



Planning & Development Services Department

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December 10, 2019

Mayor Hand and Members of Council
Village of Point Edward
135 Kendall Street
Point Edward, ON N7V 4G6

Attention: Jim Burns, CAO/Clerk

Dear Mayor Hand and Members of Council:

**Re: Sarnia Produce Inc.
Site Plan Control Application and Agreement
707 & 709 Lite Street**

Sarnia Produce Inc. submitted an site plan control proposal in order to facilitate the construction of a new market store on the property know municipally as 707 Lite Street. The land is currently vacant and is proposed to amalgamated with the property at 709 Lite Street, on which sits Sarnia Produce's warehouse. The applicant is proposing to constructed a 10,000 ft² market store. A site plan control submission has also been submitted as part of the development proposal.

As Council is aware, staff have been in discussion with the applicant since May 2019 regarding the construction of the market store on the land. As part of the proposal, the applicant submitted a minor variance application in order to reduce the minimum require setback for the proposed building from 7.5 m to 1.16 m. The minor variance application was approved by the Village of Point Edward's Committee of Adjustment on May 16, 2019. The following condition was attached to their decision:

"That the site plan agreement between the Owner and Village include a noise warning clause regarding vehicular noise from the adjacent ramp and roadways that are located south of the properties known municipally as 707 and 709 Lite Street."

The site plan control submission consists of site layout, servicing, grading, removals, elevations and landscaping plans. Given the proximity of the Highway 402, and upon comments received from the Ministry of Transportation Ontario, a Potential Traffic Briefing report was requested from the applicant. The site layout drawings and Traffic Brief are attached to this report

The subject site is located with the Commercial 3 (C3) Zone and is currently vacant. The former the Point Edward Car Wash building was demolished this past summer in order to make way for the proposed market store. The proposed development meets the C3 zone standards and the granted minor variance from the Villages Committee of Adjustment. The building will actually be 1.6 m from the rear property line which is in compliance

with the approved 1.16 m setback. The applicant submitted a Traffic Impact Statement, prepared by Transportation Planning Consultants F.R. Berry & Associates. This statement indicated that the proposed development will not have a significant impact on the operation of the intersections or the highway ramps. A Noise Warning Clause (Section 2(b)(xi)) has been added to the site plan agreement as per the direction from the Village's Committee of Adjustment decision in May 2019.

The site plan shows that the proposed pathway for delivery trucks to the existing warehouse appears to encroach onto the neighbouring Open Grill Restaurant property at 721. A letter was received from Sarnia Produce regarding this potential encroachment and this letter stated that: *"We have a great relationship with all surrounding neighbours and would never want to tarnish that. The deliveries would take place on our joint property. We've had no issues in the past with truck movement on our property or with our fellow neighbours."*

While vehicle movement on the property may not be an issue today, the following condition has been added to the site plan agreement in order to ensure that this remains the case:

"Section 2(b)(iv) All vehicle movements must occur on this property and not encroach onto neighbouring properties unless an access easement or agreement is signed and registered on title that permits otherwise"

This site plan application was referred to the Village, County and the Ministry of Transportation for comments/review. The following comments were received:

1. Village Public Works - The sewer clean out must be a double 2 way clean out at the property line (*will be addressed at Inspection stage*)
2. Village Fire Department - No concerns
3. MTO - No issues with this application as the required traffic impact briefing was supplied and indicated that the proposed development will not adversely impact their infrastructure.
4. County Inspections: No Issues

Recommendation

Staff recommends that the site plan be approved and that the Mayor and Clerk be authorized to execute the agreement subject to:

1. The amalgamation of 707 and 709 Lite Street;
2. The receipt of a final servicing and grading plan that is to the satisfaction of Village staff.

Yours truly,

Philip Rough
Planner
Lambton County