

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council
MEETING DATE: Monday, June 4, 2007
REPORT NO.: PL.07.70
SUBJECT: Modification to Site Plan Agreement,
and Release of Securities
Norfinch Construction Limited.
East Part Lot 151, Plan 529
209814 Highway 26
Town of The Blue Mountains

PREPARED BY: Shawn Postma,
Planner II
Robert Armstrong,
Manager of Development Planning & IS

A. Recommendations

THAT Council does receive Planning Staff Report PL.07.70, "Modification to Site Plan Agreement and Release of Securities"; for East Part Lot 151, Plan 529, 209814 Highway 26;

AND THAT Council accept the revised Site Plan as prepared by the Norfinch Group, Job No. 3R-1789, Drawing A-1, dated August 30, 1989, revised December 13, 1993, and finally revised May 30, 2007 as a revision to the Site Plan Agreement.

AND THAT Council authorize the release of the \$5000.00 Letter of Credit held as securities by the Town.

B. Background

The purpose of this report is to consider a request by the Owner to modify the existing Site Plan Agreement on the Lands, and to release securities presently held by the municipality.

The subject lands are located on the south side of Highway 26 in Craigeleith. The lands consist of an existing two-storey concrete block building containing 2 commercial units; a gas station and pizza restaurant, plus an apartment on the second floor. A one-storey motel has recently been removed from the property.

The Site Plan Agreement in effect was entered into in December 1993. The agreement includes provisions for securities in the amount of \$5,000.00 to ensure that the rear

parking area is paved. That parking lot was never completed and the securities are still held by the Town.

Now that the motel use has been removed from the site, and that there is no need for the additional paved parking area, the owners have requested that the securities being held by the Town be returned.

The lands are zoned Highway Commercial C2-51. Exception 51 limits the lands to only be used for a convenience retail store, automobile service station, retail store, service commercial use, eating establishment and uses, buildings and structures accessory thereto. By-law 94-4 permitted the eating establishment to have a maximum gross floor area of 115 square metres. Also permitted are a dwelling unit and a maximum 25% expansion to the existing buildings on the property.

It would appear that the current uses on the property are permitted under the current zoning. At this time no changes to the existing buildings or uses are proposed.

The Site Plan Agreement entered into on December 1993 contains all the standard provisions used by the Town for these agreements. The site plan included in the agreement shows the existing buildings and structures as they exist today, and the availability of parking on the lands. No other changes are proposed to the Site Plan Agreement other than the removal of the motel and associated parking at the rear of the property. A new agreement is not required, as the removal of the motel use does not significantly alter the existing agreement in place.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Modification to the Site Plan Agreement is appropriate for the lands, and would further recommend that council accept the revised Site Plan as prepared by the Norfinch Group, Job No. 3R-1789, Drawing A-1, dated August 30, 1989, revised December 13, 1993, and finally revised May 30, 2007 as a revision to the Site Plan Agreement, and further authorize the release of the \$5000.00 Letter of Credit currently held by the Town for securities.

C. The Blue Mountains' Strategic Plan

These changes continue to be consistent with Strategic Plan goal:

1. *Managing growth to ensure the ongoing health and prosperity of the community.*

D. Budget Impact

NIL

E. Attached

1. Revised Site Plan

Respectfully submitted,

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Planner II

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Manager of Development Planning & IS

