AMENDMENT NO. 1

TO THE

OFFICIAL PLAN

FOR THE

TOWNSHIP OF LAURENTIAN VALLEY

Prepared For: The Corporation of the
Township of Laurentian Valley

Prepared By: Jp2g Consultants Inc.
12 International Drive
Pembroke, Ontario
K8A 6W5
THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NUMBER 05-07-258

The Council of the Corporation of the Township of Laurentian Valley in accordance with the provisions of Section 17 and 21 of the Planning Act, R.S.O. 1990, c.P. 13, hereby enacts as follows:

1. Amendment No. 1 to the Official Plan for the Township of Laurentian Valley, consisting of the attached text and Schedule “A”, is hereby adopted.

2. That the Clerk is hereby authorized and directed to make application to the County of Renfrew for approval of Amendment No. 1 to the Official Plan for the Township of Laurentian Valley.

3. This By-law shall come into force and take effect on the day of final passing thereof.

Read a FIRST and SECOND time this 19th day of July, 2005

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK

Read a THIRD time and FINALLY passed this 19th day of July, 2005.

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK
AMENDMENT NO. 1

TO THE

OFFICIAL PLAN

OF THE

TOWNSHIP OF LAURENTIAN VALLEY

This amendment, was adopted by the Council of the Corporation of the Township of Laurentian Valley by By-Law No. 05-07-258 in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, on the 19th day of July, 2005.

REEVE

CAO/CLERK
DECISION

With respect to Official Plan Amendment No. 1
to the Official Plan of the Township of Laurentian Valley

Subsection 17(34) of the Planning Act

I hereby approve all of proposed Amendment No. 1 to the Official Plan of
the Township of Laurentian Valley adopted by By-law No. 05-07-258.

Dated at the City of Pembroke, this 15th day of August, 2005.

W. James Hutton, MCIP, RPP
Director of Development and Property
County of Renfrew
AMENDMENT NO. 1 TO THE OFFICIAL PLAN FOR
THE TOWNSHIP OF LAURENTIAN VALLEY

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THE CONSTITUTIONAL STATEMENT

Part A - The Preamble does not constitute part of this amendment.

Part B - The Amendment consists of the following text and Schedule “A” and constitutes Amendment No. 1 to the Official Plan for the Township of Laurentian Valley.

Also attached is Part C - The Appendices which does not constitute part of this amendment.
Part A - The Preamble

Purpose

The purpose of this amendment is:

a) To amend the policies of Section 7.4 of the Official Plan of the Township of Laurentian Valley to establish a special policy area, being Commercial-Area Two, to provide an exception to also include a single detached dwelling as a permitted use on the subject property located on Pembroke Street East and located within Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke;

b) To add a reference to “Commercial Area One” to Section 7.4(1): and further

c) To redesignate the classification of lands shown on Schedule “A” attached hereto from Commercial to Commercial- Area Two.

Location

The lands affected by this amendment are located are located on Pembroke Street East (Provincial Highway 148), in Part of Part1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley.

Basis

The Official Plan for the Township of Laurentian Valley was approved, with modifications, by the County of Renfrew on June 30, 2004. The Township of Pembroke was amalgamated with the Township of Stafford to form the Township of Stafford-Pembroke on January 1, 1997, which subsequently amalgamated with the Township of Alice and Fraser on January 1, 2000 to form the Township of Laurentian Valley. While the Township of Laurentian Valley now has a consolidated Official Plan in place, the three separate Comprehensive Zoning By-laws that applied to the former former municipalities continue to apply to those specific geographic areas within the new municipality for which they were adopted, until such time as a new consolidated Zoning By-law is passed by the Township.

General

The lands affected by this amendment are designated Commercial on Schedule “A-3” to the Official Plan for the Township of Laurentian Valley. The purpose of the application is to provide an exception to the Official Plan policies to permit the construction of a single detached residential dwelling on the subject land.

The Site

The subject property is a vacant lot comprised of approximately 0.59 hectares (1.46 acres) of land
in the geographic Township of Pembroke with approximately 33.5 metres (110 feet) frontage on Pembroke Street East (Provincial Highway 148). The shape of the property is irregular with a little over half of the lot being located immediately behind the Sleepy George Mattress property. The property is part of a strip of mixed use development along Pembroke Street East which is comprised of existing single detached dwellings, home occupations and commercial establishments. The Wal-Mart/Boston Pizza/Reitman’s property is located across Pembroke Street East which is also a mixed use of area extending along the road.

Surrounding Land Use

Existing land use in the vicinity of the property can be summarized as follows:

To the North: Single detached residential dwelling
To the South: “Sleepy George Mattress Factory Outlet” retail store and undeveloped land
To the East: Undeveloped land and then CPR within approximately 60 metres
To the West: Pembroke Street East and across on the other side from the subject property is the Wal-Mart/Boston Pizza/Reitman’s property.

The property is within a larger area of the Township which is designated Highway Commercial and which runs along both sides of Highway 148, south of the boundary with the City of Pembroke. The area is a mixed use area that is increasingly being developed for commercial uses.

