes of funding from development charges.

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 **Geotechnical Investigation, Proposed Commercial Building, Kanata west Business Park – Phase 4, Block 2- Nipissing Court, Ottawa, ON**, prepared for 1497328 Ontario Inc. prepared by Paterson Group, consultant's project # PG5235-1, dated February 13, 2020, 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 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.

11. Inlet Control Devices (ICDs)

The Owner acknowledges and agrees to install and maintain in good working order the required in-ground stormwater inlet control devices, as recommended in the approved **Design Brief Harding Heating And Air Conditioning (5010779 Ontario Inc.)**, 200 Nipissing Court, Ottawa, On, prepared by IBI Group, consultant's project # 123843 – 7.3, dated March 2020, revised August, 2020, 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.

12. 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, 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, 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, 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.

13. 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 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.

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.

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 Record 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
- 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.

15. Site Lighting Certificate

- (d) 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);
 - (ii) and it must result in minimal light spillage onto adjacent properties. As a guideline, 0.5 fc is normally the maximum allowable spillage.
- (e) 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, 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.

16. Exterior Elevations Drawings

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

17. Waste and Recycling Collection (Standard Collection)

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 at the Owner's sole expense. The Owner shall consult a private contractor regarding any access requirements for waste and/or recycling collection.

18. Installation of Signs on Private Property

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

October 22, 2020

Date



Erin O'Connell
(A) Manager, 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: D07-12-20-0031

SITE LOCATION

The site is municipally known as 200 Nipissing Court. It is located in the Kanata West business Park along the west side of Nipissing Court, at the southern terminus of the street, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site is rectangular parcel with an area of 10,725 square metres, and 131.4 metres of frontage along Nipissing Court. The site is a vacant lot within the Kanata West Business Park. Surrounding uses include an existing warehouse building immediately to the west; future development lands to the north and east; and, a stormwater management pond built to serve both the Kanata West Business Park and Feedmill Creek, to the south. There is also an active quarry located further west, outside the Kanata West Business Park boundaries.

The development proposal involves the construction of a one-storey building with a gross floor area of 3,527 square metres, and 913 square metre covered exterior loading area at the rear of the site. The proposed building contains an 1,806 square metre warehouse, a 156 square metre reception area, 303 square metres of showroom space, 118 square metres for building services, as well as 228 square metres of storage and 916 square metres both split equally between the ground floor and a mezzanine level. A total of 65 vehicle parking spaces, including three (3) barrier free spaces, and eight (8) bicycle parking spaces are provided. The site is accessible from two (2) accesses along Nipissing Court; large trucks will use the southern access, located within the Nipissing Court cul-de-sac.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal conforms to the Urban Employment Area designation of the Official Plan;
- The proposal conforms to all relevant provisions of the Zoning By-law, including those specific to the IP13 zone and Urban Exception 2166;

- Conditions of approval have been included in this report to ensure the proposed development is constructed in conformity with City policies and guidelines;
- The applicant has adequately resolved the comments provided during the technical review process; and,
- The proposed development supports the creation of employment uses in the Kanata West Business Park and represents good planning.

CONSULTATION DETAILS

Councillor's Concurrence

Councillor Jenna Sudds was aware of the application related to this report. Councillor has concurred with the proposed conditions of approval.

Public Comments

This application was subject to public circulation under the Public Notification and Consultation Policy. There was no public comment received online.

Technical Agency/Public Body Comments

NAV Canada

The applicant has been provided with comments, which are to be addressed directly with NAV Canada.

Mississippi Valley Conservation Authority

The applicant has been provided with comments, which are to be addressed directly with Mississippi Valley Conservation Authority.

Bell Canada

The application has been provided with comments, which are to be addressed directly with Bell Canada.

Enbridge Gas Inc.

The applicant has been provided with comments, which are to be addressed directly with Enbridge Gas Inc.

Advisory Committee Comments

N/A

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 the complexity of issues associated with the civil engineering of the site.

Contact: Colette Gorni, Tel: 613-580-2424, ext. 21239, fax 613-580-2576 or e-mail: Colette.Gorni@ottawa.ca

Document 1 – Location Map

