



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

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Site Location: 105 A Schneider Road

File No.: D07-12-21-0044

Date of Application: April 7, 2021

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This SITE PLAN CONTROL application submitted by David Renfroe, Renfroe Land Management, on behalf of Kepali Holdings, is APPROVED as shown on the following plan(s):

1. **Site Plan**, SP-1, prepared by RLA Architecture, project number 2104, revision 10, dated January 17, 2021
2. **Elevations**, A300, prepared by KWC Architects Inc., project number 2156, revision 1 dated 2021-07-17
3. **Elevations**, A301, prepared by KWC Architects Inc., project number 2156, revision 1 dated 2021-07-17
4. **Elevations**, A302, prepared by KWC Architects Inc., project number 2156, revision 1 dated 2021-07-17
5. **Landscape Plan**, L1, prepared by Gino J. Aiello Landscape Architect, revision 3, dated September 21, 2021
6. **Notes and Details**, C01, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
7. **Details**, C02, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
8. **Grading Plan**, C03, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
9. **Servicing Plan**, C04, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
10. **Drainage Area Plan**, C05, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
11. **Sanitary Drainage Area Plan**, C06, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
12. **Erosion and Sedimentation Control Plan**, C07, prepared by WSP, project no. 211-01794-00, revision 5, dated January 21, 2022.
13. **New 100 Year Flood Plain Volume**, SK1, prepared by WSP, project no. 211-01794-00, revision 3, dated 2021-11-22.
14. **Cross Section A-A**, SK3, prepared by WSP, project no. 211-01794-00, revision

- 3, dated 2021-11-22.
15. **Cross Section B-B**, SK4, prepared by WSP, project no. 211-01794-00, revision 3, dated 2021-11-22.
16. **Cross Section C-C**, SK5, prepared by WSP, project no. 211-01794-00, revision 3, dated 2021-11-22.
17. **Cross Section D-D**, SK6, prepared by WSP, project no. 211-01794-00, revision 3, dated 2021-11-22.
18. **Cross Section E-E**, SK7, prepared by WSP, project no. 211-01794-00, revision 3, dated 2021-11-22.

And as detailed in the following report(s):

1. **103 Schneider Road Servicing Report**, prepared by WSP, project no. 211-01794-00, revision 4, dated November 23, 2021.
2. **103 Schneider Road Stormwater Management Report**, prepared by WSP, project no. 211-01794-00, revision 4, dated November 23, 2021.
3. **Geotechnical Investigation 101A and 103 Schneider Road**, prepared by Paterson Group Inc., report no. PG5682-1, dated March 31, 2021.
4. **Geotechnical Assessment – Grading Plan Review 101A and 103 Schneider Road**, prepared by Paterson Group Inc., file no. PG5682-MEMO.02, dated July 14, 2021.
5. **Geotechnical Assessment – Site Servicing Plan Review 101A and 103 Schneider Road**, prepared by Paterson Group Inc., file no. PG5682-MEMO.03, dated July 14, 2021.
6. **Tree Conservation Report**, prepared by IFS Associates, dated April 1, 2021

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

## **Requirements**

1. The Owner shall submit a certificate of insurance in a form satisfactory to the City. The certificate of insurance must be issued in favor of the City of Ottawa in an amount not less than five million dollars per occurrence, must contain an endorsement naming the City as an additional insured and an unconditional thirty days notice of any material change or cancellation of the policy.

## **General Conditions**

1. 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, this 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. Extend Internal Walkway**

The Owner shall extend internal walkways beyond the limits of the subject lands at the sole expense of the Owner, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.

### **8. Development Charges**

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

## **Special Conditions**

### **Roads Right-Of-Way And Traffic**

#### **9. Private Approach Detail**

The Owner agrees that all private approaches, including temporary construction access to the subject lands, shall be designed and located in accordance with and shall comply with the City's Private Approach By-Law, being By-law No. 2003-447, as amended, and shall be subject to approval of the General Manager, Planning, Infrastructure and Economic Development.

## **ENGINEERING**

### **Geotechnical Engineering and Soils**

#### **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 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.

### **Civil Engineering**

#### **11. Protection of City Sewers**

- (a) Prior to the issuance of a building permit, the Owner shall, at its expense:
  - (i) obtain a video inspection of the City Sewer System within the vicinity of City MHSA12629 and for the downstream pipe segment between City MHSA12629 and City MHSA12628 prior to any construction to determine the condition of the existing City Sewer System prior to construction on the lands and to provide said video inspection to the General Manager, Planning, Infrastructure and Economic Development.
- (b) Upon completion of construction on the lands, the Owner shall, at its expense and to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development:
  - (i) obtain a video inspection of the existing City Sewer System within the vicinity of City MHSA12629 and for the downstream pipe segment between City MHSA12629 and City MHSA12628 to determine if the City Sewer System sustained any damages as a result of construction on the lands; and
  - (ii) assume all liability for any damages caused to the City Sewer System within the vicinity of City MHSA12629 and for the downstream pipe segment between City MHSA12629 and City MHSA12628 and compensate the City for the full amount of any required repairs to the City Sewer System.