Services

Municipal services are not currently readily available to service the site, however, it is anticipated that these services may be extended at some time in the future. The applicant has agreed that at such time as municipal service are extended, the property will be connected to municipal services. In the interim, the site is to be serviced with a private well and septic system, which the Township has determined that the Site is suitable to accommodate.

Access and Parking

Access to the property is via Highway 148 which is a Provincial Highway. It is understood that the applicant is in the process of securing an Entrance Permit and any necessary Land Use Permits from the Ministry of Transportation.

Official Plan

The subject property is presently designated Commercial on Schedule “A-3” to the Official Plan for the Township of Laurentian Valley. Permitted uses outlined in Section 7.3 (1) of the Commercial Policies, do not include a new individual single detached residential dwelling as a permitted use. The only residential uses permitted in the Commercial designation are multiple residential dwellings,
accessory residential dwelling unit(s) within commercial buildings and existing single detached dwellings. As the subject property is currently vacant and the proposed use is for one single detached dwelling, an Amendment to the Official Plan is required to permit the use. The Amendment would take the form of an exception to the policies of the Commercial designation of the Official Plan by establishing a special policy area wherein the proposed use would also be permitted. The Commercial-Area Two designation will be established to provide a means of identifying the subject lands on Schedule “A-3” and permit its use for a single detached dwelling. All other provisions of the Commercial designation would continue to apply to the Commercial-Area Two designation, so that the ability to use the subject lands for commercial uses in the future will be retained. A corresponding application for amendment to Comprehensive Zoning By-law No. 635-02-91 is being processed concurrently.

Section 2.2(16) of the Official Plan contains noise attenuation policies which state that prior to permitted development that may be adversely affected by noise, the Township may require detailed noise studies in accordance with Provincial Guidelines, where sensitive development is located within 500 metres from a principle railway line, and within 250 metres of a secondary railway line. Previous information provided to the Township by Ottawa Valley Railway who are the operators of the line which is owned by CP, indicate that an average of eight trains go through on the line per day.

As the subject lands are within approximately 60 metres (200 feet) from the CPR right-of-way, the issue of noise attenuation must be addressed. In this regard, pre-consultation discussions were entered into between the County of Renfrew (the Approval Authority for this Amendment) and the Township’s Planning Consultant. The County indicated that they would not require that a detailed noise study would not be provided by the applicant given that subject property is in a built-up area where there is existing residential development in the area of the railway line. In lieu of a study, however, certain supporting documentation was required to be submitted by the applicant. This information includes: an affidavit from surrounding property owners that they are not bothered by noise from the nearby CPR line; contact with MOE and MTO to determine if they have received any noise complaints in the area; agreeing to register a notice on title to the property advising of the presence of the CPR line and warning that there may be potential noise and/or vibration impacts as a result of the proximity of the railway; and incorporating architectural design measures in the construction of the single detached dwelling to minimize any negative impacts of noise. The submission of some of the supporting information such as registering the notice on title and the submission of building drawings incorporating noise and/or vibration attenuation measures will be required as a conditional of removal of the holding symbol on the corresponding zoning by-law amendment that is being considered by Council.

Additional supporting documentation is being provided by the applicant and is attached for information purposes in Appendix III.

Zoning By-law

A corresponding application for amendment to Comprehensive Zoning By-law No. 635-02-91 of the (former) Township of Pembroke is being processed concurrently with this Amendment to the Official Plan. A copy of the proposed Zoning By-law Amendment is attached as Appendix III.
The purpose of the proposed amendment to Comprehensive Zoning By-law 635-02-91, is to rezone the subject lands to permit the construction of a single detached dwelling on the subject property which is currently zoned Highway Commercial. The provisions of the Highway Commercial zone do not include a single detached dwelling as a permitted use and therefore, an amendment to the zoning by-law was also required. The effect of amendment is to rezone the subject lands from Highway Commercial to Highway Commercial-Exception Twenty-holding (HC-E20-h) and establish special provisions for lands zoned HC-E20 to identify the property and include a single detached dwelling as a permitted use on the subject lands. The property would remain in a holding zone until such time as the conditions for removal of the holding symbol are met to the satisfaction of the Township (i.e. submission of building drawings incorporating noise/vibration attenuation measures in the design of the residential development, registration of a notice on title warning of close proximity of the railway and potential for impacts as a result of railway noise and/or vibrations, MTO entrance and land use permits (if necessary) etc.

Provincial Policy Statement (P.P.S.)

Policy 1.3.1.1 a) of the P.P.S. states that full municipal sewage and water services are the preferred form of servicing for urban areas and rural settlement areas. Municipal services are not currently readily available to service the site, however, it is anticipated that these services may be extended at some time in the future. The applicant has agreed that at such time as municipal service are extended, the property will be connected to municipal services. In the interim, the site is to be serviced with a private well and septic system, which the Township has determined that the Site is suitable to accommodate.

As part of the approval process, measures were required to be undertaken to address the potential for impacts from noise and vibration as a result of the close proximity of the CP railway line.

The proposed amendment does not contravene the Provincial Policy Statement.

Summary

The amendment to the Official Plan for the Township of Laurentian Valley is considered to be appropriate for the following reasons:

1. The area is a mixed use commercial and residential area and there is some existing single detached residential development located in the vicinity of the site along Highway 148.

