

Municipality of French River / Municipalité de la
Rivière des Français



AGENDA / ORDRE DU JOUR
SPECIAL COUNCIL MEETING / RÉUNION
RÉGULIÈRE DU CONSEIL

Wednesday, February 20, 2019 at 6:00 PM / mercredi le
20 février 2019 à 18h
Council Chambers / Salle du conseil

Page

1. Call to Order / Ouverture de la réunion et présence

2. Adoption of Agenda / Adoption de l'ordre du jour

3. Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires

None declared

4. Delegations / Délégations

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4.1. File No.: 18-11FR - 1866551 Ontario Limited

Request: Rezone the property to Institutional One (I1) with regulation(s) in order to permit a pharmacy that is approximately 35 square metres in gross floor area.

Location: 24 Delamere Rd, Alban

[Notice of Public Hearing](#)

5. Adjournment / journement

**NOTICE OF PUBLIC HEARING
CONCERNING A PROPOSED
AMENDMENT TO
ZONING BY-LAW 2014-23
OF THE MUNICIPALITY OF FRENCH RIVER**

Respecting an application by 1866551 Ontario Limited
to rezone lands on Part of Lot 6, Concession 1
in the Township of Delamere
now in the Municipality of French River
Territorial District of Sudbury
being Part 1 and 2, Plan SR-473
Parcel 21343 Sudbury East Section
(Roll No. 5201-010-000-411-00)
(SEPB File No. ZBA 18-11FR)

TAKE NOTICE THAT the Council for the Municipality of French River will hold a Public Hearing on **February 20th, 2019 at 5:30 p.m. at the French River Municipal Office, 44 Christophe Street, Noelville, Ontario.**

ADDITIONAL INFORMATION is available for public review or a written copy of this Notice can be obtained Monday to Friday (8:30 a.m. to 4:00 p.m.) at the Sudbury East Planning Board Office, 39 Lafontaine Street, Unit 4, P.O. Box 250, Warren, Ontario, POH 2N0. Any person or public body may attend the Public Hearing and/or make written or verbal representations either in support of or in opposition to the Proposed Zoning By-law Amendment.

IF A PERSON OR PUBLIC BODY would otherwise have an ability to appeal the decision of the Council for the Municipality of French River to the Local Planning Appeal Tribunal but the person or public body does not make oral submission at a public meeting or make written submissions to the Council for the Municipality of French River before the by-law is passed, the person or public body is not entitled to appeal the decision.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Council for the Municipality of French River before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Dated at Warren, this 1st day of February, 2019.

Matthew Dumont, MCIP, RPP
Director of Planning

39 Lafontaine Street Unit 4 P.O. Box 250 Warren, Ontario POH 2N0
Telephone: (705) 967-2174 Fax: (705) 967-2177 Watts: 1-877-540-7372
www.sepb.org

Purpose and Effect of the Proposed Zoning By-law Amendment

Re: Application No. ZBA 18-11FR
(1866551 Ontario Limited)
Roll No. 5201-010-000-411-00

The purpose of the Public Hearing will be to consider a proposed amendment to Zoning By-law 2014-23 of the Municipality of French River, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13.

