

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

Site Location: 2545 9th Line Road

File No.: D07-12-23-0011

Date of Application: February 3, 2023

This SITE PLAN CONTROL application submitted by Tracy Zander of ZanderPlan, on behalf of Shawn McDonald, is APPROVED as shown on the following plan(s):

- **Site and Landscape Plan**, Plan Number 19159, prepared by ZanderPlan Inc., dated February 2nd, 2023, revision 7 dated November 22, 2024.
- **Site and Landscape Plan – Additional Information Sheet**, prepared by ZanderPlan Inc., dated July 19th, 2024, revision 3 dated November 2, 2024.
- **Septic Design Plan**, prepared by Green Valley Environmental, revision dated 12/06/24.

And as detailed in the following report(s):

1. **Hydrogeological Assessment Report**, prepared by GHD Group Pty Limited, dated December 08, 2022, revision 4 dated October 10, 2024.
2. **Assessment of Adequacy of Servicing Report**, prepared by GHD Group Pty Limited, dated December 20, 2024, revision 4 dated October 10, 2024.
3. **Scoped Environmental Impact Statement and Natural Heritage Constraints Study**, prepared by GHD Group Pty Limited, dated October 31, 2022.
4. **Tree Conservation Report**, prepared by GEMTEC, dated December 12, 2022.
5. **ASB Greenworld TIA Screening Document**, prepared by GHD Group Pty Limited, dated September 29, 2022.
6. **Traffic Management Plan**, dated August 12th, 2024.

And subject to the following Requirements, Scoped Site Plan Agreement, 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.

And subject to the following Scoped Site Plan Agreement Conditions:

Scoped Site Plan Agreement Conditions

1. Lapsing of Approval

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, 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. Maintenance and Liability Agreement for Fencing

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 9th Line Road right-of-way as shown on the approved Site and Landscape Plan referenced in Schedule "E" herein, including the security chain link fence. 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 opportunities in perpetuity and shall be responsible for its removal should the City require the use of the lands containing the encumbrance for road related works. The Owner further agrees to notify any subsequent purchasers of the same.

3. Notice on Title – Quality and Quantity of Groundwater

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 City of Ottawa does not guarantee the quality or the quantity of the groundwater. The purchaser/lessee further acknowledges being advised that if, at some future date, the quality or the quantity of the groundwater becomes deficient, the City of Ottawa shall bear no responsibility, financial or otherwise, to provide solutions to the deficiency. All efforts and costs to remedy such deficiencies in the groundwater shall be the sole responsibility of the owner.”

“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.”

And subject to the following General and Special Conditions, through the Letter of Undertaking: General Conditions

4. Execution of Letter of Undertaking

The Owner shall execute the City's standard Letter of Undertaking and satisfy the conditions contained within this Delegated Authority Report. In the event the Owner fails to execute the required Letter of Undertaking, submit any required fees and/or securities within three (3) years, and attain permits, this approval shall lapse.

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 automatic fire pumps, pressure tanks or gravity tanks.

Special Conditions

6. Non-permitted Uses

The Owner acknowledges and agrees that, prior to the earlier of one year following execution of the Letter of Undertaking or prior to the City releasing any securities, all non-permitted uses on site that are not a part of this Site Plan Agreement are removed from the subject property. The Owner shall provide proof that the use has ceased to the satisfaction of the Manager, Development Review Rural, Planning, Development

7. 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.

8. **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 9th Line Road frontage of the lands, measuring 13 metres from the existing centreline of pavement/the abutting right-of-way. 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.

9. **Parkland Dedication**

- a) The owner acknowledges and agrees that the conveyance requirement to the City is 142 849 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:
 - a. For conveyance of parkland, cash-in-lieu of conveyance parkland, or combination thereof:
 - i. 2% of the gross land area (commercial & industrial uses).

10. **Cash-In-Lieu of Conveyance of Parkland**

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 Insert Number funds. The Owner shall also pay the parkland appraisal fee of \$850.00 plus H.S.T. of \$110.50, as referenced in Schedule "B" herein.