2. Supporting information has been provided by the applicant to address the issue of potential noise from the CPR line that is within metres of the rear of the property.

3. The CPR line is located at a lower elevation and during certain times of the year is buffered from the proposed development by existing vegetation. The applicant has surveyed existing residences on Highway 148 in the vicinity of the site and they have indicated that they have no concerns with noise from the railway. The applicant has agreed to register a notice on title advising of the proximity to the railway and the potential for noise impacts from the railway and
also to incorporate architectural design features in the dwelling to minimize potential impacts from the railway. No serious land use conflicts are anticipated with surrounding land uses.

4. The site is of an adequate size to support a private well and septic system. When municipal sewer and water services are available for the property in the future, the applicant agrees that it will be connected to these municipal services.

5. The proposed use is compatible with the existing mixed use development pattern in the area along Highway 148.

6. The applicant is in the process of securing an Entrance Permit and any necessary Land Use Permits from the Ministry of Transportation.

7. The policies of the Official Plan and the requirements of the applicable zoning will retain the ability for the property to be developed for potential future commercial uses.
Part B - The Amendment

All of this part of the document entitled Part B - The Amendment, consisting of the following text and Schedule “A”, constitutes Amendment No.1 to the Official Plan for the Township of Laurentian Valley.

Details of the Amendment

(a) Subsection 7.4 SPECIAL POLICY AREAS of SECTION 7.0 - COMMERCIAL of the Official Plan is amended by adding the title “Commercial-Area One” immediately after “(1)” and preceding the paragraph commencing with the word “Notwithstanding”.

(b) Subsection 7.4 SPECIAL POLICY AREAS of SECTION 7.0 - COMMERCIAL of the Official Plan is amended by adding following new subsection immediately after subsection 7.4 (1) as follows:

“(2) Commercial - Area Two

Notwithstanding the policies of subsection 7.3 (1), for the lands designated Commercial-Area Two and located in in Part of Part1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, a single detached dwelling shall also be a permitted use.

All other applicable provisions of the Commercial designation and the Official Plan shall also apply to lands designated Commercial-Area Two.”

(c) Schedule “A-3” to the Official Plan for the Township of Laurentian Valley is amended by redesignating the classification of lands located on Pembroke Street East (Provincial Highway 148), in Part of Part1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, from “Commercial” to “Commercial-Area Two”, as shown on Schedule “A” attached hereto.
Amendment No. 1 to the Official Plan for the Township of Laurentian Valley

Schedule “A”

NOTE: This Schedule forms part of Amendment No.1 to the Official Plan for the Township of Laurentian Valley and must be read in conjunction with the written text.

This Schedule represents an excerpt from the Official Plan document.

Area to be redesignated from Commercial to Commercial-Area Two
Part C - Appendices

Appendix I: Public Involvement
Notice Requirements and Correspondence

Appendix II: Location of Amendment (Key Map)

Appendix III: Supporting Documentation Provided by Applicant

Appendix IV: Proposed Zoning By-law Amendment
CERTIFICATE OF COMPLIANCE WITH
PUBLIC INVOLVEMENT AND NOTICE REQUIREMENTS
FOR OFFICIAL PLAN AMENDMENT NO. 1
TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF LAURENTIAN VALLEY

I, Darrel Ryan, the C.A.O. of the Township of Laurentian Valley certify that:

1. Notice of a public meeting pursuant to subsection 17 (15) of the Planning Act, R.S.O. 1990, c.P. 13, has been given in accordance with the procedure set forth in Ontario Regulation 198/96, as amended.

2. A public meeting in respect of the proposed Official Plan Amendment was held on Tuesday July 19th, 2005 at 6:30 p.m. at the Township Municipal Office.

3. Notice of adoption has been given pursuant to subsection 17 (23) of the Planning Act, R.S.O. 1990, c.P. 13.

Dated at the Township of Laurentian Valley this 23rd day of July, 2005

Darrel Ryan, C.A.O.
Township of Laurentian Valley
R.R. # 4, 460 Witt Road
Pembroke, Ontario
K8A 6W5
THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
NOTICE OF PUBLIC MEETING

Concerning proposed amendments to the Official Plan of the Township of Laurentian Valley and Comprehensive Zoning By-law 635-02-91 for the (former) Township of Pembroke.

TAKE NOTICE that the Council of the Corporation of the Township of Laurentian Valley will hold a public meeting on Tuesday July 19, 2005 at 6:30 p.m., at the Township Municipal Office at 460 Witt Road, to consider a proposed amendment to the Official Plan of the Township of Laurentian Valley and a proposed amendment to Comprehensive Zoning By-law No. 635-02-91 of the (former) Township of Pembroke. The amendments have been prepared in accordance with the provisions of Sections 17, 21 and 34 of the Planning Act, R.S.O. 1990, c.P.13.

PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT NO. 1
The purpose of the proposed Amendment No. 1 to the Official Plan of the Township of Laurentian Valley is to redesignate the classification of approximately 0.59 hectares (1.46 acres) of land to permit the construction of a single detached dwelling on the subject property. The amendment is required to provide an exception to the Commercial policies of the Plan to include a single detached dwelling as a permitted use on the lands which are currently designated Commercial.

