

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, March 10, 2016 at 5:30 p.m.
Sudbury East Planning Board Office
5 Dyke Street, Warren, Ontario**

MEMBERS PRESENT: Michel Bigras, Greg Hunt, Carol Lemmon, Heide Ralph, Ginny Rook, Jim Rook (Killarney Alternate), Paul Schoppmann, Denny Sharp, Jim Stankovich, Ned Whynott

MEMBERS ABSENT: none

OFFICIALS PRESENT: Melissa Riou, Director of Planning/Secretary-Treasurer
Karen Beaudette, Administrative Assistant

PUBLIC PRESENT: Robert Belanger, Joerg Buechli, Paul Sharp

1. MEETING CALLED TO ORDER

Chairperson called the meeting to order at 5:30 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 16-014

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of March 10th, 2016 be adopted as amended.

MOVED BY: Jim Stankovich

SECONDED BY: Jim Rook

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No disclosure of pecuniary interest

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board - Regular meeting of February 11th, 2016

Resolution: 16-015

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of February 11th, 2016 be adopted as distributed.

MOVED BY: Jim Stankovich

SECONDED BY: Paul Schoppmann

Carried.

5. ZONING BY-LAW AMENDMENTS

a) ZBA 16-01BRW – Jeff and Cindy Johnson

The application has been deferred pending receipt of additional information.

6. CONSENT APPLICATIONS

The Chair advised that a Consent Application be analyzed and discussed before the Planning Board decides whether or not to grant Provisional Consent. Also that the analysis and discussion of a Consent Application serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Consent; and second, to receive comments from the public and agencies before a Planning Board decision is made.

The Director of Planning advised that Notice of Application was posted in the municipal office and was sent by First Class Mail to the assessed owners within 120 metres of the properties subject to the proposed Consent Applications and Zoning By-law Amendments and to those persons and agencies likely to have an interest in the application. The Notices were sent on February 16th, 2016 (B/44-45/15/MW– Robert Belanger), (B/02-03/16/BRW & ZBA 16-01BRW – Jeff and Cindy Johnson) being over 20 days prior to this evening’s meeting. Notice of Application was posted in the municipal office and was sent by First Class Mail to the assessed owners within 60 metres of the properties subject to Consent Applications and to those persons and agencies likely to have an interest in the application. The Notices were sent on February 25, 2016 (B/04/16/FR – Joerg Buechli) and February 23, 2015 (B/05/16/SVS – Stephen and Cheryl Todoroff being over fourteen (14) days prior to this evening’s meeting. Included with each Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulations were provided in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13.

a) B/44-45/15/MW – Robert Belanger

Mr. Robert Belanger, applicant, was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property has frontage on Nepewassi Lake Road and Long Road in the Municipality of Markstay-Warren. The applications are to create two residential rural lots from the northern portion of the property and retain the southern portion. The first proposed severed lot is to have an area of 2.7 hectares and a frontage of 152.0 metres, the second is to have an area of 2.4 hectares and a frontage of 233.0 metres. Both severed lots will be required to rezone to a residential rural zone classification. The retained lands are to be 8.8 hectares with a frontage of 250.0 metres.

With respect to Official Plan policies, the application complies with consent policies of the official plan, no constraints were identified and the application provided the required documentation with respect to site servicing capability.

With respect to zoning, application has been made to rezone the two proposed severed lots to Residential Rural (RR). The application will be considered by Council for the Municipality of Markstay-Warren at its meeting of March 21, 2016.

With respect to agency review, staff and Council for the Municipality had no concerns with the application. The CAO noted no drains affected the property and apportionment would not be required.

No comments or concerns were raised through public consultation.

There were no questions or comments from the Board.

Resolution: 16-016

BE IT RESOLVED THAT Consent application B/44-45/15/MW submitted by Robert Belanger be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Jim Stankovich

SECONDED BY: Ginny Rook

Carried

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

b) ZBA 16-01BRW and B/02-03/16/BRW – Jeff and Cindy Johnson

No member of the public was present for questions or comments from the Board.

As a result of information received through the circulation process, the applications have been deferred pending receipt of additional information.

Resolution: 16-017

BE IT RESOLVED THAT the application for Zoning By-law Amendment ZBA 16-01BRW and Applications for Consent B/02-03/16/BRW submitted by Jeff and Cindy Johnson be deferred pending receipt and review of additional survey information.

MOVED BY: Jim Rook

SECONDED BY: Heide Ralph

Carried.

c) **B/04/16/FR – Joerg Buechli**

Mr. Joerg Buechli was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located on Notre Dame Street West in the Village of Noelville, in the Municipality of French River. The application proposes to sever two lots which have merged on title, with a minor reconfiguration to the rear lot lines. The proposed lot to be severed is to have an area of 0.1 hectares and a lot frontage of 21.9 metres. The proposed lot to be severed is to have a lot area of 0.12 hectares and a lot frontage of 25.9 metres.

An application for minor variance has also been submitted to recognize the reduced lot areas of each lot, this application will be considered by the Committee of Adjustment for the Municipality of French River on March 23, 2016.

With respect to Official Plan policies, settlement areas, such as villages are to be the primary focus of development in the planning area and infilling and rounding out of development are permitted.