#### **12. 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 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.

### **13. 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.

### **14. 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.

### **15. 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.

### **16. Private Drainage Agreement**

The Owner shall enter into a Private Drainage Agreement with the adjacent 232 Herzberg Road and 302 Legget Drive property owners, which shall be binding upon the owners and all subsequent purchasers, to deal with mutual rights for surface drainage, in accordance with the site plan approval issued by the City of Ottawa. The Private Drainage Agreement shall be registered on title, of those properties listed in the Agreement, at no cost to the City, and a copy shall be filed with the

City, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department.

## **Private Systems**

### **17. 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.

### **18. Leak Survey**

The Owner acknowledges and agrees that the Water Plant and sewer service within the lands is a private system, including Private Services and sewer services and appurtenances, and the Owner acknowledges and agrees that it is responsible for the operation, maintenance and/or replacement, in perpetuity, of the Private Services and sewer system, including the Private Watermains, private hydrants, private sanitary and storm sewer infrastructure (collectively the “private system”) which are located on the lands and that the Owner will retain copies of all the associated Work and maintenance contracts, and make said contracts available for inspection upon demand by the City.

Further, the Owner acknowledges and agrees to have a Professional Engineer, licensed in the Province of Ontario, conduct regular inspections of the water system and sewer system, which includes a leak detection survey at least every five (5) years and a video of the sanitary sewer system to check for major water infiltration into the private system. Copies of the inspection reports and videos shall be provided to the General Manager, Public Works and Environmental Services and Fire Services. The Owner further acknowledges and agrees that as part of the Owner’s ongoing maintenance responsibility for the private system, repairs to the system must be completed immediately to correct any deficiencies which contribute to water loss or leakage of infiltration within the private system. Any deficiencies shall be immediately reported to the City. The Owner acknowledges and agrees to notify the General Manager, Public Works and Environmental Services when such repairs have been completed.

## **PLANNING AND OTHER**

### **Planning and Design**

#### **19. Archaeological Potential**

In the event that archaeological or human remains are discovered on or buried within the subject lands during development activities, the Owner acknowledges and agrees to stop all construction and soil disturbance and shall notify the Ministry of Tourism, Culture and Sport of such findings. As required under Part VI of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

## **20. Archaeological**

- (c) The Owner acknowledges and agrees that should potential archaeological resources be encountered during excavation activities, all Work in the area must stop immediately and the Owner shall contact a provincially licensed archaeologist.
- (d) The Owner acknowledges and agrees that if during the process of development deeply buried/undetected archaeological remains are uncovered, the Owner shall immediately notify the Archaeology Section of the Ontario Ministry of Tourism, Culture and Sport.
- (e) The Owner acknowledges and agrees that in the event that human remains are encountered during construction, the Owner shall immediately contact the police, the Ministry of Tourism, Culture and Sport and the Registrar of Cemeteries, Cemeteries Regulation Unit, Ministry of Consumer and Business Services, Consumer Protection Branch.

## **Trees**

### **21. Tree Permit**

The Owner acknowledges and agrees that any trees to be removed shall be removed in accordance with an approved Tree Permit and the Tree Conservation Report referenced in Schedule "E" hereto, and in accordance with the City's Tree Protection By-law, being By-Law No. 2020-340, as amended. The Owner further agrees that a copy of the approved Tree Permit and Tree Conservation Report shall be posted on the construction site at all times until Approval is granted by the City for such Works.

## **Parkland**

### **22. Cash-in-Lieu of Parkland**

The Owner shall pay cash-in-lieu of parkland in accordance with the Parkland Dedication By-law of the City of Ottawa, as well as the fee for appraisal services. The monies are to be paid at the time of execution of the Site Plan Agreement.