The effect of this amendment is to establish a new Commercial-Area Two classification in the Official Plan to provide an exception to include a single detached dwelling as a permitted use on the subject property and redesignate those lands from “Commercial” to “Commercial-Area Two” on Schedule “A-3” to the Official Plan. The effect of the amendment will also be to add the title “Commercial-Area One” to the text relating to an existing Commercial Special Policy Area, in order to avoid any confusion with special policy areas for other properties. A concurrent amendment to the Comprehensive Zoning By-law is also being processed and is described below.

PURPOSE AND EFFECT OF ZONING BY-LAW AMENDMENT
The purpose of the proposed amendment to Comprehensive Zoning By-law 635-02-91, is to rezone lands to permit the construction of a single detached dwelling on the subject property, which is currently vacant. The effect of this amendment is to rezone lands from Highway Commercial to Highway Commercial-Exception Twenty (HC-E20) and establish special provisions for lands zoned HC-E20 to identify the property and include a single detached dwelling as a permitted use on the subject lands. The property is also the subject of proposed OPA No. 1 as described above.

LOCATION OF LANDS AFFECTED BY AMENDMENTS
The lands affected by both OPA No. 1 and the corresponding Zoning By-law Amendment are located on Pembroke Street East (Provincial Highway 148), in Part of Part 1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, as shown on the Key Map.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the amendments aforesaid.

COPIES of the Proposed Official Plan Amendment and the Proposed Zoning By-law Amendments and any additional information relating to the proposed Amendments are available for inspection during regular office hours at the Township Office.
If you wish to be notified of the adoption of the proposed Official Plan Amendment, you must make a written request to the Township of Laurentian Valley, R.R. # 4, 460 Witt Road, Pembroke, Ontario, K8A 6W5.

If a person or public body that files a notice of appeal of a decision of the Township of Laurentian Valley in respect of the proposed Official Plan Amendment and/or the proposed Zoning By-law Amendment does not make oral submission at a public meeting or make written submission to the Township of Laurentian Valley before the proposed Official Plan Amendment and/or Zoning By-law Amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

DATED at the Township of Laurentian Valley this 29th day of June, 2005.

Darrel Ryan, C.A.O., Township of Laurentian Valley
R.R. # 4, 460 Witt Road
Pembroke, Ontario, K8A 6W5
Phone: (613) 735-6291; Fax: (613) 735-5820
THE CORPORATION OF THE
TOWNSHIP OF LAURENTIAN VALLEY
NOTICE TO PUBLIC BODIES

TAKE NOTICE that the Council of the Corporation of the Township of Laurentian Valley intends to amend the Official Plan of the Township of Laurentian Valley and Comprehensive Zoning By-law No. 635-02-91 of the (former) Township of Pembroke and will hold a public meeting on Tuesday July 19, 2005 at 6:30 p.m. at the Township Municipal Office at 460 Witt Road to consider the proposed amendments. The amendments were prepared in accordance with the provisions of Sections 17, 21 and 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT NO. 1
The purpose of the proposed Amendment No. 1 to the Official Plan of the Township of Laurentian Valley is to redesignate the classification of approximately 0.59 hectares (1.46 acres) of land to permit the construction of a single detached dwelling on the subject property. The amendment is required to provide an exception to the Commercial policies of the Plan to include a single detached dwelling as a permitted use on the lands which are currently designated Commercial.

The effect of this amendment is to establish a new Commercial-Area Two classification in the Official Plan to provide an exception to include a single detached dwelling as a permitted use on the subject property and redesignate those lands from “Commercial” to “Commercial-Area Two” on Schedule “A-3” to the Official Plan. The effect of the amendment will also be to a title to the text relating to an existing Commercial Special Policy Area to “Commercial-Area One” in order to avoid any confusion with special policy areas for other properties. A concurrent amendment to the Comprehensive Zoning By-law is also being processed and is described below.

PURPOSE AND EFFECT OF ZONING BY-LAW AMENDMENT
The purpose of the proposed amendment to Comprehensive Zoning By-law 635-02-91, is to rezone lands to permit the construction of a single detached dwelling on the subject property, which is currently vacant. The effect of this amendment is to rezone lands from Highway Commercial to Highway Commercial-Exception Twenty(HC-E20) and establish special provisions for lands zoned HC-E20 to identify the property and include a single detached dwelling as a permitted use on the subject lands. The property is also the subject of proposed OPA No. 1 as described above.

LOCATION OF LANDS AFFECTED BY AMENDMENTS
The lands affected by both OPA No. 1 and the corresponding Zoning By-law Amendment are located on Pembroke Street East (Provincial Highway 148), in Part of Part1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, as shown on the Key Map.

Pursuant to Sections 17(21) and 34 (15) of the Planning Act, R.S.O. 1990, c.P.13, you are hereby requested to submit your comments to the CAO by no later than 4:30 pm on Tuesday July 19, 2005.

Copies of the Proposed Official Plan Amendment and Zoning By-law Amendment and any additional information relating to the proposed Amendments are available for inspection during regular office hours at the Township Office.

If you wish to be notified of the adoption of the proposed Official Plan Amendment, you must make a written request to the Township of Laurentian Valley, R.R. # 4, 460 Witt Road, Pembroke, Ontario K8A 6W5.

