



COMMITTEE OF ADJUSTMENT

REPORT N° AMÉ-20-60-R

Date received	02/09/2020
Date of meeting	21/10/2020
Submitted by	Claire Lemay
Subject	Consent – Centre d’Accueil Roger Séguin – 1723 Landry – Pt Lot 5 Con 6, Clarence Creek
File Number	D-10-898
Owner	Danielle Lalande
Applicant	Centre d’Acceuil Roger Séguin
Civic Address	1723 Landry Road
Legal Description	Part of Lot 5, Con 6, being Parts 1, 2, 5, 7 and 8 on Reference Plan 50R-4733

1) GENERAL INFORMATION:

Designation of the Official Plan of the United Counties of Prescott and Russell: Community Policy Area

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland: N/A

Designation of the Official Plan of Bourget:
N/A

Classification of Zoning By-law No. 2016-10:
RV1-26-h (subject to ongoing amendment)

Services :

Municipal Water: Yes

Municipal Sewer: No

Road Access: Landry Road and Lafleur Street

An appeal may be made to the OMB if no decision is made within 90 days (01/12/2020).

2) PURPOSE :

Application for consent to create a new residential lot. The proposed retained parcel contains the existing dwelling at 1723 Landry Road and

the proposed severed parcel is currently vacant and is proposed to be used for a new long term care facility and residential subdivision.

The Roger Séguin Long Term Care Centre, located at 435 Lemay Street in Clarence Creek, was built in 1975. The Center has a francophone designation. It is an NFPO (Not For Profit Organization) managed by a Board of Directors composed of volunteers and executive employees. The centre has 115 beds of which 113 beds are subsidized by the Ministry and 2 beds are private. A total of 150 people works at the centre. The current building no longer meets the new provincial standards and, in order to keep its classification and maintain the provision of subsidies, the construction of a new centre becomes a priority for the Board of Directors of the NFPO. The new building will contain 128 beds in order to comply with current provincial standards. The centre is an asset to the community and it is important to the Board of Directors that the new building be located within the limits of the Village of Clarence Creek in order to continue its mission with the community.

Members of the Board of Directors of the centre and consultants hired to work on this project met with City staff to discuss the possibilities for relocation. After much consideration, the site currently proposed, located in the south-east of the village of Clarence Creek was selected. The subject property is a total of 25 hectares. The property has been used for agriculture and is currently vacant but for a single detached dwelling which is occupied by the property owner. Applications for a Zoning By-law Amendment (D-14-543) and for Consent were submitted to the Infrastructure and Planning Department in early September. The Zoning By-law amendment is pending final approval at this time. A Site Plan Application is to be submitted in late October.

3) **CONSENT REQUESTED :**

	Frontage	Depth	Area
(A) Severed parcel	40m	590m	24.0ha
(B) Retained parcel	24m	195m	1.2ha

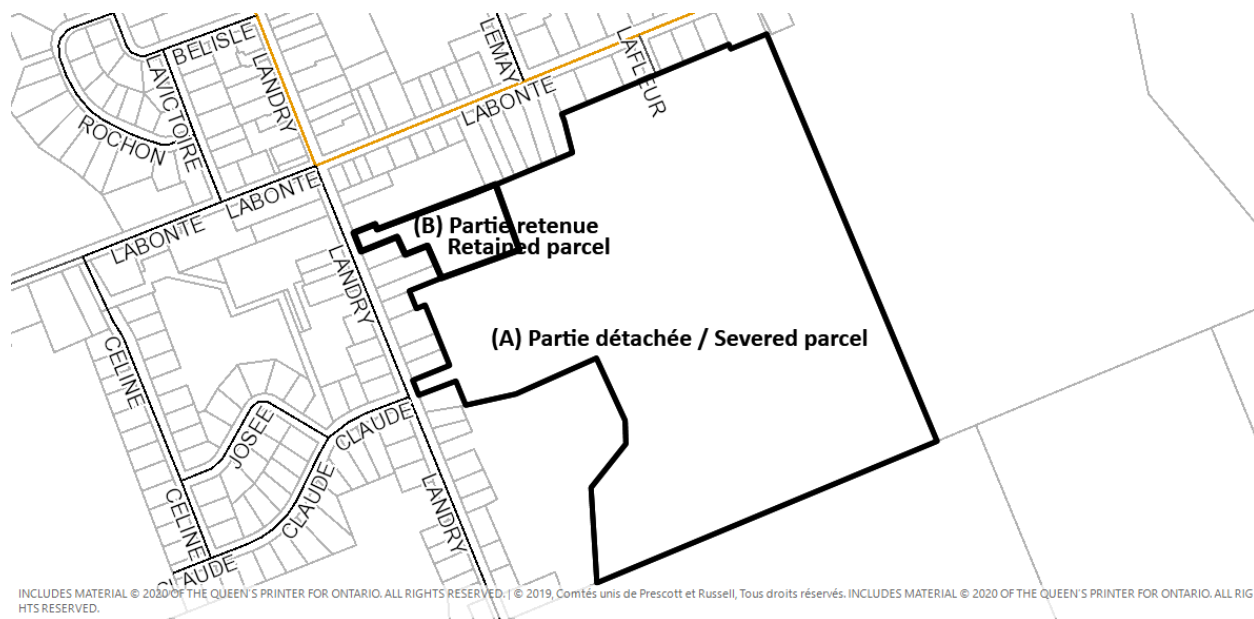


Figure 1 (Keymap)

4) CONDITIONS AND COMMENTS RECEIVED :

Finance :

No objections

Protective Services :

No comments

Community Services :

No comments

Construction :

No objections

Infrastructure Services :

Detailed engineering comments to be provided for Site Plan application

Drainage Superintendent:

This project affects two watercourses; the Pharmacy Municipal Drain and the Potvin and/or Clarence Creek Drain which cover the same area. A meeting needs to be arranged to discuss the implications of this project since there is a risk that major changes to the drain are required to accommodate this proposed development, which would otherwise cause a backflow of water and possible property damage to existing residences downstream of the project.

