



**CORPORATION OF THE CITY OF
CLARENCE-ROCKLAND
SPECIAL MEETING**

April 30, 2018, 7:00 pm

Council Chambers

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1. Opening of the meeting
2. Adoption of the agenda
3. Disclosure of pecuniary interests
4. Extension to the Draft Plan of Subdivision of Ryan's Ridge 3
5. Zoning By-law Amendment – 2160 Laval Street 7
6. Confirmatory By-law 21
7. Adjournment



CORPORATION DE LA CITÉ DE
CLARENCE-ROCKLAND
RÉUNION SPÉCIALE

le 30 avril 2018, 19 h 00

Salle du Conseil

415 rue Lemay Street, Clarence Creek, Ont.

Pages

1.	Ouverture de la réunion	
2.	Adoption de l'ordre du jour	
3.	Déclarations d'intérêts pécuniaires	
4.	Prolongement à l'approbation de l'ébauche de plan de lotissement de Ryan's Ridge	3
5.	Amendement au règlement de zonage – 2160 rue Laval	7
6.	Règlement de confirmation	21
7.	Ajournement	



REPORT N° AMÉ-18-31-R

Date	30/04/2018
Submitted by	Marie-Eve Bélanger
Subject	Draft Plan of Subdivision – extension to lapsing date Ryan's Ridge
File N°	D-12-ZZ

1) **NATURE/GOAL :**

Virginia Johnson (LRL Associates) has applied on behalf of Irving Swedko Holdings to extend the draft approval of Ryan's Ridge Subdivision. The project, of approximately 147 lots, is located on Baseline Road near Canaan Road. The Developer must enter into a Subdivision Agreement with the City before the lapsing of the draft conditions. The lapsing date is May 2nd, 2018.

2) **DIRECTIVE/PREVIOUS POLICY :**

n/a

3) **DEPARTMENT'S RECOMMENDATION :**

BE IT RESOLVED THAT Council recommend to grant an extension to the Draft Plan of Subdivision of Ryan's Ridge, file No. D-12-QQ, until May 2nd, 2020.

QU'IL SOIT RÉSOLU QUE le conseil recommande un prolongement à l'approbation de l'ébauche de plan de lotissement de Ryan's Ridge, filière no. D-12-QQ, jusqu'au 2 mai 2020.

4) **BACKGROUND :**

On May 21st, 2013, an amendment was made to the draft conditions for this project and an extension was given until May 2nd, 2018.

The Engineering plans are in the process of being approved. The Engineer on the project advised the Department that they wish to finalize the project within the next 6 months.

5) **DISCUSSION :**

We have received a final set of plans recently and the Owner is very keen on finalizing this project. If the City decided to refuse the request to extend draft approval, the approval would lapse. Consequently, another application would need to be completed and a new Draft Plan of Subdivision process will need to happen.

We are satisfied that the list of conditions that was approved in the past is

still valid and we believe a simple extension is required at this time.

6) **CONSULTATION:**

n/a

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

n/a

8) **FINANCIAL IMPACT (expenses/material/etc.):**

n/a

9) **LEGAL IMPLICATIONS :**

n/a

10) **RISK MANAGEMENT :**

n/a

11) **STRATEGIC IMPLICATIONS :**

n/a

12) **SUPPORTING DOCUMENTS:**

n/a



April 24, 2018

Our File Ref.: MC8601

Planning and Construction Department
City Clarence-Rockland
1560 Laurier Street
Rockland, ON
K4K 1P7

Attention: Marie-Eve Bélanger, Municipal Planner

Subject: Ryan's Ridge Draft Approval Extension

Dear Ms Bélanger,

As per our discussion, The Draft Approval Condition for Ryan's Ridge Subdivision will expire on May 2nd, 2018.

Could you please provide an extension to ensure all draft conditions are fulfilled and the plan of subdivision can proceed?

Yours truly,
LRL Associates Ltd.