If a person or public body that files a notice of appeal of a decision of the Township of Laurentian Valley in respect of the proposed Official Plan Amendment and/or Zoning By-law Amendment does not make oral
submission at a public meeting or make written submission to the Township of Laurentian Valley before the proposed Official Plan Amendment and/or Zoning By-law Amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

DATED at the Township of Laurentian Valley this 29th day of June, 2005.

Darrel Ryan, C.A.O., Township of Laurentian Valley
R.R. # 4, 460 Witt Road
Pembroke, Ontario, K8A 6W5
Phone: (613) 735-6291; Fax: (613) 735-5820
Appendix I - Public Participation
(to be completed after public meeting)

Amendment No. 1

Township of Laurentian Valley

Minutes of Public Meeting
TOWNSHIP OF LAURENTIAN VALLEY

MINUTES OF A PLANNING MEETING

July 19th, 2005

COMMITTEE MEMBERS:  Jack Wilson
                      Dennis Gauthier
                      Steve Bennett
                      Rick O’Brien
                      Jim Sheedy
                      Allan Wren
                      George Hodgkinson

STAFF PRESENT:  Secretary Darrel Ryan

MOVED BY:  George Hodgkinson
SECONDED BY:  Steve Bennett

That the Planning Meeting be opened.
CARRIED.

MINUTES:

No minutes were approved.

BUSINESS - ITEM #1

1. Purpose, Effect and Location of Zoning By-Law Amendment

The purpose of the proposed amendment to Comprehensive Zoning By-law 635-02-91, is to rezone lands to permit the construction of a single detached dwelling on the subject property, which is currently vacant. The effect of this amendment is to rezone lands from Highway Commercial to Highway Commercial-Exception Twenty (HC-E20) and establish special provisions for lands zoned HC-E20 to identify the property and include a single detached dwelling as a permitted use on the subject lands. The property is also the subject of proposed OPA No. 1 as described above.

The lands affected by both OPA No. 1 and the corresponding Zoning By-law Amendment are located on Pembroke Street East (Provincial Highway 148), in Part of Part 1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, as shown on the Key Map.

Public Participation:

There was no public participation.

MOVED BY:  Rick O’Brien
SECONDED BY:  Jim Sheedy

That the Planning Committee recommend to Council that they approve the proposed By-Law Number 05-07-259.
CARRIED.
BUSINESS - ITEM #2

2. Purpose, Effect and Location of Zoning By-Law Amendment

The purpose of the proposed zoning by-law amendment is to satisfy a condition of consent approval for a lot addition by rezoning the subject lands to the same zone as the lands being added to which would then permit the use of the entire holding for a single detached residential dwelling and accessory uses. The lot addition is comprised of approximately 0.06 hectares (0.15 acres) that is being added to lands known municipally as 186 Drive-In Road. The lands being rezoned are the subject of County of Renfrew Consent File Application No. B102/04.

The effect of this amendment is to rezone the subject lands from Suburban Reserve (SUR) to Residential One (R1).

The lands affected by the Zoning By-law Amendment are located to the rear of a property which fronts onto Drive-In Road (County Road 29) and are more particularly described as Part 1 on Plan 49R-15272, in Part Lot 19, Concession II, F.A.L., in the geographic Township of Pembroke, in the Township of Laurentian Valley, as shown on the Key Map.

Public Participation:

There was no public participation.

MOVED BY:       Dennis Gauthier
SECONDED BY:    Allan Wren

That the Planning Committee recommend to Council that they approve the proposed By-Law Number 05-07-255.
CARRIED.

ADJOURNMENT:

MOVED BY:    Steve Bennett
SECONDED BY: George Hodgkinson

To adjourn the meeting.
CARRIED.

SECRETARY
PLANNING ACT, R.S.O. 1990, C.P.13
NOTICE OF THE PASSING
OF AN OFFICIAL PLAN AMENDMENT BY
THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

TAKE NOTICE that Council of the Corporation of the Township of Laurentian Valley passed By-law No. 05-07-058, thereby adopting Official Plan Amendment No. 1 to the Official Plan for the Township of Laurentian Valley on the 14th day of July, 2005, in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13.

PURPOSE, EFFECT AND OF OFFICIAL PLAN AMENDMENT NO. 1
The purpose of the proposed Amendment No. 1 to the Official Plan of the Township of Laurentian Valley is to redesignate the classification of approximately 0.59 hectares (1.46 acres) of land to permit the construction of a single detached dwelling on the subject property. The amendment is required to provide an exception to the Commercial policies of the Plan to include a single detached dwelling as a permitted use on the lands which are currently designated Commercial.

The effect of this amendment is to establish a new Commercial-Area Two classification in the Official Plan to provide an exception to include a single detached dwelling as a permitted use on the subject property and redesignate those lands from "Commercial" to "Commercial-Area Two" on Schedule "A-3" to the Official Plan. The effect of the amendment will also be to a title to the text relating to an existing Commercial Special Policy Area to "Commercial-Area One" in order to avoid any confusion with special policy areas for other properties. A concurrent amendment to the Comprehensive Zoning By-law is also being processed by the Township.

