

# PRESCOTT

EST 1784

## THE FORT TOWN

### SPECIAL COUNCIL

April 18, 2017, 6:00 pm

Council Chambers

360 Dibble St. W.

Prescott, Ontario

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	Pages
1. Call to Order	
2. Approval of Agenda	
<b>Suggested Motion</b>	
<i>"THAT the agenda for the Special Council Meeting of April 18, 2017, be approved as presented."</i>	
3. Declarations of Interest	
4. Staff	
4.1 Planning Advisory Committee Report 04-2017 - Draft Site Plan Control Agreement - Prescott Centre Drive - McDonald's	1
<b>Suggested Motion</b>	
<i>"THAT Council approves the proposed site plan subject to the conditions listed in PAC Report 04-2017."</i>	
5. Period for Media Questions	
6. Confirming By-Law – 19-2017	5
<b>Suggested Motion</b>	
<i>"THAT By-Law 19-2017, being a by-law to confirm the proceedings of the Special Council meeting held on April 18, 2017, be read a first and second time."</i>	
<b>Suggested Motion</b>	
<i>"THAT By-Law 19-2017, being a by-law to confirm the proceedings of the</i>	

*Special Council meeting held on April 18, 2017, be read a third time, passed and signed by the Mayor and Clerk.”*

**7. Adjournment**



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	April 2017
Strategic Plan		

**STAFF REPORT TO  
PLANNING ADVISORY COMMITTEE** Report No. PAC 04-2017

April 10, 2017

From: Dwane Crawford, CBO

RE: Draft Site Plan Control Agreement – Prescott Centre Drive – McDonald’s

**RECOMMENDATION:**

That Council approves the proposed site plan subject to the conditions listed in PAC Report 04-2017.

**BACKGROUND / ANALYSIS:**

In approximately 2002 McDonald’s Restaurant developed a restaurant on Prescott Centre Drive consisting of a 2,977 ft<sup>2</sup> one story brick faced building with a single lane drive-through. The development of the McDonald’s building was addressed through a comprehensive Site Plan Control Agreement that included the development of the Canadian Tire and Independent Grocer buildings.

McDonald’s is seeking to expand the existing building with a 701 ft<sup>2</sup> addition to the restaurant which will increase the dining area, move the walk-in refrigerator to the area where the enclosed trash bins are presently, create a new location for the trash containers and double the lanes at the entrance to the drive-through.

To facilitate the addition to the building some on-site parking will be removed, but two new handicap parking will be located in a convenient location and five new parking spaces will be created to a total of forty-five spaces, which satisfies the parking requirements of the zoning bylaw.

Adequate off street parking areas for employees and customers are noted on the proposed site plan.

