



**The Corporation of the Municipality of
St.-Charles**

AGENDA

Special Meeting of Council

October 19, 2022 at 5:30 PM
Council Chambers (Municipal Office)
St.-Charles, Ontario

1.0 MEETING CALLED TO ORDER & ROLL CALL

1.1 Resolution to open the meeting

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby opens the Special Meeting of Council at 5:30 p.m. on October 19, 2022.

2.0 ADOPTION OF AGENDA

2.1 Resolution to adopt the agenda

BE IT RESOLVED THAT the agenda for the Special Meeting of Council held October 19, 2022 be adopted as presented.

3.0 DISCLOSURES OF PECUNIARY INTEREST

4.0 PUBLIC HEARING FOR ZONING BY-LAW AMENDMENT

4.1 SEPB File No. ZBA 22-14SC

Request: Rezone lands as described from Commercial Community (CC) to Commercial Community (CC) subject to special provision 25 (S25) to allow the permitted uses of indoor storage use and duplex dwelling.

5.0 ADJOURNMENT

5.1 Resolution to adjourn the meeting

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby adjourns the Special Meeting of Council at _____ p.m. on October 19, 2022.

**NOTICE OF PUBLIC HEARING
CONCERNING A PROPOSED
AMENDMENT TO
ZONING BY-LAW 2014-26
OF THE MUNICIPALITY OF ST. CHARLES**

Respecting an application by Neil Courville
to rezone lands on Lot 1, Concession 1
in the Township of Appleby
now in the Municipality of St.-Charles
Territorial District of Sudbury
being Parts 3 to 6, Plan SR-61
Parcel 20243, 24603, 10435, 30134, and 26711 Sudbury East Section
(Roll No. 5204-000-003-102-00)
(SEPB File No. ZBA 22-14SC)

TAKE NOTICE THAT the Council for the Municipality of St. Charles will hold **an in-person Public Hearing** on **October 19th, 2022, at 5:30 p.m. at St. Charles Municipal Office, 2 King Street, St. Charles, ON, P0M 2W0.**

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, P0H 2N0. Any person or public body may make written or verbal representations either in support of or in opposition to the Proposed Zoning By-law Amendment. If you wish to submit comments on this application, they are required to be submitted in writing to the Clerk at tgodden@stcharlesontario.ca ahead of the meeting or by mail. It is strongly encouraged that any person or public body do not attend the Public Hearing due to the current environment.

IF A PERSON OR PUBLIC BODY would otherwise have an ability to appeal the decision of the Council for the Municipality of St. Charles to the Ontario Land Tribunal but the person or public body does not make written submissions to the Council for the Municipality of St. Charles 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 written submissions to the Council for the Municipality of St. Charles 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 Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Dated at Warren, this 28th day of September 2022.

Matthew Dumont, MCIP, RPP
Director of Planning

Purpose and Effect of the Proposed Zoning By-law Amendment

Re: Application No. ZBA 22-14SC
(Neil Courville)
Roll No. 5204-000-003-102-00

The purpose of the Public Hearing will be to consider a proposed amendment to Zoning By-law 2014-26 Municipality of St. Charles, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13.

An application has been received from Neil Courville, to rezone lands described as Lot 11, Concession 1, in the Township of Appleby, now in the Municipality of St. Charles, Territorial District of Sudbury, being Parts 3 to 6, Plan SR-61.