The lands affected by both OPA No. 1 and the corresponding Zoning By-law Amendment are located on Pembroke Street East (Provincial Highway 148), in Part of Part I on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, as shown on the Key Map.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the amendments aforesaid.

A COPY of the proposed Official Plan Amendment and any additional related information is available for inspection during regular office hours at the Township Office.

ANY PERSON OR PUBLIC BODY will be entitled to receive notice of the proposed decision of the Approval Authority, the County of Renfrew, if a written request to be notified of the decision is made to the County of Renfrew, Attention: Mr. Charles Cheesman, MCIP, RPP, Manager of Planning and Forestry Services, 9 International Drive, Pembroke, Ontario, K8A 6W5.

DATED at the Township of Laurentian Valley this 2nd day of July, 2005.

[Signature]
Darrel Ryan, C.A.O., Township of Laurentian Valley
R.R. #4, 460 Witt Road
Pembroke, Ontario, K8A 6W5
Phone: (613) 735-6291; Fax: (613) 735-5820
Location of Official Plan and Zoning By-law Amendment
(geographic Township of Pembroke)
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Appendix I - Correspondence

Amendment No. 1

Township of Laurentian Valley

Correspondence
July 19, 2005

Township of Laurentian Valley
Attention: Mr. Darrel L. Ryan, C.A.O.
R.R. # 4, 460 Witt Road
Pembroke, Ontario
K8A 6W5

Dear Mr. Ryan:

Re: Application for Official Plan (OPA #1) and Zoning By-law Amendment for Felhaber Application in Part of Part 1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley

Our File No. 2057142M-opz

Further to my previous correspondence, I have enclosed the revised OPA #1 and corresponding zoning by-law amendment that are necessary to process the applications for Official Plan and Zoning By-law Amendment (OPA # 1) filed by Michelle Felhaber, requesting that a single detached residential dwelling be a permitted use on the subject property.

Background
The subject property is presently designated Commercial on Schedule “A-3” to the Official Plan for the Township of Laurentian Valley and zoned Highway Commercial (HC) in Comprehensive Zoning By-law No. 635-02-91 of the (former) Township of Pembroke.

Permitted uses outlined in Section 7.3 (1) of the Commercial Policies, do not include a new individual single detached residential dwelling as a permitted use. The only residential uses permitted in the Commercial designation are multiple residential dwellings, accessory residential dwelling unit(s) within commercial buildings and existing single detached dwellings. As the subject property is currently vacant and the proposed use is for one single detached dwelling, an Amendment to the Official Plan is required to permit the use. The Amendment would take the form of an exception to the policies of the Commercial designation of the Official Plan by establishing a special policy area wherein the proposed use would also be permitted. The Commercial-Area Two designation will be established to provide a means of identifying the subject lands on Schedule “A-3” and permit its use for a single detached dwelling. All other provisions of the Commercial designation would continue to apply to the Commercial-Area Two designation, so that the ability to use the subject lands for commercial uses in the future will be retained.
Use of the holding symbol with the Proposed Zoning By-law Amendment

An amendment to the Zoning By-law is also required as the provisions of the Highway Commercial (HC) zone also do not permit a new single detached dwelling. The effect of the Zoning By-law Amendment is to rezone the subject lands from Highway Commercial to Highway Commercial-Exception Twenty-holding (HC-E20-h) and establish special provisions for lands zoned HC-E20 to identify the property and include a single detached dwelling as a permitted use on the subject lands.

The property is also to be rezoned to a holding zone, with the holding symbol to be removed once approval from the County of Renfrew for OPA #1 is in place, and a number of conditions related to the waiving of a Noise Study Requirement for the property are addressed, as well as, any necessary approvals by the Ministry of Transportation and servicing of the site is addressed to the Township’s satisfaction. A draft resolution is also provided for the Township’s consideration which outlines the proposed conditions for the removal of the holding symbol. I have discussed the use of the holding symbol with Ms. Felhaber and this approach will allow the principle of development to be established with the appeal period but will provide Ms. Felhaber with additional time and a certain level of comfort before retaining someone to prepare design drawings for the residential dwelling which incorporates noise and vibration attenuation measures. The drawings would have to be provided as part of a building permit application and therefore, the use of the holding symbol would not delay the process.

It is also recommended that should Council adopt the Official Plan Amendment that they only give the corresponding zoning by-law amendment first and second reading and not pass it yet. The zoning by-law amendment cannot come into effect until OPA #1 is approved by the County of Renfrew and therefore, it is recommended that the Township wait until then to pass the Zoning By-law Amendment so that we may coordinate appeal dates. This will also make it possible to address any changes required to the Zoning By-law Amendment as a result of the OPA approval process. Council should however, proceed to adopt the resolution regarding the conditions for the removal of the holding symbol so that the applicant will have a clear idea of what will be required.

Noise Study

Section 2.2(16) of the Official Plan contains noise attenuation policies which state that prior to permitted development that may be adversely affected by noise, the Township may require detailed noise studies in accordance with Provincial Guidelines, where sensitive development is located within 500 metres from a principal railway line, and within 250 metres of a secondary railway line. Previous information provided to the Township by Ottawa Valley Railway who are the operators of the line which is owned by CP, indicate that an average of eight trains go through on the line per day.