Virginia Johnson, P. Eng





REPORT N° AMÉ-18-17-R

Date	09/04/2018
Submitted by	Malcolm Duncan
Subject	Zoning By-law Amendment – 2160 Laval Street
File N°	D-14-500

1) **NATURE/GOAL :**

The goal of this report is to present a Zoning By-law Amendment in order to add a motor vehicle dealership, motor vehicle body shop, motor vehicle repair facility, service station and motor vehicle washing facility to the list of permitted uses for the above mentioned property.

2) **DIRECTIVE/PREVIOUS POLICY :**

N/A

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council approve the application to amend the Zoning By-law No. 2016-10, in order to change the zoning category of the property at 2160 Laval Street from "Village Mixed-Use (VM) Zone" **to** "Village Mixed-Use – Exception 1 (VM-1) Zone" as recommended by the Planning Committee.

QUE le Comité Plénier recommande au conseil d'approuver l'amendement au Règlement de zonage 2016-10, dans le but de changer le zonage de la propriété au 2160 rue Laval, de « Zone Polyvalente de Village (VM) » **à** « Zone Polyvalente de Village - Exception 1 (VM-1) » tel que recommandé par le comité d'aménagement.

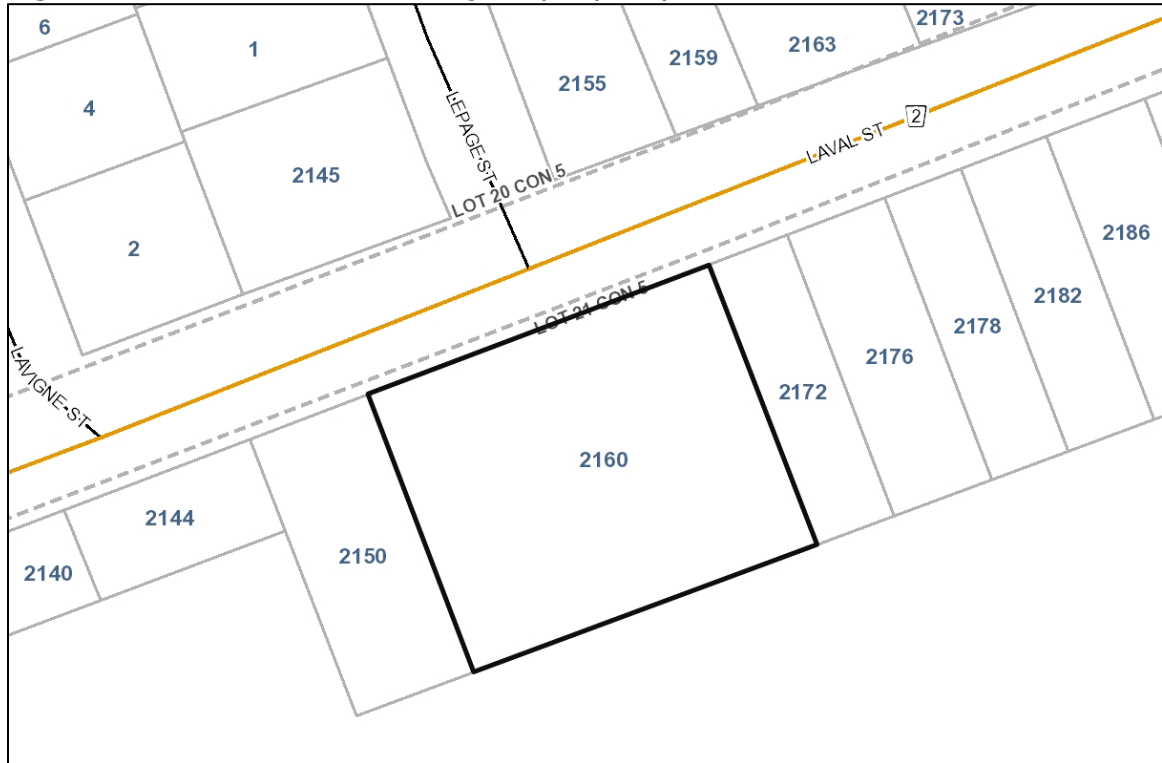
4) **BACKGROUND :**

On February 26, 2018, an application was submitted by Eli Saikaley on behalf of E.D.D.Y Property Management Inc. to amend the Zoning By-law 2016-10.

