



**SITE PLAN CONTROL APPLICATION
DELEGATED AUTHORITY REPORT
PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT**

Site Location: 3000 Palladium Drive

File No.: D07-12-23-0030

Date of Application: March 17, 2023

This SITE PLAN CONTROL application submitted by Evan Saunders, Fotenn Consultants Inc., on behalf of RioCan REIT, is APPROVED as shown on the following plan(s):

1. **Key Plan, Zoning Compliance Chart, Statistics, Legend, Overall Site Plan, Site Plan**, A100, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
2. **Site Details**, A102, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
3. **Site Details**, A103, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 6, dated 2023/07/18;
4. **Site Details**, A104, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
5. **Site Details**, A105, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
6. **Site Details**, A106, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
7. **Site Details**, A107, prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
8. **Landscape Plan**, LP-1, prepared IBI Group, revision 3, dated 2023/07/06;
9. **Landscape Details**, D-1, prepared IBI Group, revision 3, dated 2023/07/06;
10. **Tree Protection Plan**, TPP-1, prepared IBI Group, revision 3, dated 2023/07/06;

11. **Chick-Fil-A Coloured Exterior Elevations**, A111, prepared by prepared by Turner Fleischer Architects Inc., dated 2023/02/14, revision 7, dated 2023/08/03;
12. **Site Servicing Plan**, C-001, prepared by IBI Group, revision 8, dated 2023/08/25;
13. **General Notes Legend and CB Data Table**, C-010, prepared by IBI Group, revision 8, dated 2023/08/25;
14. **Site Grading Plan**, C-200, prepared by IBI Group, revision 8, dated 2023/08/25;
15. **Storm Drainage Area Plan**, C-500, prepared by IBI Group, revision 8, dated 2023/08/25; and
16. **Erosion and Sedimentation Control Plan**, C-900, prepared by IBI Group, revision 8, dated 2023/08/25.

And as detailed in the following report(s):

1. **Phase I Environmental Site Assessment – 333 Huntmar Drive**, prepared by Paterson Group, dated 2023/02/08;
2. **Design Brief Building 17 – Chick-Fil-A**, prepared by IBI Group, dated September 2023; and
3. **Geotechnical Investigation**, prepared by Paterson Group, revision 2, dated 2023/05/16.

And subject to the following General and Special Conditions:

General Conditions

1. **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, Real Estate and Economic Development.

2. **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.

3. **Reinstatement of City Property**

The Owner shall reinstate, at its expense and to the satisfaction of the General Manager, Planning, Real Estate 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.

4. **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, Real Estate and Economic Development.

5. **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, Real Estate and Economic Development.

6. **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, Real Estate 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, Real Estate and Economic Development, the aforesaid Works are proceeding satisfactorily toward completion. The Owner shall obtain the prior consent of the General Manager, Planning, Real Estate 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, Real Estate 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.

7. **Development Charges**

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

Special Conditions

8. 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, Real Estate 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, Real Estate 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, Real Estate 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, Real Estate and Economic Development.

9. 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 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, Real Estate 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, Real Estate and Economic Development.

10. Stormwater Management Memorandum

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

11. 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, Real Estate 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.

12. Inlet Control Devices (ICDs)

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

13. 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 Ottawa Fire Services when requested.

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 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, Real Estate and Economic Development.

15. 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, Real Estate 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. 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 Palladium Drive right-of-way, as shown on the approved Landscape Plan referenced in Schedule "E" herein, including all plant and landscaping material (except municipal trees). 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.

17. Waste Collection

The Owner acknowledges and agrees that 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.

18. Cash-In-Lieu of Conveyance of Parkland

Cash-in-lieu of Parkland will be based on 2% of the Gross Land Area of 2,100 square metres of the development.