As the subject lands are within approximately 60 metres (200 feet) from the CPR right-of-way, the issue of noise attenuation must be addressed. In this regard, pre-consultation discussions were entered into between the County of Renfrew (the Approval Authority for this Amendment) and the Township’s Planning Consultant. The County indicated that they would not require that a detailed noise study would not be provided by the applicant given that subject property is in a built-up area where there is existing residential development in the area of the railway line. In lieu of a study, however, certain supporting documentation was required to be submitted by the applicant. This information includes: an affidavit from surrounding property owners that they are not bothered by noise from the nearby CPR line; contact with MOE and MTO to determine if they have received any noise complaints in the area; agreeing to register a notice on title to the property advising of the presence of the CPR line and warning that there may be potential noise and/or vibration impacts as a result of the proximity of the railway; and incorporating architectural design measures in the construction of the single detached dwelling to minimize any negative impacts of noise. The submission of some of the supporting information such as registering the notice on title and the submission of building drawings incorporating noise and/or vibration attenuation measures will be required as a conditional of removal of the holding symbol on the corresponding zoning by-law amendment that is being considered by Council.
Additional supporting documentation was provided by the applicant at the end of last week and is attached for information purposes in Appendix III.

Processing Requirements
When processing the amendments it is important to ensure that it is in accordance with the applicable requirements of the Planning Act, R.S.O. 1990, C.P.13, as amended. In this regard, Sections 17 and 21 of the Planning Act, and Ontario Regulation 198/96, as amended, apply to the Official Plan Amendment. Section 34 of the Planning Act and Ontario Regulation 199/96, as amended, apply to the Zoning By-law Amendment.

Trusting these comments are satisfactory to your current needs. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,
Jp2g Consultants Inc.
Engineers • Planners • Project Managers

Laurence J. Armstrong, M.C.I.P., R.P.P.
Senior Planner

Enclosures
Whereas the Council of the Corporation of the Township of Laurentian Valley considered establishing various conditions for removing the holding “h” symbol from the subject lands at the meeting of July 19, 2005 when By-Law 05-07-259 was given first and second reading;

And whereas Council deems it desirous for the proponent and the Township to have these conditions clarified and on record;

Be it resolved that the Council of the Corporation of the Township of Laurentian Valley does hereby identify the following as the conditions for which Council must be satisfied that the requirements have been met, in order for Council to adopt a By-law to remove the holding symbol from lands located on Pembroke Street East (Highway 148) in Part of Part 1 on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley and to be zoned Highway Commercial-Exception Twenty-holding (HC-E20-h) pursuant to Sections 34 and 36 of the Planning Act;

a) When a notice has been registered on title to the property under consideration, with language to the satisfaction of the Township warning potential purchasers/owners of the close proximity of the railway and the potential for impacts as a result of noise and vibration from the railway.

b) When drawings are submitted which show that noise and vibration attention measures have been incorporated into the design of any residential development.

c) When safe and adequate access points are available or will be provided upon completion of required improvements approximately secured by agreement to accommodate the uses permitted by this By-law and to the satisfaction of the Ministry of Transportation or other approval authority as required.

d) The servicing arrangements whether municipal water and sewer or private water and sewage disposal systems must be finalized to the satisfaction of the Municipality, and/or the Ministry of the Environment.


REEVE
Appendix II: Location of Amendment (Key Map)
Township of Laurentian Valley
Key Map

Location of Official Plan and Zoning By-law Amendment
(geographic Township of Pembroke)
Appendix III - Background Information from Applicant
June 29, 2005

Michelle Felhaber
1111 Pembroke Street East
Pembroke, Ontario
K8A 7R4

Dear Ms. Felhaber:

RE: Zoning Issue

I confirm our telephone conversation at which time you indicated that to avoid having to complete a noise study the municipality was looking for an acknowledgement from you that you are aware of this noise issue regarding the property. At that time I speculated that the municipality may want a restrictive covenant registered on title confirming the owner’s awareness of this issue. This however is only my guess as to what they are talking about. I would suggest that you have JP2G write to our office and confirm their exact requirements.

Please call me with any questions.

Yours truly,

Blair Jones

BJ/ts
I, Harry Beck, of the Township of Lawrenceville, do solemnly declare,

That I, Harry Beck, property owner at 167 Fernbridge St. East, do declare that I have no issues with the sounds of the railway track which is near my property.

Declared before me at Township
of Lawrenceville
in the County of Renfrew
this 04th day of July, 2005.

Signature
I, J. J. Goodman, of the Township of Lawrence Valley, in the County of Renfrew, do solemnly declare,

That

I, J. J. Goodman, property owner at 111 Pembroke St. East, do declare that I have no opinions with the sounds of the railway track which is near my property.

Declared before me at Township of Lawrence Valley, in the County of Renfrew, this ______ day of ________.

[Signature]
I, Eun Bouders, of the Township of Laurens Valley, do solemnly declare, that I, Eun Bouders, property owner at 1155 Pembroke, do declare that I have no fences within the sounds of the railway track which is near my property.

Declared before me at Township of Laurens Valley, in the County of Penfield, this 4th day of July, 2005.