The property is described as being 2160 Laval Street and is located in Bourget (see figure 1.). An old commercial building with a motor vehicle garage is located on the property.

The application was deemed complete on February 28th, 2018. A notice of public meeting was sent to different agencies and to the property owners within 120 meters of the subject property and a sign was posted on the property.

Figure 1: Location of the subject property



5) **DISCUSSION :**

Official Plan of the United Counties of Prescott and Russell:

The subject property is identified under the “*Community Policy Area*” designation on Schedule “A” of the Official Plan of the United Counties of Prescott and Russell. Section 2.3.8.2 states that retail, service and business uses may be permitted in the community core areas defined in local zoning by-laws, and mixed uses such as ground level business or retail uses with residential uses on upper levels are encouraged.

Section 2.3.9.3 of the Official Plan states that: “Local municipalities shall permit a wide variety of commercial uses in the Community Policy Area and shall define and regulate such development through the use of local zoning by-laws and site plan control”. This section goes on to state that service commercial and vehicle sales and repair uses shall be permitted in the Community Policy Area, however local Councils may exclude some commercial uses where the location and scale of such uses may have a negative impact on the viability of the identified area.

Bourget Official Plan:

The subject property is designated as “Village Core” in the Bourget Official Plan. This designation permits retail, commercial, employment

uses, mixed uses and others as it is intended to become the economic focal point of the village and surrounding community.

Section 4.1.3 of the Official Plan sets out the policies for the Village Core Area, and states that the redevelopment of existing buildings and the development of mixed-use buildings shall be encouraged with a focus on ground-oriented commercial uses with residential above. Additionally, commercial uses in the Village Core Area shall be subject to site plan control and the maintenance and improvement of existing commercial buildings shall be encouraged.

While the Official Plan does not directly state that motor vehicle uses are permitted in Bourget, the Village Core is intended to be the economic focal point of the Village and surrounding area by providing employment opportunities such as this. It should be noted that the previous business at this location used to operate as a motor vehicle repair facility and a detailing garage prior to losing its legal non-conforming status since it did not continue to be used for that purpose.

Zoning By-law 2016-10:

The property is located within the "*Village Mixed-Use (VM) Zone*" however; the zoning amendment would change the zone to "*Village Mixed-Use – Exception 1 (VM-1) Zone*". The only "Motor Vehicle Uses" permitted in the VM zone include commercial parking areas and motor vehicle rental facilities.

The amendment would permit the following uses: motor vehicle dealership, motor vehicle body shop, motor vehicle repair facility, service station and motor vehicle washing facility. The owner also intends to provide an accessory dwelling to the commercial use, which is permitted in the VM zone.

It should be noted that the neighbouring property at 2150 Laval Street is located within the "*Village Residential First Density (RV1) Zone*" and that in many cases the Zoning by-law does not permit motor vehicle body shops or motor vehicle repair facilities adjacent to a residential zone. If approved the amendment would provide an exception for the subject property. Section 4.27 of the Zoning By-law which sets out the provisions for motor vehicle service stations, body shops, repair facilities and washing facilities states that "Where the interior side lot line abuts a lot in a Residential Zone, the minimum interior side yard shall be 6.0 metres". The existing building is roughly 15m from the nearest residentially zoned property and there are large hedges along both interior side lot lines to screen the residential uses from the existing building. Additional measures can be taken to reduce the negative impacts that the proposed uses may have at the site plan stage.

It should also be taken into consideration that there is a motor vehicle repair facility within 300m of the subject property located at the corner of Laval Street and Champlain Street. The property is located in the same VM zone, and abuts a residentially zoned property, which is partially screened by two large trees. In that case the business can continue to operate with legal non-conforming status, while this Zoning amendment is required to bring the subject property in compliance with the by-law.

6) **CONSULTATION:**

During the public meeting held on April 5th, 2018, Committee members raised concerns about possible site contamination and whether any remediation or environmental studies were completed.