24 July 2025

Date



Adam Brown
Manager, Development Review Rural,
Planning, Real Estate and Economic
Development Department

Enclosure: Site Plan Control Application approval – Supporting Information

SITE PLAN CONTROL APPROVAL APPLICATION SUPPORTING INFORMATION

File Number: D07-12-23-0011

SITE LOCATION

2545 9th Line Road, and as shown on Document 1.

SYNOPSIS OF APPLICATION

The subject site, municipally known as 2545 9th Line Road, is located northeast of the Village of Metcalfe along the northeastern side of 9th Line Road. The property is less than 500 metres north of the intersection of 9th Line Road and Victoria Street and about 1.3 kilometres south of the intersection of 9th Line Road and Pana Road. The subject property was previously used as a mushroom growing operation and contains various buildings on site with a cumulative footprint of 1.4 hectares including an existing 1053 square metre office, 7794.6 square metre mushroom growing facility, storage buildings and various smaller utility buildings and structures.

The Site Plan Application proposes to redevelop the subject site to establish an industrial facility to support manufacturing, packing and the distribution of soil used for gardening purposes. 52 parking spaces are proposed. The site will use the existing buildings located on site including the current office building located near the front line of the property and concrete cast and tin clad buildings located near the centre of the property. The 7794.6 square metre building previously used for mushroom growing will not be utilized and will be removed. The remaining buildings may be used for future operations depending on the growth of the business. No changes are proposed to the exterior of buildings, services, grades, parking, or drive aisles as part of this application.

Related Applications

The following applications are related to this proposed development:

- Zoning By-law Amendment – D02-02-23-0008
- Official Plan Amendment – D01-01-23-0002

DECISION AND RATIONALE

This application is approved for the following reasons:

- The subject property is designated Rural Countryside on Schedule B9 of the City of Ottawa Official Plan. Subject to By-law 2023-431, Amendment 54 within Volume 2C of the Official Plan permits a soil packaging plant with leaf and yard waste composting as an ancillary use on the property.
- The property is zoned Rural General Industrial Zone with Exception 933r (RG[933r]) and the proposal is in conformity with Zoning By-law 2008-250.
- The conditions of approval are to ensure the development is completed as approved. The scoped agreement will ensure that relevant notices and agreements remain on title and that the letter of undertaking can address the site development conditions needed.
- The proposed site design represent 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

Councillor's Comments

Councillor George Darouze is aware of the application related to this report. Councillor has concurred with the proposed conditions of approval.

Councillor George Darouze indicated the following comments:

As the Ward Councillor for this item, I have carefully reviewed all of the associated documents with the report in order to highlight potential concerns within the community. I engaged in multiple discussions with members of the community and the local community association in order to hear their feedback and concerns, and they overlapped with mine. I am glad that through discussions with staff, there is a site specific policy being proposed at the property in order to preserve the current Rural Countryside designation but allows the intended use, as well as limit the industrial activity to the soil packing operation and limit composting to strictly leaf and yard waste.

Public Comments

There were public comments received online and staff considered these comments.

Summary of public comments and responses

Comment:

My concerns are with increased trucking traffic in our rural community. The application does not address which side roads the company trucks will take to in order to access the designated trucking routes in our area. 9th Line Road is not a trucking route - so how does the company plan to get their trucks safely to the trucking routes?

Response:

A Traffic Impact Assessment was prepared which notes 15-20 heavy trucks are expected daily, which is acceptable for the current transportation infrastructure. 9th Line Road is not a trucking route and as such, all trucks leaving and entering the subject site must use the nearest truck route being Victoria Street

Comment:

The increase in truck traffic along an already busy main street in Metcalfe. The safety of children crossing the street or biking. The environmental impact on the area. The odour from the site. Living in a small town would immediately lose its appeal.

