

June 6, 2005

The regular meeting of the Planning and Waterfront Committee was held this evening with Councillor O'Neill in the Chair and all members present with the exception of Mayor Jacyno and Councillor Lowe. Staff members present were Terry Lapierre, Chief Administrative Officer and Colleen Sauriol, Manager of Planning and Building Departments.

MOTION: Moved by Councillor White, seconded by Councillor Severin that the minutes of the meeting of May 10, 2005 be accepted as circulated.

CARRIED.

ITEM # 1: Planning Advisory Committee Update

a. 295 Murray Street – Michel V. St. Pierre

Mrs. Sauriol outlined the request to rezone 295 Murray Street from a "Local Commercial – C1" zone to a "Local Commercial-14 – C1-14" zone to allow an eating establishment as a permitted use to all other "C1" uses.

Councillor Serverin asked if the seating capacity could be limited in the premises. Mrs. Sauriol noted that commercial floor area cannot exceed 1,000 sq. ft. in that zone and these premises contain 975 sq. ft. Washrooms, kitchen and counter space are included in this so there won't be much room left for tables, she said, but this could be added as a condition of the by-law if the Committee wishes. Councillor Henderson was concerned that the neighbourhood may become too congested. Mrs. Sauriol advised that a "C1" zone permits an office, local retail store, book store, etc. which could all add to congestion. She further explained that because of the change of use, setbacks and parking deficiencies will have to be dealt with. There were no concerns from any of the neighbours, she added.

Councillor White agreed that there was not much room for seating, and added that if they want a liquor licence, that will limit the number of tables. Councillor Levasseur suggested that the by-law indicate the amount of floor area for tables, but Councillor White reiterated that there isn't room for a lot of tables. Councillor O'Neill stressed that the intent is to have a couple of tables for people to sit while waiting for their order.

MOTION: Moved by Councillor White, seconded by Deputy Mayor Scott that the Committee accept the recommendation to rezone 295 Murray Street from “Local Commercial – C1” to “Local Commercial-14 – C1-14” to allow an eating establishment as a permitted use to all other “C1” uses.

CARRIED.

b. 901 River Road – Derek Clark

Mrs. Sauriol outlined the history of the application for an Official Plan amendment to redesignate the land at 901 River Road from “Residential” to “Highway Commercial” and to rezone the land from “Residential Type 2 – R2” to “Highway Commercial-26 – C2-26”. At their meeting on May 8, the Planning Advisory Committee recommended to Council that the lands be redesignated and rezoned to allow limited commercial uses subject to the land being divided into two lots instead of the four as shown on Mr. Clark’s plan. The Committee also recommended that one of the lots be used for an insurance restoration facility. Since then, said Mrs. Sauriol, Mr. Clark submitted a revised plan illustrating one large lot to be used as an insurance restoration facility. The revised plan illustrates 50 dumpsters will be located on the property. All concerns related to drainage, access, shifting crosswalk and lowering sidewalk, etc. have been addressed.

Deputy Mayor Scott referred to a recent advertisement for dung removal and pointed out that containers containing dung or other refuse should not be stored on this lot. Mrs. Sauriol noted that it will be a condition of the by-law that there be no refuse or garbage stored on the site at any time.

Councillor O’Neill noted that it is confusing to understand what is going on and stressed that he is opposed to the lot being used for a restoration business. The Planning Advisory Committee understood that the property was to be divided into two lots and that was accepted by Mr. Clark; now he has changed it.

Councillor Levasseur noted that he has met with Mr. Clark and commends him for his entrepreneurial spirit. He noted that he has a problem with dumpsters in that location and would support the idea of four lots in that area if the dumpsters were somewhere else, such as McCool Park, although four entrances could be a problem. Councillor Levasseur noted that cities are being encouraged to infill to be more efficient in the use of our infrastructure, but reiterated that dumpsters are the issue.

Councillor Henderson noted that control and enforcement will be required and asked how we can ensure no dung or other noxious refuse is stored there.