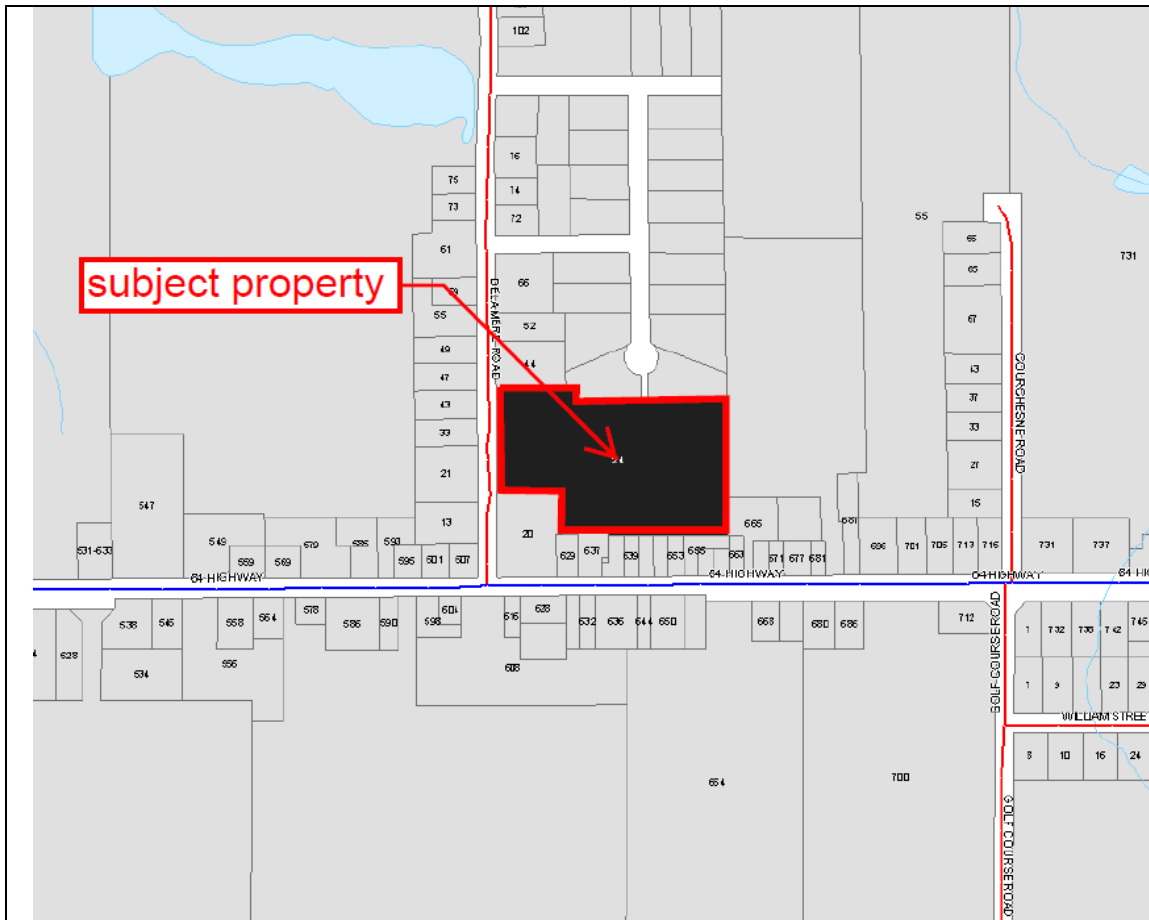
An application has been received from 1866551 Ontario Limited to rezone lands described as Part of Lot 6, Concession 1, in the Township of Delamere, now in the Municipality of French River, Territorial District of Sudbury, being Part 1 and 2, Plan SR-473 (Parcel 21343 Sudbury East Section).

The subject lands are presently zoned Institutional One (I1) under Zoning By-law 2014-23 of the Municipality of French River. The Proposed Zoning By-law Amendment will rezone the property to Institutional One (I1) with regulation(s) in order to permit a pharmacy that is approximately 35 square metres in gross floor area.

The subject property is located within the Village Policy Area (Village of Alban) designation of the Official Plan and further designated "Mixed Use" on Schedule C – Land Use Plan for the French River District for the Sudbury East Planning Area (adopted April 27th, 2010, approved by the Ministry of Municipal Affairs and Housing September 28th, 2010).



AERIAL PHOTOGRAPHY
Zoning By-law Amendment Application
(1866551 Ontario Limited)
Part of Lot 6, Concession 1
in the Township of Delamere
now in the Municipality of French River
Territorial District of Sudbury
being Part 1, Plan SR-473
Parcel 21343 S.E.S.
(Roll No. 5201-010-000-411-00)
(SEPB File No. ZBA 18-11FR)



KEY MAP

Zoning By-law Amendment Application
 (1866551 Ontario Limited)
 Part of Lot 6, Concession 1
 in the Township of Delamere
 now in the Municipality of French River
 Territorial District of Sudbury
 being Part 1, Plan SR-473
 Parcel 21343 S.E.S.
 (Roll No. 5201-010-000-411-00)
 (SEPB File No. ZBA 18-11FR)



Planning Report: APPLICATION FOR ZONING BY-LAW AMENDMENT
Report to: MUNICIPALITY OF FRENCH RIVER
Meeting Date: February 20th, 2019
Report Date: February 1st, 2019

Applicant: 1866551 Ontario Limited
Owner: Same as Above
Agent/Solicitor: None
File Number: ZBA 18-11FR
Property Description: Part of Lot 6, Concession 1
in the Township of Delaware
now in the Municipality of French River
Territorial District of Sudbury
being Part 1 and 2, Plan SR-473
Parcel 21343 Sudbury East Section
(Roll No. 5201-010-000-411-00)
24 Delamere Road

APPLICATION:

An application has been received from 1866551 Ontario Limited, to rezone lands described as Part of Lot 6, Concession 1, in the Township of Delamere, now in the Municipality of French River, Territorial District of Sudbury, being Parts 1 and 2, Plan SR-473 (Parcel 21343 Sudbury East Section).

The Proposed Amending By-law will amend the current Institutional One (I1) with Special Provisions under By-law 2014-23 of the Municipality of French River, as amended, in order to permit a pharmacy that is approximately 35 square metres in gross floor area.