The schedule for the Pharmacy Municipal Drain has recently been revised and therefore it is not necessary to include a condition requiring the reassessment of the schedule, as the process is already underway and can include the required changes as a result of the proposed severance.

United Counties of Prescott and Russell :

See attached document.

South Nation Conservation :

See attached document.

Planning Services :

The owner has requested consent in order to create a new lot which will ultimately be used in part for a residential subdivision and in part for a new long-term care facility. The severed parcel has frontage on Lafleur Street and Landry Road and the retained parcel has frontage on Landry Road.

The subject property is located within the "*Community Policy Area*" on Schedule "A" of the Official Plan of the United Counties of Prescott and Russell. The proposed uses are permitted. A future Site Plan Control application and Draft Plan of Subdivision application will be required to ensure adequate servicing, landscaping, lot sizes, and other considerations for the future long-term care centre and the future residential subdivision.

The property is subject to a zoning by-law amendment (D-14-543). The purpose of this ongoing amendment is to modify the zoning category from "Village Residential First Density – Exception 26 – holding (RV1-26-h) Zone" to "Village Residential First Density (RV1) Zone" for the existing dwelling, to "Community Facilities – Exception 2 (CF-2) Zone" for a portion of approximately 14.8 ha of land to be used for a new long-term care centre (Centre d'Accueil Roger Séguin), and to "Village Residential First Density – Exception 16 – holding (RV1-16-h) Zone" for the remainder of the subject property. The proposed lot areas and uses will be permitted once the amendment has been adopted and comes into effect.

The proposed consent conforms to the Zoning by-law 2016-10, to the Official Plan of the United Counties of Prescott and Russell and to the Provincial Policy statement.

5) DEPARTMENTAL RECOMMENDATION :

THAT the Committee of Adjustment approve the consent application submitted by Centre d'Accueil Roger Seguin, file number D-10-898, concerning the property described as Part of Lot 6, Concession 5, being Parts 1, 2, 5, 7 and 8 on Reference Plan 50R-4733, subject to the following conditions:

1. That the applicant(s) provide to the City of Clarence-Rockland one original paper copy and a digital copy (PDF format) of a registered

Reference Plan (plan of survey) that identifies the severance **D-10-898** as approved by the committee.

2. That the applicant(s) provide to the United Counties of Prescott and Russell one copy to be submitted electronically in PDF and DWG formats of a registered Reference Plan (plan of survey) that identifies the severance **D-10-898** as approved by the committee.
3. That the applicant(s) pay the City of Clarence-Rockland an amount equivalent to 5% of the value of the parcel to be severed as cash in lieu of parkland payment. The value of the land shall be determined by:
 - a. A market appraisal or a letter of opinion, obtained by and at the owner's expense, from a certified appraiser reviewed and accepted by the Infrastructure and Planning Department; or
 - b. The most recent land sale record of the subject property, no more than 24 months prior to the date of the decision, reviewed and accepted by the Infrastructure and Planning Department; provided the sale was at market value and there has been no change that may impact the land value, including but not limited to changes in the zoning, Official Plan designation, or severance.
4. That the applicant(s) obtain an amendment to Zoning By-Law No. 2016-10 for the severed parcel in order to modify the zoning category from "Village Residential First Density – Exception 26 – holding (RV1-26-h) Zone" to "Community Facilities – Exception 2 (CF-2) Zone" and to "Village Residential First Density – Exception 16 – holding (RV1-16-h) Zone" and that all possibilities of appeal to the Local Planning Appeal Tribunal be exhausted.
5. That the applicant(s) obtain an amendment to Zoning By-Law No. 2016-10 for the retained parcel in order to modify the zoning category from "Village Residential First Density – Exception 26 – holding (RV1-26-h) Zone" to "Village Residential First Density (RV1) Zone" and that all possibilities of appeal to the Local Planning Appeal Tribunal be exhausted.
6. The applicant submits an environmental impact study demonstrating there will be no negative impacts to the natural features on the property, or their ecological function, to the satisfaction of the City of Clarence-Rockland and South Nation Conservation.
7. That the landowner provides South Nation Conservation with the following written undertaking: "I acknowledge that the proposed property lines are a minimum distance of three metres from all existing private sewage systems".

8. An undertaking from the applicant's solicitor confirming that the deeds will be registered on title within two (2) years of the date of the certificate.
9. That the applicant provide to the Approval Authority of the City of Clarence-Rockland a Transfer/Deed of land conveying the severed land for use for the issuance of a Certificate of Consent.
10. That each condition be fulfilled and that the Consent Approval Authority of the City of Clarence-Rockland be notified in writing within one (1) year of the date of the Decision by the departments and/or agencies having imposed the said conditions.