Response:

The Traffic Impact Assessment did not anticipate a significant increase in truck traffic which would impact existing conditions. No changes are proposed to the existing structures and infrastructure, besides upgrading the septic system, which would impact the environment. The potential odour is anticipated to be less noxious than the previous agricultural waste composting and is regulated by O. Reg. 101/94 under the Environmental Protection Act which has considerations for potential odour pollution. The proposed repurposing of existing buildings is not anticipated to have an impact on the Village of Metcalfe.

Comment:

I am concerned this would affect the well water and generally be detrimental to local biodiversity and quality of life.

Response:

A Hydrogeological Assessment and Terrain Analysis demonstrates that the proposed use can be accommodated on site. The associated Site Plan Control application will determine to what scale the proposed use can be accommodated. An Environmental Impact Statement was prepared which demonstrates no negative impacts to local biodiversity and quality of life

Comment:

Mostly concerned with five aspects of this development proposal: land use, servicing, vehicular traffic, and noise.

Response:

A Servicing Report, Traffic Impact Assessment, and Planning Rationale were provided to address the servicing, traffic, and land use. A noise study was not required for the applications.

Comment:

I do not agree with rezoning the land Rural General Industrial. As I understand it, the current zoning "Rural Countryside Zone" will not permit the scale industrial activity and composting activity to be carried out or expected to be carried out in the future. It seems that ASB Greenworld Ltd is a huge international company. I can't imagine they will be satisfied with a small plant to bag soil and compost. The material to be bagged will have to be trucked in, disrupting the village as a whole and 9th Line Road in particular. More of the site will probably be turned into a larger industrial site with unacceptable levels of noise, lighting and traffic.

Response:

The proposed scale of industrial activity is anticipated to be less than the previous mushroom growing operation. While it is true that the soil packaging business could expand, it would be limited to the size of the structures currently in place and would have to comply with all applicable policies regarding noise, lighting, and traffic. 9th Line Road is also not a trucking route meaning that all trucks entering or leaving the subject site must utilize Victoria Street which is the closest truck route.

Comment:

To keep it short I do not want the zoning to change from RU to RG. Once the zoning has been changed the owner will likely sell to another party which would pave the way for increased industrial activities at the site. With the change in zoning this will impact the people who live on 9th line Road in a multitude of ways such as the increase in trucking, fugitive noise and light pollution as well as a decrease in property values. My family have lived across (2588 9th Line) from the former mushroom farm since the early 70's. I would like to live there one day, ideally without industrial activities at the property lines.

Response:

The proposed amendment will limit industrial activity to the proposed soil packaging operation with leaf and yard waste permitted as an ancillary use. A Traffic Impact Assessment was provided with the applications which demonstrates no significant impact to current traffic. 9th Line Road is also not a trucking route meaning that all trucks entering or leaving the subject site must utilize Victoria Street which is the closest truck route.

Comment:

I am concerned that if the zoning is changed to Rural General Industrial that it will open the way for other types of Industries to make use of the property in question. Also I am concerned about the possibility that it could grow to include composting of more than leaf and yard waste. It also could increase truck traffic on Victoria and 8th Line. I would like it known that I oppose the zoning change.

Response:

The proposed amendments will limit future industrial activity to the proposed soil packaging and leaf and yard waste composting. The proposed amendment will also ensure composting is restricted to leaf and yard waste and only as an ancillary use to the

soil packaging operation. A Traffic Impact Assessment demonstrates the proposed use will not significantly impact current traffic conditions.

Comment:

I wish to be kept informed of activity on this file and to register the following comments and questions:

- Truck traffic to and from the site will unquestionably increase. Does the City know what volume of traffic is expected?
- 9th Line and Pana Rd. are not truck routes
- Traffic westbound on Victoria west must pass through the village of Metcalfe
- If the leaf and yard waste is being sourced from the City, how would other composting materials be kept from the stream (they all fall under the City's green bin program)? Can the applicant guarantee that only leaf and yard waste will be processed at the plant?
- If approved, does this application apply only to ASB Greenworld's proposed use of the property, or can the landowner rent space to other "general industrial" clients?