The existing one storey institutional structure presently houses a nurse practitioner, an engineering firm and development services. Also, a portion of the existing structure was converted to a dwelling unit in which the owner presently resides. Part of the main floor consists of two existing offices (presently vacant) and an existing bathroom (formed part of the existing school) is to be converted to a pharmacy.

The subject lands are located within the Village Policy Area (Village of Alban) in the Official Plan for the Sudbury East Planning Area, and further designated "Mixed Use" on Schedule C – Land Use Plan for the French River Planning District.

SUBJECT LANDS:

Lot Dimensions:	<u>Lot Area</u>	<u>Lot Frontage</u>	
	Lot	2.53 hectares	112 metres
Access:	Publicly maintained (Municipality of French River) year-round road (Delamere Road).		
Servicing:	Privately owned and operated individual septic system. Privately owned and operated individual well.		
School Busing:	Available.		
Garbage Collection:	Not available.		
Fire Protection:	Available.		
Shore Road Allowance:	Not applicable.		

APPLICATION REVIEW AND ANALYSIS:

PROVINCIAL POLICY STATEMENT, 2014

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality exercising its authority affecting a planning matter, such decisions “shall be consistent with” all policy statements issued under the Act.

The applicant’s proposal seeks to establish a pharmacy within the Village of Alban. Planning staff are of the opinion that the applicant’s proposal would appear to be consistent with the Provincial policies regarding the provision of a mix of land uses in settlement areas.

OFFICIAL PLAN

Official Plan Designation: **Village Policy Area**, as identified in the Official Plan for the Sudbury East Planning Area (adopted April 27th, 2010, approved by the Ministry of Municipal Affairs and Housing September 28th, 2010)

Mixed-Use as per Schedule C: Land Use Plan for the French River Planning District

Village Policy Areas are intended to serve the surrounding Rural Policy Areas as well as to provide an alternative to the higher density urban character found in Community Policy Areas which have full municipal services. New development in the Village Policy Area is intended to occur through infill, intensification and redevelopment in the built-up area.

Section 2.2.5, lands designated ‘mixed-use’ are intended to be the primary focus for a wide variety of commercial, residential, institutional, and light employment uses in the Sudbury East Planning Area. Existing institutional structure may be converted to a pharmacy provided the external design of the building does not substantially change and servicing capacity is available.

Section 3.2.1, Support economic development initiatives consistent with the principles of good land use planning. Presently, the existing institutional structure is home to a nurse practitioner, an engineering firm and development services. The expansion and/or addition of a pharmacy will continue to support the local economic development initiatives for the Village of Alban.

The application, as proposed, generally conforms to the intent and the policies of the Official Plan.

ZONING BY-LAW (2014-23)

Current Zoning: Institutional One (I1)

Proposed Zoning: **Institutional One (I1) with Special Provisions**

The proposed amending Zoning By-law will establish provisions to permit a pharmacy.

The Institutional One (I1) zone requires a minimum lot frontage of 25.0 metres (without municipal sewer services) and a minimum lot area of 0.75 hectares (without municipal sewer services). The subject property has a lot frontage of 112 metres and a lot area of 2.53 hectares. The lot meets both the current requirements of lot frontage and lot area.

The parking requirements of the Municipality of French River zoning by-law require 1.0 parking space for each 40.0 m² of floor area plus 1.0 additional parking space for each resident doctor or resident employee. The institutional use will occupy approximately an area of 35.0 m²; therefore 4.0 spaces will be required which includes staff (3 staff indicated by applicant). The applicant has indicated on the site plan that there is a total of 49 parking spaces and upon conducted a site visit, it was confirmed that there is ample parking for the additional use (a pharmacy) in addition to the existing uses which include; the nurse practitioner, engineering firm, development services and one residential unit.

AGENCY REVIEW

This application was circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

The Chief Building Official for the Municipality of French River advised that he has no objections, but would have the following comments add to the circulation;

1. Building permit will be required for this work;
2. The owner shall contact the Sudbury District Health Unit to determine if the current septic system will support the proposed change of use.

No other comments were received through agency circulation.

PUBLIC CONSULTATION

Notice of the rezoning application was sent to surrounding property owners on February 1st, 2019, in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter P.13 and its Regulations (O. REG. 73/18) thereto. As of the writing of this report, no comments or concerns had been received from neighbouring property owners.

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1866551 Ontario limited
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RECOMMENDATION:

That the Municipality of French River approve application for Zone Change, File Number ZBA 18-11FR, for lands owned by 1866551 Ontario Limited, which proposes to change the zoning of lands described as Part of Lot 6, Concession 1, in the Township of Delamere, in the Municipality of French River, and known municipally as 24 Delamere Road, to allow a pharmacy that is approximately 35 square metres in gross floor area on the subject site.

That the amending by-law be referred to the By-law portion of the Municipal Council agenda for consideration.

Respectfully submitted,



Matthew Dumont MCIP, RPP
Director of Planning