



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Council

Date: August 26, 2024

Department: Community Development

Topic: Site Plan Control Agreement, Annable Designs o/b Denis Simard (161-163 Shanly Road)

Purpose: To review a site plan control agreement for development at 161-163 Shanly Road which includes the demolition of some existing structures; establishing a new parking area and entrance at the rear of the site; and new privacy fencing. The application relates only to the retained parcel of consent file B-82-23, with the purpose of clearing condition #3 of the Counties decision dated October 11, 2023.

Background: The subject property is approximately 1242m² in area with 20m of frontage on Shanly Road. The property will also have 23m adjacent to Marjorie Street upon completion of the severance. The property is home to an existing commercial building with attached quonset; an accessory structure; and a single dwelling that is connected to the commercial building.

It is understood from the site plan provided that the accessory structure and a portion of the quonset is planned to be demolished, as well as the covered walkway connecting the residential building to the commercial building.

The land is zoned General Commercial-4 (CG-4), as per zoning bylaw amendment 2024-24 that was adopted by Council in May this year. The CG-4 zone limits the permitted uses and includes exceptions to the CG zone provisions related to the existing dwelling, lot coverage, parking, driveway access, and screening requirements. A copy of 2024-24 is attached to this report. The proposed use of the buildings is described in the attached cover letter provided by the applicant.

Privacy Screening

The cover letter expresses concerns regarding the CG-4 zoning, which requires screening where a parking area is located closer than 3m to a lot line abutting a residential zone. The applicant shares that the owner of 165 Shanly Rd would prefer not to have the screening in place so that the shared use and maintenance of the parking area could continue.

As discussed with the applicant, relief from the zoning bylaw would be necessary to remove the requirement for a fence for the proposed development. The approved site plan demonstrates compliance with the zoning bylaw, as amended. The proposed agreement clarifies that an application to amend the site plan will not be required to remove the fence if compliance is achieved (through a minor variance).

Demolition

An Environmental Site Assessment, prepared by St. Lawrence Testing recommends that the floor and ceiling tiles be tested for asbestos prior to beginning any demolition work. The applicant has been advised that a designated substance report shall be provided to the Chief Building Official prior to any building (demolition) permit being issued.

Servicing

During a site visit, our Environmental Services department advised that the commercial portion of the existing building is not serviced. The applicant has been advised that plumbing for the commercial use would need to be installed here by the owner/developer.

Policy Implications: 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 August 22, with the condition that the applicant enters into a Site Plan Control Agreement with the Township and that the agreement is registered to the property.

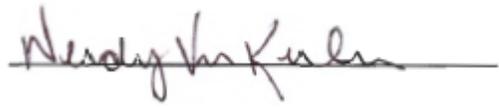
A draft agreement is provided further in this agenda package for Council's review.

Strategic Plan Implications: Growth and Economic Development is one of six pillars of the Township's Strategic Plan. The objectives within this pillar demonstrate Council's commitment to driving economic progress, including housing availability.

The proposal also helps to create a Liveable Community, which is another pillar of the Strategic Plan. New development on this under-utilized site will result in a new commercial business and community improvements.

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

Recommendation: THAT Municipal Council enter into a site plan control agreement with Denis Simard, as attached.



Community Development Coordinator