Response:

A Transportation Impact Assessment was prepared which anticipates 10 employee and 15-20 truck daily trips. 9th Line and Pana Road are not trucking routes and as such, any trucks entering or leaving the site must use Victoria Street. The leaf and yard waste is anticipated to be sourced from business such as landscape companies. Composting will be strictly limited to leaf and yard waste in the proposed amendments. Staff also propose to limit potential industrial activity to the soil packaging operation and ancillary uses.

Comment:

We live at 2363 9th Line Rd so we are very much interested in the developments for this application for re-zoning and future use of the former Continental Mushroom facility. Our concerns and questions are noted below, in no particular order:

1. 9th Line Rd is designated as a no-truck route, so we are very much concerned about increased truck traffic on 9th Line Rd. This is not only for their future supply deliveries, but customers as well that would use large trucks to pick up their final product. There is presently no signage on any of the major crossstreets to 9th Line Rd to inform heavy trucks that it is a no-truck route. What is the process to get that done?
2. The present business plan states that only leaf and yard waste will be composted at the facility, which we are told will not generate offensive odour. What guarantee is there that, once approved, this won't expand to other composted household or institutional waste, where air quality could be affected?

3. The city designated the parcel across the road from this application as MR, without public or political consultation, back in 2013. This has imposed many land use restrictions for us and our neighbours within the 500 metres affected boundary of the MR zoning. Why is this present application for rezoning to RG not also restricted?
4. While the present application may have limited influence on the local water supply, please note that some 2000 residents in and around Metcalfe rely on well water. What assurances does the City of Ottawa provide that this proposed business, and any future businesses in the area, will not affect this delicate water supply?
5. If RG zoning is approved, based on the present application for yard waste composting, it opens the door for any RG approved business to take over and set up some very different business in the future, is that correct? Would that business be subjected to any specific environmental approval process?
6. If RG zoning is approved, and ABS Greenworld sets up shop, what safeguards are in place that the proposed property improvements, such as the planting of trees to create a visual barrier, are carried out?
7. As I'm sure you know, land across the road from this application are owned by a mineral aggregate company due to recent land sales by two local farmers and the City's approval to consolidate those lands into one parcel which is zoned MR. Will approval of RG zoning in any way facilitate the eventual application across the street for mineral extraction?

Response:

A Transportation Impact Assessment was prepared which demonstrates no significant impact to current traffic conditions. 9th Line is not a truck route and as such, any trucks leaving or entering the site must travel through Victoria Street which is the closest truck route. The leaf and yard waste composting is anticipated to produce some smells, but it is expected to be less than the agricultural waste composting which previously occurred on site. Also, O. Reg. 101/94 requires the operator of a leaf and yard waste composting facility to record all public comments received regarding odours and how those comments were addressed. A Hydrogeological Assessment and Terrain Analysis was produced which demonstrates the use can be supported on site without impacting surrounding properties. It is true that the proposed rezoning would allow other industrial activities on the property. However, staff are working with the applicant to limit potential industrial activities to strictly soil packaging with leaf and yard waste composting as an ancillary use. The proposed tree plantings would be implemented through the Site Plan Control application with the applicant posting securities to ensure the plantings are completed. As for the mineral extraction lands, these lands are outside the scope of these applications.

Comment:

I protest strongly that this official plan amendment be refused. It is clearly stated in your letter that the proposal is to redevelop the subject site to establish an "industrial facility".