Signature
Date: June 9, 2005

To: Michelle Felhaber Pemboke

Fax No.: 613-735-4858

From: Alain Nadeau
Corridor Management Officer
Ottawa Area Office

Number of Pages 4 (including cover sheet)

Original to follow: Yes ☑

Remarks:
June 9, 2005

Michelle Felhaber
Pembroke Street East
Pembroke, ON

Subject: Application forms for Residential Development on Highway 148
Lot 13, Con 2, Twp of Pembroke

Hi Michelle,

As per your request the Ministry is pleased to enclose application forms for the purpose of applying for a Building and Land Use Permit and a Residential Entrance Permit. The Ministry has no objection to your proposal but the points listed below must be met.

- A fully completed building and land use application, fee is $170.00.
- A residential entrance application to Highway 148, to be constructed to MTO standard, fee is $200.00.
- Residential setback from the Ministry of Transportation right-of-way (property line) must be a min. of 8.0 m.
- The septic bed must be 3.0 m from r-o-w and the septic tank must be 8.0 from r-o-w.
- The site plan must show the location of a well, if needed the setback must be 30.0 m from r-o-w.
- An accurate site plan identifying the location of building, well, septic and entrance.
- If any installation is to be done on the Ministry right-of-way you will need to apply for an encroachment application, fee $450.00.

If you have any questions, please do not hesitate to call.

Sincerely,

Alain Nadeau
Corridor Management Officer
Ottawa Area Office
Michelle,

The Ministry generally refers noise complaints from railroad activity and trains to Environment Canada or the Canadian Transportation Agency, or the municipality.

Any records the Ministry may have in its possession must be retrieved through the Freedom of Information and Protection of Privacy Act.

Tor Rustad  
Senior Environmental Officer  
Ministry of the Environment  
2430 Don Reid Drive  
Ottawa, ON  K1H 1E1  

Telephone: (613) 521-3450, ext. 233  
1-800-860-2195, ext. 233  
Facsimile: (613) 521-5437
From: "Nadeau, Alain (MTO)" <Alain.Nadeau@mto.gov.on.ca>
To: "micjoe" <micjoe@nrtco.net>
Sent: Thursday, June 16, 2005 9:25 AM
Subject: RE: Noise

I have contacted our Maintenance Coordinator in the area on also our Regional Office and no formal request has ever been submitted to the Ministry of Transportation, but the ministry will put a condition on the building permit: "The Ministry will not be responsible for noise control. Should the property owner wish to install a noise attenuation device on private property, all costs associated with the installation will be the sole responsibility of the property owner and subject to MTO approval."

If you require additional information, please do not hesitate to call.

Alain Nadeau
Corridor Management Officer
530 Tremblay Road
Ministry of Transportation
Ottawa Area Office
613-742-5322

-----Original Message-----
From: micjoe [mailto:micjoe@nrtco.net]
Sent: June 15, 2005 12:45 PM
To: alain.nadeau@mto.gov.on.ca
Subject: Noise

Further to our telephone conversation of today, I am requesting that you put in writing to me that there has been no formal complaints regarding the noise from the highway or the noise from the Railway Track. The area I am referring to is Part Lot 22 Concession 2 Pembroke township designated as Part 1 49-R-7527. There are already several houses in the area. I am hoping to build another house beside the one I presently live in. We have not personally had any issues with any noise in our area. My email address is micjoe@nrtco.net.

Thank You
Appendix IV - Proposed Zoning By-law Amendment
THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NUMBER 05-07-259

A By-law to amend By-law Number 635-02-91, as amended, of the (former) Township of Pembroke.

PURSUANT TO SECTIONS 34 AND 36 OF THE PLANNING ACT, R.S.O. 1990, c.P.13, THE TOWNSHIP OF LAURENTIAN VALLEY HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 635-02-91, as amended, of the (former) Township of Pembroke is hereby further amended as follows:

(a) By adding a new subsection to SECTION 8 REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONE immediately following subsection 8.2.3 s) Highway Commercial Exception Nineteen (HC-E19) Zone as follows:

"(t) Highway Commercial Exception Twenty (HC-E20) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Highway Commercial-Exception Twenty (HC-E20) and located in Part of Part I on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, a single detached dwelling shall also be a permitted use. All other applicable provisions of the Highway Commercial zone and this By-law shall apply to lands zoned Highway Commercial Exception Twenty (HC-E20)."

(b) Schedule ‘A’ to By-law Number 635-02-91, as amended, of the (former) Township of Pembroke is amended by rezoning lands located on Pembroke Street East (Highway 148) in Part of Part I on Plan 49R-7527, in Part Lot 22, Concession II, FAL, in the geographic Township of Pembroke, in the Township of Laurentian Valley, from "Highway Commercial (HC)" to Highway Commercial Exception Twenty-holding (HC-E20-h), as shown on Schedule “A” attached hereto.

2. THAT save as aforesaid all other provisions of By-law 635-02-91, as amended, of the (former) Township of Pembroke, shall be complied with.

3. This by-law shall come into force and take effect on the day of final passing thereof.

Read a FIRST and SECOND time this 19th day of July, 2005.

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK

Read a THIRD time and FINALLY passed this _____ day of __________, 2005.

REEVE

CHIEF ADMINISTRATIVE OFFICER/CLERK