McDonald’s was developed as an addendum to the original Site Plan Agreement and

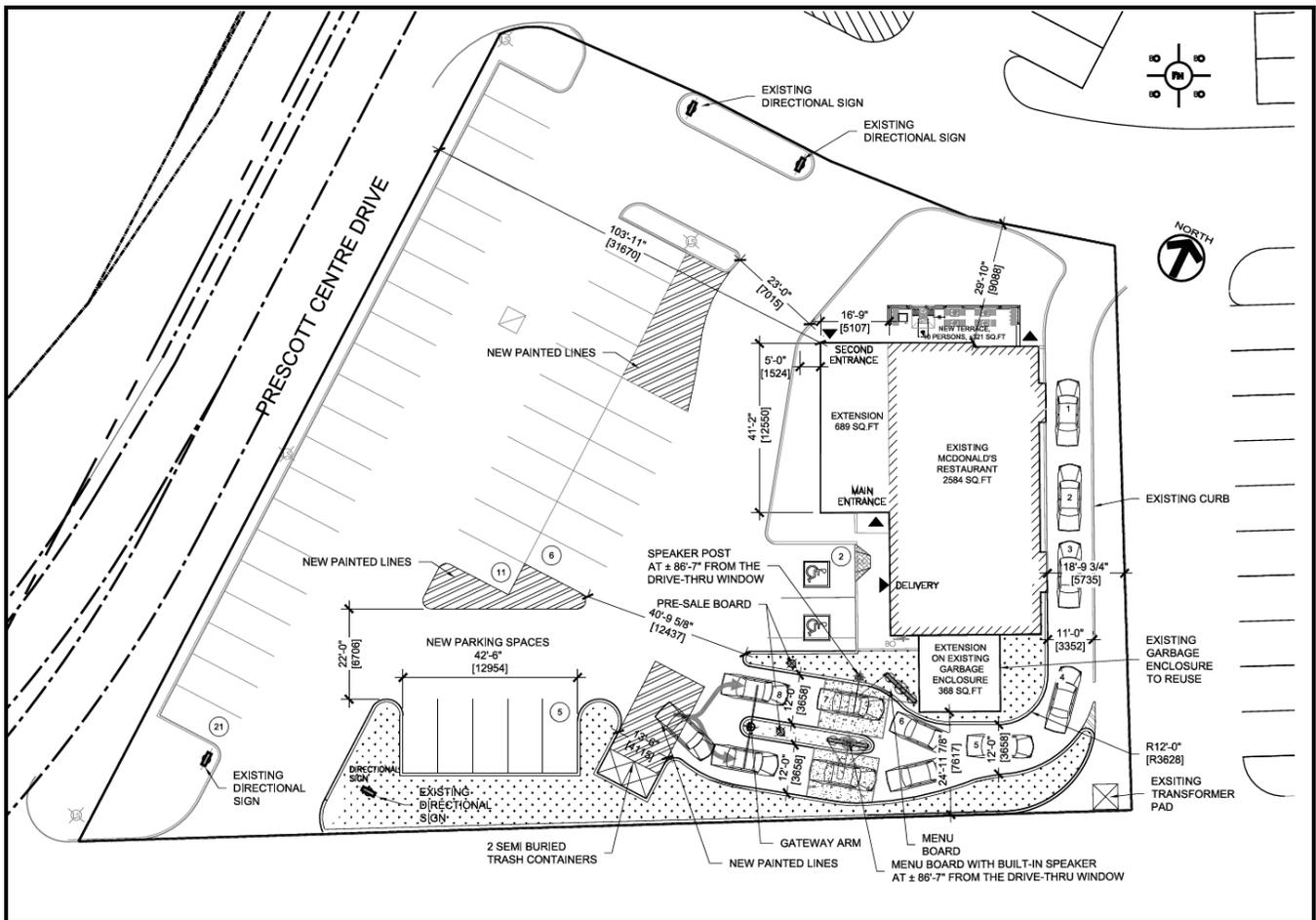
Information Purposes		Date Req'd
Policy / Action Req'd	X	April 2017
Strategic Plan		

the "as built" does not reflect what is on the original site plan. Therefore it was recommended to the developers that a new separate Site Plan Control Agreement should be done as opposed to amending the original one.

The developer will provide financial securities in the form of a Letter of Credit from a financial institution equal to 100% of the estimated cost of constructing the site works. A cheque to cover anticipated cash requirements to administer this agreement is required. The developer will also provided proof of insurance to satisfy the requirements of this site plan agreement.

**REGULATORY CONTROL REVIEW**

As noted there is an application to enter into a site plan control agreement with the Corporation of the Town of Prescott and McDonald's for the redevelopment of the referenced property (see site development drawing below).





		Date Req'd
Information Purposes		
Policy / Action Req'd	X	April 2017
Strategic Plan		

Official Plan

The Town's Official Plan designates the subject property as Highway Commercial. The proposed use is permitted and the form of development is in keeping with the OP's relevant policies.

Zoning

Highway Commercial – C2 – Zone

The current use and zoning of the property does conform to the intent of the Official Plan.

The list of permitted uses in section 5.9 of By-law 09-2009 was amended in 2012. The amendment added restaurants and drive-in restaurants as well as a number of other uses to the list of permitted uses.

Based on the submitted site plan, the development can proceed in accordance with development standards.

**RECOMMENDATION**

It is recommended that Council approve the proposed site plan application subject to the following condition:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town.
2. That the applicant enter into a site plan control agreement with the Town.
3. Payment of 2% cash-in-lieu of parkland.

**Alternatives:**

The alternative would be to reject the proposed site plan.

**Financial Implications:**

None identified.



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	April 2017
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Respectfully submitted,

*Original signed by*

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Dwane Crawford, CBCO, WETT  
Director of Building/Development

**THE CORPORATION OF THE  
TOWN OF PRESCOTT**

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**BY-LAW NO. 18-2017**

**A BY-LAW TO ADOPT THE PROCEEDINGS OF THE SPECIAL COUNCIL  
MEETING HELD ON APRIL 18, 2017**

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**WHEREAS**, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law;

**AND WHEREAS** certain actions of Council do not require the enactment of a specific by-law;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of the Town of Prescott enacts as follows:

1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

**READ A FIRST AND SECOND TIME THIS 18<sup>th</sup> DAY OF APRIL, 2017.**

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Mayor

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Clerk

**READ A THIRD AND FINAL TIME AND PASSED THIS 18<sup>th</sup> DAY OF  
APRIL, 2017.**

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**Mayor**

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**Clerk**