This change to Rural General Industrial will aid the start of a quarry across the road. Interestingly you made no mention of the land owned by a quarry in your notice or on the map. Our town will struggle to deal with this new development and the quarry as well. There is very little information about ABS Greenworld. "The lands are primarily vacant and used for farming operations." " There are a few dwellings further southeast of the subject site." That is incorrect. Looking at the map distorts the reality of the distances. My neighbor who is on 9th line shares the back of my property. She is maybe a block from Victoria st. Your map does not convey the correct dimensions involved. My neighbor lives right across from this land. There is also another property on Victoria st that will be right next to the property in question. The village of Metcalfe is just up the road and it is a town that people are moving to when they want to get away from the city. There are no large apartments. No industries. The proposed owner ---ABS Greenwood is a huge international company. We do not want huge international companies in our town---near our homes. We are already threatened by the property across that was sold to the a quarry company by the same seller. Our town will look like Highway 31 on Bank street after Greeley. It is an industrial wasteland. We are all on wells. The noise. The traffic. Imagine all the traffic----ABS Greenworld and their trucks and the demolition and truck traffic from the quarry. Our homes will lose their value. We will not be able the enjoy the homes we have made in Metcalfe. Our new Mayor must be made aware of the long standing rule of Ottawa---industry comes first--at whatever cost to inhabitants of this city. It must be stopped! There seems to be a whisper of a new direction in our city. Maybe the homeowners will now have a say in what comes into their towns.etc. We will no longer be at the whim of any industrial businesses that wants to lay waste to this city. Ottawa used to be admired for the beautiful city it was. Now we have Highway 31 on Bank street houses disappearing---junk yards---quarries. And we will have an industrial company and a quarry together destroying our homes here in Metcalfe.

Response:

The public circulation was undertaken as per the City's policies and procedures, which includes mailing the application materials to surrounding properties. A Transportation Impact Assessment and Hydrogeological Assessment and Terrain Analysis were prepared which demonstrate no impact to existing traffic conditions and that the site can be supported by private services without impact the surrounding area. The mineral extraction lands are outside the scope of this application. The proposed reuse of the application is not anticipated to result in more industrial activity in this area that would result in a cluster of businesses.

Comment:

I am resident on 9th Line Road, just north of Pana Road and I'm quite concerned about the potentially significant increase in truck traffic along our road, the possible smell, the impact on resale properties etc. that may result should the property be rezoned to Rural General Industrial. I'm also curious to know what the proposed timelines would be.

Response:

A transportation Impact Assessment was prepared which demonstrates no impact to existing traffic conditions. Smell is a potential concern, but the smell is anticipated to be less than the previous agricultural waste composting that occurred as part of the

mushroom growing operation. Also, O. Reg. 101/94 requires the operator of a leaf and yard waste composting facility to record all public comments received regarding odours and how those comments were addressed.

Comment:

I object to this zoning amendment and do not want to allow this change. I have the following concerns:

- Increased truck traffic on both 9th Line and Victoria. These roads are not suitable for truck traffic. Increased truck traffic is also a safety concern given Victoria passes through the Village of Metcalfe. If the proposed applicant brings in yard waste and compost material the truck traffic would increase significantly. –
- Increased noise and light pollution the surrounding area is residential and farming, not industrial. Industrial activity is not compatible with the neighborhood.
- Water concerns. I have concerns with both water usage and pollution. The mushroom farm operation impacted wells in the area. The new operation would have a impact on wells in the area.
- Rezoning the property RG (Rural Industrial General) would allow other industrial operations on the property (i.e. waste transfer). This is not disclosed in the applications. Impact on neighboring property values. Allowing compatible industrial activity will have a negative impact on residential property values.

Response:

A Transportation Impact Assessment was prepared which demonstrates no impact to existing traffic conditions. As part of the Site Plan Control application, a lighting certificate is required to address potential light pollution. A noise study was not required as part of the applications. A Hydrogeological Report was prepared which demonstrates the proposed use can be supported by private well and septic system without impact the surrounding area. Staff are working with the applicant to limit potential industrial uses to strictly the proposed soil packaging operation with leaf and yard waste composting as an ancillary use.

Technical Agency/Public Body Comments

Summary of Comments –Technical

NA

Response to Comments –Technical

NA

APPLICATION PROCESS TIMELINE STATUS

This Site Plan application was not processed by the On Time Decision Date due to the complexity of issues associated with existing buildings, structures and uses on site.

Contact: Jasdeep Brar Tel: 613-580-2424, ext. 29447 or e-mail:
Jasdeep.brar@ottawa.ca

Document 1 – Location Map

