



Municipality of French River
MINUTES OF THE
SPECIAL MEETING OF COUNCIL
held in the Council Chambers
Wednesday, June 22, 2016 at 5:30pm

Re: To consider proposed amendments to Zoning By-law 2014-23

Members Present:

Mayor Claude Bouffard (Chair), Councillors Michel Bigras, Ronald Garbutt, Denny Sharp, Dean Wenborne

Members Excused:

Councillor Gisèle Pageau

Officials Present:

John Regan, Chief Administrative Officer
Mélanie Bouffard, Clerk
Melissa Riou, Director of Planning, Sudbury East Planning Board

Guests:

0 Guests

1. Call to order, roll call and adoption of the agenda

The Chair called the meeting to order at 5:30 p.m.

Moved By Ron Garbutt and Seconded By Michel Bigras

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BE IT RESOLVED THAT the agenda be accepted as distributed.

Carried

2. Disclosure of Pecuniary Interest

None declared.

The Chair summarized the procedure of a Public Hearing to deal with the consideration of a proposed general amendment to Zoning By-law 2014-23.

The Director of Planning informed Council that the Notice of the Public Hearing was posted in the Municipal Office and was sent by First Class Mail on May 27, 2016 (being over twenty (20) days prior to this evening's meeting) to the assessed owners within 120 metres of the property subject to the proposed Zoning By-law Amendment, and to those persons and agencies likely to have an interest in the application and that included with each Notice was an explanation of the purpose and effect of the proposed Zoning By-law Amendment application and a key map showing the location of the property.

3. Application from ZBA 16-04FR - (Lukasz Piotrowski)

The purpose of the Public Meeting was to consider a proposed general amendment to Zoning By-law 2014-23 received from Lukasz Piotrowski to establish special provisions to permit a home industry consisting of a motor vehicle repair business on the property in the Village of Alban. The property is zoned Residential One (R1), which does not permit home industries. The motor vehicle repair business is to be operated from the larger bay of the existing garage located to the rear of the subject lands.

The Official Plan and the Zoning By-law direct home industries to lands outside settlement areas and direct motor vehicle repair shops to appropriately zoned commercial properties, where they are less likely to have a negative impact on abutting residential uses. Though the existing structure was previously used as a welding shop, it does not meet the definition of a legal non-conforming use and there are concerns about permitting a home industry of this type and scale on a residentially zoned lot.

As the proposed application is not in keeping with the general intent and purpose of the Official Plan and is not in keeping with the general intent and purpose of the Zoning By-law, it was recommended that the application be denied.

Despite of the recommendation to deny, options for a temporary use was given as an alternative.

Through agency circulation, a letter dated June 14, 2016 opposing the application was received by an adjacent neighbour.

The applicant was not present.

In response to questions from Council, the Director of Planning advised as follows:

- the use of a motor vehicle repair shop is not detailed in terms of types of work permitted
- the temporary use, if granted, would expire and the owner must reapply to renew

The Chair declared this Public Hearing to be concluded and advised of the 20 day appeal period to the Ontario Municipal Board and that during this appeal period, no building permit may be issued or other work commenced. The Zoning By-law Amendment will be considered by Council at tonight's Regular Council Meeting.

6. Others

7. Adjournment

Moved By Michel Bigras and Seconded By Malcolm Lamothe

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BE IT RESOLVED THAT the special meeting be adjourned at 6:46 p.m.

Carried

MAYOR

CLERK