With respect to Zoning and the required variances, the proposed lots are of a similar size to the lots in the area which were created during the same time period. The reconfiguration of the rear lot lines will result in a more regular lot pattern. Additionally, it is staff's understanding that there are sewer connections installed to the property boundaries for each of the lots, permitting the severance would make more efficient use of existing municipal infrastructure.

The only comments received were from municipal staff who requested conditions with respect to grading and drainage. The property is next to the Nadon Drain and is at a slightly lower elevation than the road. A condition has been added that will require the owner to provide a grading and drainage plan to be completed by a qualified professional and to be completed to the satisfaction of the Director of Public Works and/or the Chief Building Official for the Municipality of French River.

With respect to public consultation, we received one phone call requesting clarification about which property was involved.

There were no other comments or questions from the Board.

Resolution: 16-018

BE IT RESOLVED THAT Consent application B/04/16/FR submitted by the Joerg Buechli be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Heide Ralph

SECONDED BY: Jim Stankovich
Carried.

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

d) B/05/16/SVS – Stephen and Cheryl Todoroff

No member of the public was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located off of Rock Lake Road 2 in the Unincorporated Township of Servos. The application is to create a Right-of-Way over the subject lands to provide legal access over those lands to benefit the neighbouring property to the east. The subject property and benefitting lands both utilize an existing gravel access road extending off of Rock Lake Road 2 across Crown Land, a portion of that road crosses private lands before reaching the 99B Rock Lake Road.

The Official Plan permits consents for the creation of Right-of-Ways. With respect to zoning, the lot is undersized, but would be considered legal non-conforming as per Section 6.26 of the by-law. No changes in use are proposed.

The District Planner for the MNRF advised that they have no concerns with the application. It is an existing road so no additional impacts to natural heritage values are anticipated. The Right-of-Ways will provide legal certainty to the benefitting owners and prevent a situation where additional access on Crown land will be needed.

The treasurer of the Rock Lake Local Roads Board called and had no concerns, but did not provide written comment.

No comments were received through agency circulation.

There were no other comments or questions from the Board.

Resolution: 16-019

BE IT RESOLVED THAT Consent application B/05/16/SVS submitted by Stephen and Cheryl Todoroff be recommended for approval as per the report prepared by the Board's Director of Planning.

MOVED BY: Carol Lemmon
SECONDED BY: Ginny Rook

Carried.

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the giving of notice under Section 53(17) of the Planning Act, R.S.O. 1990, Chapter P.13 is completed, appeal the decision or any condition imposed by the Planning Board or appeal both the decision and any condition to the Ontario Municipal Board by filing with the Secretary-Treasurer a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

7. NEW BUSINESS

- a) Bill 73 (The Smart Growth for Our Communities Act, 2015)

The Director of Planning provided a report to the Board for information purposes only. (Copy attached).

- b) Vacant Land Study

The Director of Planning provided a report to the Board for information purposes only.

- c) Special Business Case Funding

The Director of Planning advised the Board that a phone call was received earlier today regarding a request for resolution from the Board for authorization to execute the pending Special Business Case Funding from the Ministry of Municipal Affairs and Housing.

BE IT RESOLVED that the Sudbury East Planning Board hereby authorize the Chair and the Secretary-Treasurer to execute the pending Special Business Case Funding agreement with the Ministry of Municipal Affairs and Housing for the provision of approximately \$8,605.72 to the Sudbury East Planning Board being the estimated cost associated with the Central Ontario Ortho-photography Project as it pertains to the Unincorporated Townships of the Sudbury East Planning Board.

Resolution 16-020

MOVED BY: Denny Sharp
SECONDED BY: Ginny Rook
Carried

8. BUSINESS ARISING FROM PREVIOUS MINUTES

9. NOTICES OF MOTION RECEIVED BY THE SECRETARY-TREASURER PRIOR TO THE CLOSING OF THE MEETING

There were no notices of motion received by the Secretary-Treasurer prior to the closing of the meeting.

10. PAYMENT OF VOUCHERS

a) February 2016

Resolution: 16-021

BE IT RESOLVED THAT the statement of disbursements for the month of February 2016 in the amount of \$15,809.63 to be distributed and is hereby approved for payment.

MOVED BY: Ginny Rook

SECONDED BY: Heide Ralph

Carried.

11. CLOSED SESSION

Resolution: 16-022

BE IT RESOLVED THAT the Sudbury East Planning Board proceed to a closed session for the purpose of discussing personal matters about an identifiable individual, including municipal or local board employees as per Section 239 of the Municipal Act.

MOVED BY: Carol Lemmon

SECONDED BY: Jim Stankovich

Carried

Resolution: 16-023

BE IT RESOLVED THAT the Sudbury East Planning Board return to a public forum.

MOVED BY: Greg Hunt

SECONDED BY: Jim Stankovich

Carried

The Chair advised that a closed meeting was held. One item was considered, there is nothing further to report.

12. ADJOURNMENT

Resolution: 16-024

BE IT RESOLVED THAT the Meeting be adjourned at 6:38 P.M.

AND THAT the next regular meeting be held on April 14th, 2016 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

MOVED BY: Ginny Rook

SECONDED BY: Paul Schoppmann

Carried.



CHAIR



SECRETARY-TREASURER