

MUNICIPALITIES OF FRENCH RIVER AND KILLARNEY

SPECIAL MEETING AGENDA

SUDBURY EAST PLANNING AREA COMPREHENSIVE ZONING BY-LAWS

Tuesday, June 17th, 2014 at 4:30 p.m.

French River Municipal Office

44 St. Christophe Street, Suite 1, Noëlville, Ontario

MUNICIPAL COUNCILS:

- 1. SPECIAL MEETING OPENED FOR MUNICIPAL COUNCILS FOR FRENCH RIVER & KILLARNEY**
- 2. ADOPTION OF THE AGENDA**
- 3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
- 4. PUBLIC HEARINGS FOR SUDBURY EAST PLANNING AREA COMPREHENSIVE ZONING BY-LAWS:**
 - Purpose of Public Hearings (Director of Planning)
 - Notice of Public Hearings (Director of Planning)
 - Open Public Hearings (Director of Planning)
 - Presentation of Comprehensive Zoning By-laws (MMM)
 - Questions or Comments from the Public
 - Questions or Comments from Planning Board Members or Council Members
 - Recommendation by MMM to Planning Board and Councils as a Result of the Proceedings
 - Conclusion of Public Hearing (Director of Planning)
- 5. ADOPTION BY-LAWS FOR COMPREHENSIVE ZONING BY-LAWS**
 - 2014-23 French River Zoning By-law
- 6. ADJOURNMENT OF SPECIAL MEETING**



Planning Report: **ADOPTION OF COMPREHENSIVE ZONING BY-LAWS**

Report To: **SUDBURY EAST PLANNING BOARD and MUNICIPALITIES OF FRENCH RIVER,
KILLARNEY, MARKSTAY-WARREN AND ST.-CHARLES**

Meeting Date: June 17, 2014

Report Date: June 10, 2014

1. BACKGROUND:

The Sudbury East Planning Board completed a review and update of the Official Plan for the Sudbury East Planning Area, which was adopted by the Planning Board on April 27th, 2010 and approved by the Ministry of Municipal Affairs and Housing on September 28th, 2010. Under the Planning Act, municipalities are required to update Official Plans every five years to ensure that the document is in line with Provincial Policies and with Council and Planning Board objectives.

Section 26(9) of the Planning Act requires that Comprehensive Zoning By-laws be reviewed and updated within 3 years of the approval of an Official Plan. The update will ensure that each of the Zoning By-laws conform to the new Official Plan policies.

2. UPDATE PROCESS:

On December 13, 2012 the Sudbury East Planning Board passed a resolution to initiate an update on the Comprehensive Zoning By-laws of the Sudbury East Planning Area. On February 14, 2013, the Planning Board passed a resolution accepting the MMM Group Proposal and a Project Initiation meeting followed on March 14, 2013.

Two sets of Public Consultation meetings were held to receive input from the public, the first two were held on May 30, 2013 in St.-Charles and Alban. Input from those meetings and consultation with staff formed the Zoning Issues Report. An update presentation was made to the Planning Board on July 11, 2013 and final Public Consultation meetings held on October 1, 2013.

This evening's meetings constitute the Statutory Public Meetings required under Section 34 of the Planning Act prior to the Planning Board or Council adopting the new By-laws.

3. ZONING ISSUES:

Updates to the Zoning By-laws can be divided into three categories: conformity with the new Official Plan, Modernization and Consolidation. The following are key items addressed under each of the categories:

Official Plan Conformity

- New Mixed-Use land use designation
- Evaluate whether and what change is required
- Consistency with legislation – e.g. *The Strong Communities through Affordable Housing Act* (Bill 140)

Modernization

- Illustrations/diagrams to clarify definitions and regulations
- Introduce new definitions
- Ensure all permitted uses are defined
- Tightening up by-law and make interpretation easier

Consolidation

- Incorporate site specific and housekeeping Zoning By-law Amendments (text and mapping)
- Mapping reflect consents that have occurred since 2003

Further detail pertaining to proposed changes can be found in the Zoning Issues Report prepared by MMM Group as well as in the Draft Final By-laws which have been made available for public review as per the requirements of the Planning Act.

4. SUMMARY OF KEY CHANGES:

Key changes to the Zoning By-laws include the addition of a new preamble section to assist reader in understanding and interpreting the zoning by-law and the addition of transition provisions for consents that have been approved in principle, but not yet final approved and where building permits have been issued under the previous by-law.

Approximately 70 new definitions have been added to the Zoning By-laws to improve interpretation of the by-laws. In some instances terms were listed as permitted uses, but did not have an associated definition, in other instances terminology has been modernized such as the use of the term eating establishment instead of the term restaurant. Other definitions were included to reduce ambiguity and make the By-laws easier to interpret.

Within the General Provisions Section of the By-law additional clarification was added to the provisions for fencing, railways, and yard projections. New general provisions were added for garden suites, holding zones, minimum distance separation, road centerline setbacks, secondary dwelling units and servicing requirements.

KEY ZONE CHANGES

7.2	Residential One (R1)	reduce interior side yard setback to increase ability to build on undersized lots
7.6	Waterfront Residential (WR)	increase maximum lot coverage from 10% to 15% to address issues with undersized lots
7.8	Commercial Community (CC)	changes to permitted uses: add bake shop, bed and breakfast,

		converted dwelling, existing single detached and semi-detached, multiple dwelling, existing group home, hotel, motel, motor vehicle sales area, motor vehicle service station, retirement home, rooming house, studio
7.9	Commercial Highway (CH)	changes to permitted uses: bake shop, chip stand, day nursery, hotel, motel, motor vehicle accessory store, pharmacy, self-storage, studio, wholesale outlet
7.10	Commercial Neighbourhood (CN)	NEW Zone –more limited commercial uses that fit well with residential uses – to implement the new Mixed-Use designation of the Official Plan
7.12	Waterfront Commercial Tourist (WCT)	new provision re requirement for site specific amendment to establish new commercial tourist use
7.13	Industrial Rural (MR)	additional uses agricultural use, farm, forestry use, kennel. Additional provisions for accessory dwelling units
7.14	General Industrial (MG)	additional uses bakery, self-storage
7.17	Institutional One (I1)	new use – animal shelter
7.19	Open Space (OS)	additional use – trail system

5. PUBLIC CONSULTATION:

Notice of the proposed Comprehensive Zoning By-laws was placed in the Saturday May 24, 2014 edition of the Sudbury Star and was posted in each of the Municipal Offices, in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter P.13 and its Regulations (O.REG. 197/96) thereto. Notice was also sent to those persons who requested a Notice as a result of the proceedings of previous Open House Sessions pertaining to the By-laws and agencies likely to have an interest in the by-laws. The draft final zoning by-laws have also been posted to the Planning Board's website.

6. RECOMMENDATION:

That the Sudbury East Planning Board and the Council's for the Municipalities of French River, Killarney, Markstay-Warren and St.-Charles approve the Final Draft Zoning By-laws for the Unincorporated Townships of the Sudbury East Planning Area, the Municipality of French River, the Municipality of Killarney, the Municipality of Markstay-Warren and the Municipality of St.-Charles.

Respectfully submitted,



Melissa Riou, MCIP, RPP
 Director of Planning