## **Common Elements**

### **23. Joint Use, Maintenance and Liability Agreement**

- (a) The Owner acknowledges and agrees that should the lands be severed in the future by means other than a Declaration of a Condominium, it shall ensure that the future owner of the freehold units shall enter into a Joint Use,

Maintenance and Liability Agreement which shall be binding upon the owners and all subsequent purchasers to deal with the joint use, maintenance and liability of the common elements, including but not limited to any private roadway(s) and concrete sidewalks; common grass areas; common party walls, exterior walls; common structural elements such as the roof, foundations; common parking areas; sewers and watermains, for the mutual benefit and joint use of the owners; and any other elements located in the common property; and the Joint Use, Maintenance and Liability Agreement shall be filed with the General Manager, Planning, Real Estate and Economic Development.

- (b) The Owner shall file with the General Manager, Planning, Real Estate and Economic Development, an opinion from a solicitor authorized to practice law in the Province of Ontario that the Joint Use, Maintenance and Liability Agreement is binding upon the owners of the land and all subsequent purchasers to deal with the matters referred to Paragraph 23 (a) above.
- (c) The Owner acknowledges and agrees that the Joint Use, Maintenance and Liability Agreement shall be registered on the Owner's lands at no cost to the City, and a copy of the registered agreement shall be provided to the General Manager, Planning, Real Estate and Economic Development.
- (d) The Owner acknowledges and agrees that the Joint Use, Maintenance and Liability Agreement shall include a clause that transfers all legal and financial obligations required under the Joint Use, Maintenance and Liability Agreement to future owners, successors and assigns in title of the subject lands.

#### **24. Warning Clauses**


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 for lands within 300 meters of a rail right of way.:

“The City of Ottawa or its assigns or successors in interest has or have a right-of-way within 300 metres from the land subject hereof. There may be alteration to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. The City of Ottawa will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”



February 11, 2022

Date

A handwritten signature in black ink that reads "Court Curry". The signature is written in a cursive style with a horizontal line underneath it.

Court Curry  
Manager, 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

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**File Number:** D07-12-21-0044

### SITE LOCATION

105 A Schneider Road, located north of Carling Avenue and east of Herzberg Road and as shown on Document 1.

### SYNOPSIS OF APPLICATION

- The site is zoned IG6 zone (General Industrial subzone 6) and are currently vacant.
- The north east corner of the site is within the regulatory floodplain regulated by the Mississippi Valley Conservation Authority. A MVCA permit will be required prior to any works within this area.
- To the north, east, west and south of the property are other commercial, industrial and office spaces also zoned IG6.
- The applicant has proposed three new commercial and warehouse buildings on 105A Schneider with 131 vehicular parking spaces and 8 bicycle parking spaces. The main vehicular entrance will be a shared accesses to Schneider Road and Legget Drive.
- The works will also include reconfigured parking on 105 Schneider Road and an improved truck access.
- On-site sidewalks will be provided from the parking area to the building and will run the length of the proposed buildings.
- Enhanced landscaping will be provided along Schneider Road and internal to the site.
- Consent application B-00370 was approved by the Committee Of Adjustment of November 17, 2021. The consent was required to facilitate a lot line adjustment and shared access easement for the properties.

### DECISION AND RATIONALE

This application is approved for the following reasons:

- The proposal conforms to the policies of the Urban Employment designation of the City's Official Plan;

- The proposal conforms to all applicable zoning provisions including the provisions of the IG6 Subzone of Zoning By-law 2008-250 as amended;
- 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; and,
- The proposed development is appropriately designed and represents good planning.

## **PARKLAND DEDICATION**

Parkland dedication, in accordance with By-law 2009-95, is being satisfied within this approval through the taking of cash-in-lieu of parkland as detailed in the above conditions.

## **CONSULTATION DETAILS**

### **Councillor's Concurrence**

Councillor Cathy Curry 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**

#### Summary of Comments –Technical

The flood plain of the Kizell Drain is regulated by MVCA under Ontario Regulation 153/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. Under Ontario Regulation 153/06, written permission is required from the MVCA prior to undertaking the proposed development and site grading works (cut and fill balance) within the regulated area and the proposed stormwater outlet to the Kizell Drain. MVCA does not object to Site Plan Control application D07-12-21-0044, as currently proposed. Written permission from MVCA under Ontario Regulation 153/06 will be required for the proposed site grading works within the flood plain, permission from MVCA would follow Site Plan Control approval.

## **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 engineering.

**Contact:** Lisa Stern Tel: 613-580-2424, ext. 21108 or e-mail: [lisa.stern@ottawa.ca](mailto:lisa.stern@ottawa.ca)

# Document 1 – Location Map





007-12-21-0044	21-0352-D
I1C01Q02103@Schneider_103_105	
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<small>REVISION / RÉVISION - 2021 / 04 / 12</small>	

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

 106, 106A, 103 oh. Schneider Road