After a follow up with the new property owner it's understood that the tanks and lines for the gas station were removed 5-6 years ago and an Environmental Site Assessment was completed by the previous owner. The new owner does not have copies of the completed ESA, since the seller did not want to provide him with the study. It should also be noted that the study was completed over 5 years ago and that the shop has been closed with no activity on the property since then.

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

Enbridge, Community Services, the Construction Department, the Finance Department and Protective Services did not raise any concerns with the proposed amendment.

The City Engineer confirmed that the property has access to municipal water, and also indicated that the changes of use will require approval from the South Nation Conservation Authority and a site plan will be required. It was also noted that a phase 1 Environmental Site Assessment should be requested since the site appears to have been used as a gas service station, and that a stormceptor will be required for the motor vehicle uses.

The Infrastructure Department indicated that the site is serviced by a septic system, which will limit what can be done on the property.

8) **FINANCIAL IMPACT (expenses/material/etc.):**

N/A

9) **LEGAL IMPLICATIONS :**

N/A

10) **RISK MANAGEMENT :**

N/A

11) **STRATEGIC IMPLICATIONS :**
N/A

12) **SUPPORTING DOCUMENTS:**
By-law No. 2018-31

RÈGLEMENT DE ZONAGE N° 2018-31

Amendant le Règlement de zonage n° 2016-10

Corporation de la Cité de Clarence-Rockland

2160 rue Laval

Partie du Lot 21 Concession 5 parties 23 et 33 sur le plan 50R-3580

rédigé par

Cité de Clarence-Rockland

1560, rue Laurier

Rockland (Ontario)

K4K 1P7

(613) 446-6022

ZONING BY-LAW NO. 2018-31

Amending Zoning By-Law No. 2016-10

The Corporation of the City of Clarence-Rockland

2160 Laval Street

Part of Lot 21 Concession 5 parts 23 and 33 on plan 50R-3580

prepared by

City of Clarence-Rockland

1560 Laurier Street

Rockland, Ontario

K4K 1P7

(613) 446-6022

LA CORPORATION DE LA CITÉ DE CLARENCE-ROCKLAND

RÈGLEMENT N° 2018-31

RÈGLEMENT AMENDANT LE RÈGLEMENT DE ZONAGE N° 2016-10;

ATTENDU QUE le Règlement de zonage n° 2016-10 régleme l'utilisation des terrains, la construction et l'utilisation des bâtiments et structures sur le territoire de la Cité de Clarence-Rockland; et

ATTENDU QUE le Conseil de la Corporation de la Cité de Clarence-Rockland considère qu'il est opportun d'amender le Règlement de zonage n° 2016-10, tel qu'il suit;

PAR LA PRÉSENTE, le Conseil de la Corporation de la Cité de Clarence-Rockland donne force de loi à ce qui suit:

Article 1: La propriété située au 2160 rue Laval identifiée à la cédule «A» ci-jointe, et faisant partie du présent règlement, est le terrain concerné par ce règlement.

Article 2: La cédule « D » du Règlement de zonage n° 2016-10, est par la présente amendée en modifiant de « *Zone polyvalente de village (VM)* » à « *Zone polyvalente de village – Exception 1 (VM-1)* », tel qu'identifiée à la cédule « A » ci-jointe, et faisant partie intégrante du présent règlement.

Article 3: L'article 9.1.3 (a) est par la présente ajouté au Règlement de zonage n° 2016-10 et se lit comme suit :

« (a) VM-1, 2160 rue Laval

Nonobstant toute disposition contraire en vertu du présent Règlement, les terrains zonés VM-1 doivent être utilisés conformément aux dispositions ci-après :

(i) Utilisations additionnelles permises:

- Concessionnaire automobile
- Atelier de carrosserie
- Atelier de réparations de véhicules motorisés
- Station-service
- Lave-auto »

Article 4: Le présent règlement entrera en vigueur à la date de son adoption par le Conseil sous réserve de l'approbation du Tribunal ou suite à la date limite pour le dépôt des avis d'opposition, selon le cas.