The Owner acknowledges and agrees that the conveyance requirement to the City is 42 square metres. $2,100 \text{ m}^2 \times 2\% = 42 \text{ m}^2$

Prior to registration of the Site Plan Agreement, the Owner acknowledges and agrees to pay cash-in-lieu of conveyance of parkland as referenced in Schedule "B" herein. Pursuant to the City's Parkland Dedication By-law, being By-law No. 2022-280, as amended, 40% of said funds collected shall be directed to City wide funds, and 60% shall be directed to Ward 4 funds. The Owner shall also pay the parkland appraisal fee of \$800.00 plus H.S.T. of \$104.00, as referenced in Schedule "B" herein.

September 19, 2023

Date



Allison Hamlin
Manager (A), Development Review West
Planning, Real Estate and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-23-0030

SITE LOCATION

3000 Palladium Drive, as shown on Document 1.

SYNOPSIS OF APPLICATION

- The site is located east of Palladium Drive and south of Campeau Drive. The site forms part of the larger Tanger Outlets Mall property and is located on the western edge of the associated parking lot.
- The site measures approximately 0.21 hectares, is triangularly shaped and is currently vacant. The site has approximately 97 metres of frontage along Palladium Drive. Vehicle access is provided to the site from Palladium Drive by the driveway access immediately north of the site which leads to the Tanger Outlets Mall surface parking lot.
- The surrounding properties are zoned Mixed Use Centre (MC) and General Mixed Used (GM). North of site are lands anticipated for future commercial development. East and south of the site are the Tanger Outlets Mall and its associated parking lot, including a standalone drive-through restaurant to the south. West of the site across Palladium Drive are vacant lands and commercial uses within the Kanata West Business Park.
- The site is zoned Mixed-Use Centre, Urban Exception [2598] Height Limit 18 metres (MC [2598] H(18)) in the City of Ottawa's Zoning By-law.
- The proposed development is a one storey, 458 square metre drive-through restaurant.
- Vehicle access is provided from Palladium Drive from the existing mall access and parking lot. Pedestrian access will be provided by a new sidewalk along the northern property line that will connect to the existing sidewalk along Palladium Drive. A two-lane driveway queue will operate along the Palladium Drive frontage, where food will be distributed to customers via the window and hand-delivery by employees. A total of 37 new surface parking spaces will be added to accommodate the development, including two barrier-free spaces. Four bicycle parking spaces are provided adjacent to the main entrance.

- Enhanced landscaping is provided around the site as well as within the surface parking areas. The site also features a screen outdoor patio area for customers west of the building.
- The garbage enclosure would be located in between the drive-through lanes and the surface parking area.

DECISION AND RATIONALE

This application is approved for the following reasons:

- The property is designated Neighbourhood in the Suburban West Transect on Schedule B5 of the City of Ottawa's Official Plan. The proposal conforms with the City of Ottawa Official Plan policies;
- The proposal complies with all applicable zoning provisions including the provisions of the MC Zone of the Zoning By-law 2008-250 as amended;
- The proposal responded appropriately to the Drive-through Design Guidelines and the City Staff comments regarding development in Large Format Retail sites;
- Conditions of approval have been included in this report in order to ensure the proposed development is constructed in conformity with City policies and guidelines;
- The Applicant has adequately resolved the comments received during the technical review process;
- The proposal development is appropriately designed and represents good planning.

PARKLAND DEDICATION

Parkland dedication, in accordance with By-law 2022-280, is being satisfied within this approval through the taking of cash-in-lieu of parkland as detailed in the above conditions.

CONSULTATION DETAILS

This application was not subject to public circulation under the Public Notification and Consultation Policy. There were public comments received online and staff considered these comments.



APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date because of the complexity of the issues associated with site design.

Contact: Samantha Gatchene Tel: 613-580-2424, ext. 25478 or e-mail: Samantha.Gatchene@ottawa.ca

Document 1 – Location Map



		LOCATION MAP / PLAN DE LOCALISATION SITE PLAN / PLAN D'EMPLACEMENT	
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REVISION / RÉVISION - 2023 / 08 / 23		