Councillor O'Neill pointed out that the lot is being used illegally now, and enforcement could be a serious time consuming process.

Mrs. Sauriol noted that under the Property Standards Act if the City notices an infraction we send an order to clean up; there are 10 working days before re-inspection and then if it is not cleaned up, it goes to court.

Councillor White noted that a 5 ft. high fence won't block the view of the dumpsters if they are pile on top of each other. She also expressed concerns about manure and the illegal building on the property. Councillor O'Neill noted that a letter had been sent to the property owner and he thought that an accommodation had been reached. Mrs. Sauriol explained that the property owner had applied for rezoning after the letter was sent regarding the illegal accessory building on the property. A letter regarding the storage of dumpsters was sent last week, she added.

The dumpsters are still there, said Councillor White. She asked what the Committee could do to help Mr. Clark, and suggested that the location would be good for a strip mall with one entrance, that could be used by 4 businesses.

Mrs. Sauriol noted that she has been recommending rezoning to "C2-26" so the owner could have offices, retail stores, etc. She suggested it may be more beneficial to leave it as one lot with a commercial zoning.

Councillor Lafreniere noted that it is disturbing that it was made clear to the property owner that dumpsters were not to be stored there and this has already been breached. Why, she asked, would we think it would get any better? Councillor Levasseur noted enforcement is difficult because staff is too busy with other things.

Councillor O'Neill stressed that Mrs. Sauriol is looking for direction and he indicated he has no problem with the "C2-26" zone without the insurance restoration facility.

MOTION: Moved by Deputy Mayor Scott, seconded by Councillor Levasseur that the Committee accept the application to rezone to "C2-26" with "C2" uses but not the use of an insurance restoration facility.

WITHDRAWN.

MOTION: Moved by Councilor White, seconded by Councillor Levasseur that the application be turned down, and that it be taken back to the Planning Advisory Committee for further review.

CARRIED.

Mrs. Sauriol indicated that a Public Meeting was scheduled for June 21, 2005, but this will be cancelled until further notice.

ITEM # 2: Sign Request – 1200 Pembroke Street West – West End Mall

MOTION: Moved by Councillor White, seconded by Councillor Henderson, that the Committee accept the recommendation to permit the proposed pylon sign at 1200 Pembroke Street West, subject to the following conditions:

- 1) erected totally on private property; 2) two pylon signs shall be permitted at 1200 Pembroke Street West; 3) will not cause a visibility issue as the base of the sign is 10 feet above the ground; 4) maximum height not to exceed 22 feet; and 5) maximum sign area not to exceed 96 square feet.

CARRIED.

Mrs. Sauriol assured Councillor Lafreniere that she will ensure there is a permit for the portable sign at that location, and added that the pylon sign will not cause visibility issues with the portable sign.

ITEM # 3: Quebec Requester Form

Mrs. Sauriol advised that the City must enter into an agreement with the Society de assurance automobile de Quebec which will allow the City's parking by-law enforcement officers to gain access to confidential information such as drivers' names and addresses for parking infractions. A similar agreement has been entered into with the Ministry of Transportation. A resolution of Council is required by the Societe, said Mrs. Sauriol, and that will be debated by Council at its meeting of June 7, 2005.

ITEM # 4: Laurentian Valley Rezoning Notice – Home Depot

Ms Sauriol advised the Committee that a notice of rezoning for land along Pembroke Street East and Robinson Lane in the Township of Laurentian Valley was received. The rezoning will allow a building supply store and a garden centre. The city of Pembroke has sent a letter to the Township outlining its interest in the potential impact the development will have on drainage, services and traffic.

Councillor Lafreniere asked if the water and sewer contracts were signed with Stafford Township or Pembroke Township, and Councillor O’Neill noted that any contracts would be binding on future municipalities.

MOTION: Moved by Councillor White, seconded by Councillor Henderson that the meeting become a closed meeting to discuss litigation, potential litigation, the receiving of advice that is subject to solicitor-client privilege, labour relations, or the security of the property of the municipality.

CARRIED.