FAIT ET ADOPTÉ EN RÉUNION PUBLIQUE, CE 7^{IÈME} JOUR DE MAI 2018.

Guy Desjardins, maire

Monique Ouellet, greffière

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NO. 2018-31

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2016-10;

WHEREAS Zoning By-Law no. 2016-10 regulates the use of land, and the use and erection of buildings and structures in the City of Clarence-Rockland; and

WHEREAS the Council of the Corporation of the City of Clarence-Rockland considers appropriate to amend Zoning By-Law No. 2016-10, as described;

NOW THEREFORE, the Council of the Corporation of the City of Clarence-Rockland enacts as follows:

Section 1: The property located at 2160 Laval Street, identified on Schedule "A" attached to and forming part of this by-law shall be the lot affected by this by-law.

Section 2: Schedule "D" of Zoning By-Law No. 2016-10 is hereby amended by changing the "*Village Mixed-Use (VM) Zone*" to "*Village Mixed-Use (VM-1) Zone*" on Schedule "A" of the map attached hereto and fully integrated as part of this by-law.

Section 3: Section 9.1.3 (a) is hereby added to the Zoning By-Law No. 2016-10 and reads as follows:

"(a) VM-1, 2160 Laval Street

Notwithstanding the provisions of this By-law to the contrary, the lands zoned CG-6 shall be used in accordance with the following provision(s)

(i) Permitted Uses:

- Motor vehicle dealership
- Motor vehicle body shop
- Motor vehicle repair facility
- Service station
- Motor vehicle washing facility"

Section 3: This by-law shall become effective on the date of passing hereof, subject to the approval of the Tribunal or following the last date for filing objections as the case may be.

DATED AND PASSED IN OPEN COUNCIL, THIS 7th DAY OF MAY, 2018.

Guy Desjardins, Mayor

Monique Ouellet, Clerk

NOTE EXPLICATIVE

But et effet du Règlement

Le but du présent règlement consiste à modifier le Règlement de zonage n° 2016-10, afin de permettre les usages de concessionnaire d'automobile, atelier de carrosserie, atelier de réparations de véhicules motorisés, station-service et lave-auto pour le terrain au 2160 rue Laval. Cette modification consiste à changer l'appellation de « *Zone polyvalente de village (VM)* » à « *Zone polyvalente de village - exception 1 (VM-1)* ».

Pour tous renseignements supplémentaires relativement à cette modification au Règlement de zonage n° 2016-10, veuillez communiquer avec le Service d'infrastructure et aménagement du territoire à l'Hôtel de ville situé au 1560, rue Laurier ou par téléphone au numéro (613) 446-6022.