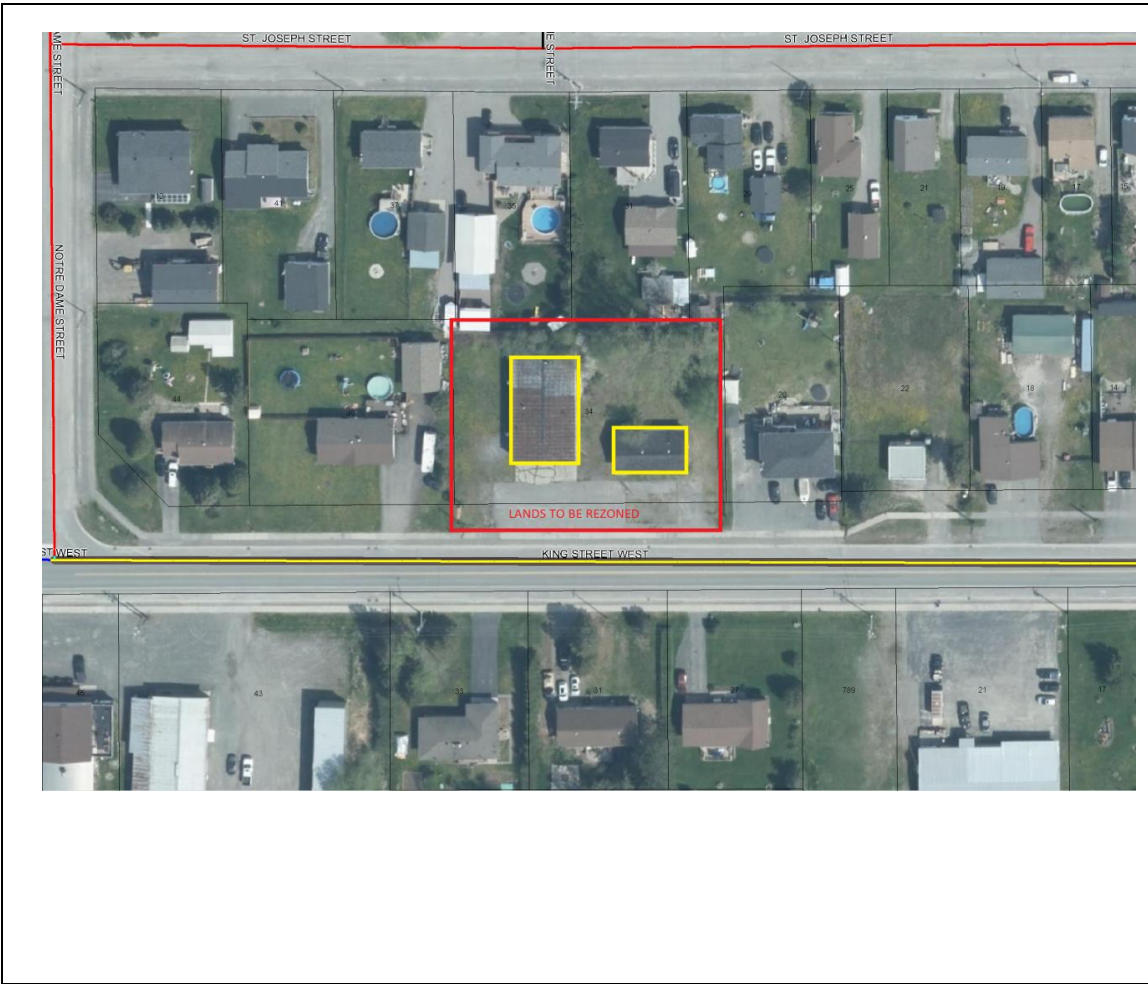
The subject lands are presently zoned Commercial Community (CC) under Zoning By-law 2014-26 Municipality of St. Charles. The Proposed Zoning By-law Amendment will maintain the current CC Zone, however, in addition to the uses permitted under section 7.8.1 of By-law 2014-26, for the property described above, the following use are to be being added: indoor-storage use and duplex, dwelling. The zoning will be subject to special provision 25 (S25).

The subject property is located within the Village Policy Area designation of 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).



KEY MAP

Zoning By-law Amendment Application
 (Neil Courville)
 Lot 1, Concession 1
 in the Township of Appleby
 now in the Municipality of St. Charles
 Territorial District of Sudbury
 Being Parts 3 to 6, Plan SR61
 Parcels 20243, 24603, 10435, 30134, and 26711 Sudbury East Section
 (Roll No. 5204-000-003-102-00)
 (SEPB File No. ZBA 22-14SC)



AERIAL PHOTOGRAPHY

Zoning By-law Amendment Application
(Neil Courville)

Lot 1, Concession 1

in the Township of Appleby
now in the Municipality of St. Charles
Territorial District of Sudbury

Being Parts 3 to 6, Plan SR61

Parcels 20243, 24603, 10435, 30134, and 26711 Sudbury East Section
(Roll No. 5204-000-003-102-00)

(SEPB File No. ZBA 22-14SC)



Planning Report: APPLICATION FOR ZONING BY-LAW AMENDMENT
Report to: MUNICIPALITY OF ST. CHARLES
Meeting Date: October 19th, 2022
Report Date: September 28th, 2022

Applicant: Neil Courville
Owner: Same as Above
Agent/Solicitor: None
File Number: ZBA 22-14SC
Related Files: None
Property Description: Lot 1, Concession 1
 in the Township of Appleby
 now in the Municipality of St. Charles
 Territorial District of Sudbury
 Being Parts 3 to 6, Plan SR61
 Parcels 20243, 24603, 10435, 30134, and 26711 Sudbury East Section
 (Roll No. 5204-000-003-102-00)
 34 King Street West

APPLICATION:

The Sudbury East Planning Board has received a zoning by-law amendment application. The subject property is presently zoned Commercial Community (CC) under Zoning By-law 2014-26 of the Municipality of St. Charles. The current application proposes to maintain the CC zone; however, two additional uses are to be implemented as a Special Provision which would permit an 'indoor self-storage' and 'dwelling, duplex'. Presently, subject property contains a single-detached dwelling and a vacant commercial building.

