

TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: April 15, 2024

Department: Community Development

Topic: Site Plan Control Agreement, 2062 County Rd 2 (Markus)

Purpose: To review a site plan control agreement for the development of a commercial landscaping depot at 2062 County Rd 22. The owner has made an application for site plan control with site alterations proposed to accommodate the storage and sales of landscaping material.

Background: The subject property is approximately 4ha in area with 211m of frontage on County Rd 22. The property is located within the Township's rural policy area. Schedule B of the Official Plan indicates there are significant woodlands on the property. The property is located on the west side of County Road 22, approximately 600m south of Highway 401. The property is currently developed with a single dwelling and outbuildings.

The property owner is planning to develop a landscaping depot on 0.92 ha of the property. The development includes a new entrance from County Road 22, 8,500m² of new gravel area, 4 new storage buildings, one 22m² building at the entranceway, 15 uncovered material storage bins, parking and loading areas, and a new lighted sign at the site entrance.

An application was submitted for site plan control, including:

- Site Plan and Grading and Drainage Plan;
- Environmental Impact Assessment (updated from the assessment provided in 2022 for the zoning amendment); and
- Stormwater Management Report.

Site Plan

The applicant has obtained a permit from the Counties for a second entranceway to the site, located approximately 50m south of the existing entrance. The Counties requirements for lighting, signage, stormwater management, road widening, and the entranceway have been addressed through the application and/or the proposed draft agreement.

It has been noted that the new building proposed near County Rd 22 does not comply with the 7.5m front yard setback for the Rural zone. This correction will be made through the conditions of approval and within the draft agreement.

Updated Environmental Impact Study

The Official Plan considers Significant Woodlands to be treed areas which provide a wide range of environmental and economic benefits to landowners and the general public. It is a policy of the Plan that site alteration within or up to a 120m distance from Significant Woodlands shall not be permitted unless an Environmental Impact Assessment (EIS) demonstrates there will be no negative impacts on the woodlands or their ecological functions (Policies 6.17.5.1, 6.17.5.2 and 6.17.5.3). The Environmental Impact Study that was submitted for the Zoning Bylaw Amendment has been updated to address this policy requirement.

The Updated Environmental Impact Study finds that the woodlands on the property do not meet the criteria for significant woodlands due to their size. However, their proximity to wetlands and a watercourse on the property indicates that they do provide some ecological benefit to these natural heritage features. The report finds unevaluated wetlands on the property and recommends a 10m setback from the wetland, except for a small area of development to encroach into the wetland area.

The EIS cautions that this type of development can result in changes in hydrology, sedimentation, and changes in the quality of water entering the system; however, none of these potential impacts are anticipated if the recommended mitigation measures are properly followed, including; sediment control measures during construction; a berm along the south and west end of the property; and native plantings within the wetland setback. The EIS is included in the draft site plan control agreement for Committee and Council consideration.

SNC cautions that a high water table and organic soils may be present on the property. The Conservation Authority recommends that the applicant consult a qualified professional to confirm the suitability of the soils for the proposed uses, including any requirements to support the proposed structures. The applicant has been advised to consult with our Building Official prior to making an application for a Building Permit as this additional investigation may be required.

Stormwater Management Report

The Official Plan considers stormwater management to be an important part of the Township's broader interest in protecting water quality. A stormwater management plan was requested in accordance with OP section 5.5.4 to determine the impact of the development with respect to flooding and sedimentation; and to provide measures for mitigating any adverse impacts if such are likely to result from the proposed development.

The Stormwater Management Report provides that there will be 2900m² of new gravel area for the landscaping depot. The report recommends sediment and erosion control measures, including silt fencing during construction to remain in place until re-vegetation has occurred. The report concludes that the site is considered low-risk with

regards to stormwater runoff affecting neighbouring properties due to the location of the site and its size.

SNC comments that development can increase surface runoff due to changes in impervious areas. A calculation of increased runoff was not provided at the time their comments were made, and consequently, the runoff volume, storage, and ponding requirements if any were unknown. Upon receiving the recommendation from the Conservation Authority, the Stormwater Management Report was updated to assess the impacts of runoff to the remainder of the property, and concludes that based on the analysis, the change in land use will not result in local nuisance flooding during a significant storm event.

Policy Implications: A zoning bylaw amendment was passed by bylaw 2022-83, designating the property RU-7, which permits a Contractor's Yard, limited to a landscaping contractor, and includes the storage of landscaping materials, vehicles and equipment and also includes the sale of landscaping material.

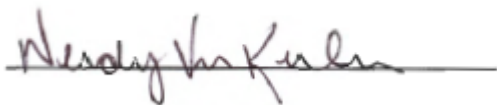
Council has delegated authority of site plan control approvals to the CAO by bylaw 2022-39, as required by the *Planning Act* s.41(4.0.1).

Our Site Plan Control Bylaw 2023-47 provides that applicants may be required to enter into an agreement with the Township to ensure development proceeds in accordance with the approved plans and drawings, and to ensure the provision of certain items, in accordance with the *Planning Act* section 41(7). Such an agreement may be registered against the land to which it applies.

The site plan was approved on April 11th, with the condition that the applicant enters into a Site Plan Control Agreement with the Township, that the agreement is registered to the property, and that the correct front yard setback be acknowledged. A draft agreement is provided with this report for the Committee's review.

Financial Considerations: The applicant has remitted the required fee deposit for site plan control to the Township.

Recommendation: That Committee recommend that Council enter into a site plan control agreement with the owner of 2062 County Rd 22, as attached.

A handwritten signature in dark ink, appearing to read "Wendy Van Kesteren", written over a horizontal line.

Community Development Coordinator