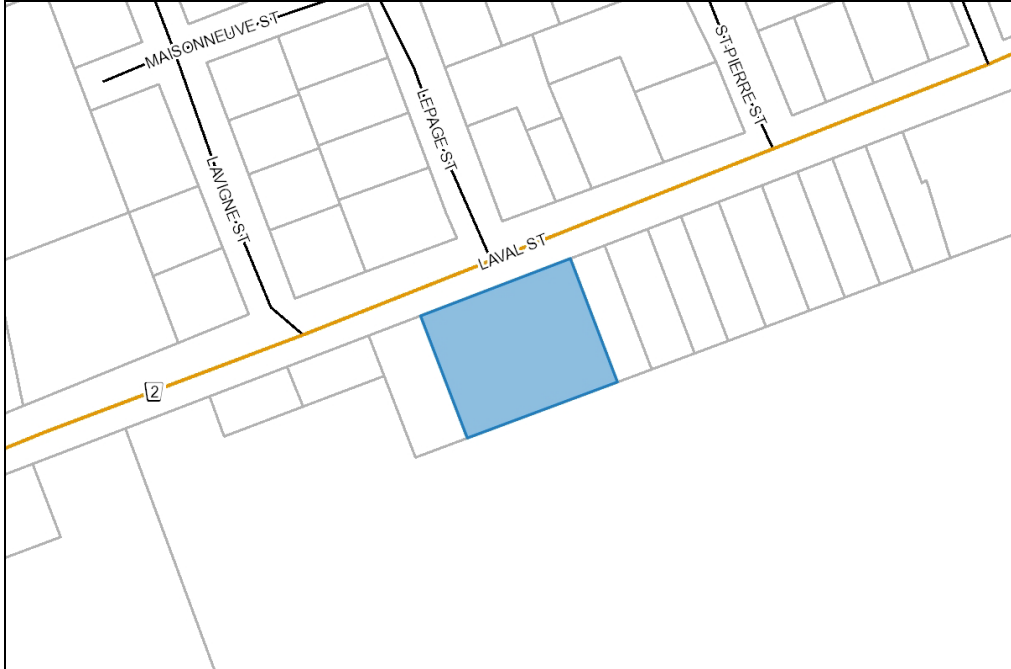
EXPLANATORY NOTE

Purpose and Effects of this By-Law

The purpose of the by-law is to amend Zoning By-Law No. 2016-10 in order to permit motor vehicle dealership, motor vehicle body shop, motor vehicle repair facility, motor vehicle service station and motor vehicle washing facility uses on the property located at 2160 Laval Street. This amendment is to change the designation of "*Village Mixed-Use (VM) Zone*" to "*Village Mixed Use (VM-1) Zone*".

For further information concerning the amendment to Zoning By-Law No. 2016-10, you may contact the Infrastructure and Planning Department, at the Town Hall, 1560 Laurier Street or by telephone at (613) 446-6022.

CÉDULE « A » / SCHEDULE "A"



De / From (VM) à / to (VM-1)

<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: #4a90e2; margin-right: 5px;"></div> <div> <p>Terrains(s) touché(s) par ce règlement Area(s) affected by this by-law</p> </div> </div> <p>Changement de zonage /Zone change de/from VM à/to VM-1</p> <p>Certification d'authenticité Certificate of Authentification</p> <p>Ceci constitue le plan Cédule «A» du Règlement de zonage n° 2018-31, adopté le 7 mai 2018.</p> <p>This is plan Schedule "A" to Zoning By-Law No. 2018-31, passed the 7th day of May, 2018</p>	<p>Plan Cédule «A» du règlement n° 2018-31</p> <p>Schedule "A" to By-Law No. 2018-31</p> <p>2160 rue Laval</p> <p>2160 Laval Street</p> <p>Cité de Clarence-Rockland City</p> <p>Préparé par/prepared by Cité de Clarence-Rockland City 1560, rue Laurier Street Rockland, Ontario K4K 1P7</p> <p>Pas à l'échelle/Not to scale</p>
<p>Guy Desjardins, Maire / Mayor</p>	<p>Monique Ouellet, Greffière / Clerk</p>

**CORPORATION OF THE CITY OF CLARENCE-ROCKLAND
BY-LAW 2018-46**

BEING A BY-LAW OF THE CITY OF CLARENCE-ROCKLAND TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CITY OF CLARENCE-ROCKLAND AT ITS SPECIAL MEETING HELD ON APRIL 30, 2018.

WHEREAS Sub-section 5(1) of the Municipal Act, 2001, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Sub-section 5(3) of the said Municipal Act provides that the powers of every council are to be exercised by By-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the City of Clarence-Rockland at this meeting be confirmed and adopted by By-law;

THEREFORE the Council of the City of Clarence-Rockland enacts as follows:

1. **THE** action of the Council of the City of Clarence-Rockland in respect of each recommendation contained in any reports of committees and of local boards and commissions and each motion and resolution passed and other action taken by the Council of the City of Clarence-Rockland at this meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. **THE** Mayor and the appropriate officials of the City of Clarence-Rockland are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the City of Clarence-Rockland referred to in the proceeding section.
3. **THE** Mayor and the Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the City of Clarence-Rockland.

READ, PASSED AND ADOPTED IN OPEN COUNCIL THIS 30TH DAY OF APRIL, 2018.

Guy Desjardins, Mayor

Monique Ouellet, Clerk