SUBJECT LANDS:

Lot Dimensions:	<u>Lot Area</u>	<u>Lot Frontage</u>
	Lot to be Rezoned 0.27 hectares	80.96 metres
Access:	Ministry of Transportation & Municipality of F St.-Charles year-round road.	
Servicing:	Privately owned and operated individual septic system. Municipally sanitary sewer.	
School Busing:	Available.	
Garbage Collection:	Available.	
Fire Protection:	Available.	
Shore Road Allowance:	Not applicable.	
Surrounding Uses:	The subject lands are surrounded by a mix of uses which include residential, commercial, institutional, and rural. King Street West abuts to the south of the subject property.	

APPLICATION REVIEW AND ANALYSIS:

PROVINCIAL POLICY STATEMENT, 2020

The 2020 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 convert the existing vacant commercial building into indoor a self-storage facility, and to convert the existing single detached dwelling into a duplex, dwelling. Planning staff are of the opinion that the applicant’s proposal would appear to be consistent with the following Provincial policies:

- a) Settlement areas are to be the focus of growth and their vitality and regeneration is to be promoted. The Village of St. Charles is identified as a settlement area in the Official Plan and; and
- b) Municipalities are to promote a range of uses and opportunities for intensification and redevelopment in accordance with criteria in policy 1.1.3.1 & 1.1.3.2 & 1.1.3.4., where this can be accommodated. The proposal is considering an existing building which has available infrastructure (water system) and public service facilities.

OFFICIAL PLAN

Official Plan Designation: **Village Policy Area (Village of St. Charles)**, as identified in the Official Plan (OP) 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 St. Charles 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. Development through the infilling and the rounding out of the existing development pattern in Village Policy Areas is intended to be connected to the existing partial municipal services available in these settlements.

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.

Section 2.2.5, commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses are permitted.

Section 2.2.7, light employment uses are permitted, exclusive of industrial-related uses such as manufacturing, warehousing, processing, assembly, trucking, and storage uses.

Section 2.2.5.1(4) 4. Conversions of vacant office and retail buildings to residential uses is encouraged provided servicing capacity is available, parking is available, it does not remove needed commercial/office space from the inventory, and if it is more than one-storey, the ground floor can remain as commercial/office.

Section 3.2.1, support economic development initiatives consistent with the principles of good land use planning.
f) Identifying and promoting areas for specific types of development that are key to the economic base of the Planning Area. These include lands for housing, tourist facilities, commercial and employment development, as well as agriculture.

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

ZONING BY-LAW (BY-LAW 2014-26)

Current Zoning: Community Commercial (CC)

Proposed Zoning: Community Commercial (CC) with a Special Provision 25 (S25)

The proposed amending Zoning By-law will establish provisions to add two new uses which are to be implemented as a Special Provision 25. The two additional permissions include: an 'indoor self-storage' and 'dwelling, duplex'. The CC zone permits a wide range of uses. An indoor-storage use is best described as a self-storage shall mean a building consisting of individual self-contained units that are leased or owned for the storage of business and household goods or contractors' supplies. A Dwelling, Duplex shall mean a building divided horizontally into 2 dwelling units.

AGENCY REVIEW

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

Chief Administrative Officer/Clerk: No issues.

Chief Building Official: no comments.

Public Work Superintendent: No issues.

Fire Department: No issues.

Parks and Recreation Department: No issues.

Economic Development Officer: N/A

No other comments were received through agency circulation.

PUBLIC CONSULTATION

Notice of the rezoning application was sent to surrounding property owners on September 29th, 2022, 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.

RECOMMENDATION:

That the Municipality of St. Charles approve application for Zone Change, File Number ZBA 22-14SC, for lands owned by Neil Courville, which proposes to maintain the current Commercial Community (CC) zone while adding two new additional uses for lands described as Lot 1, Concession 1, in the Township of Appleby, in the Municipality of St. Charles, and known municipally as 34 King Street West, the following use are to be added: 'indoor-storage use' and 'duplex, dwelling'. The zoning will be subject to special provision 25 (S25) which permits the two additional uses.

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

Respectfully submitted,

A handwritten signature in black ink that reads "NR For Matthew Dumont". The signature is written in a cursive, slightly slanted style.

Matthew Dumont MCIP, RPP
Director of Planning