

**SUDBURY EAST PLANNING BOARD  
MINUTES  
Thursday, July 14, 2016 at 5:30 p.m.  
Sudbury East Planning Board Office  
5 Dyke Street, Warren, Ontario**

**MEMBERS PRESENT:** Michel Bigras, Debbie Burant (5:33 pm), Carol Lemmon, Heide Ralph, Ginny Rook (5:32 pm), Denny Sharp, Paul Schoppmann, Ned Whynott

**MEMBERS ABSENT:** Greg Hunt, Jim Stankovich

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

**PUBLIC PRESENT:** Philip Boivin, Renee Chaperone, Carley Charbonneau, Tanner Charbonneau, Don Daily, Monica Daily, Janet Parsons, John Regan

**1. MEETING CALLED TO ORDER**

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

**2. ADOPTION OF THE AGENDA**

**Resolution: 16-057**

**BE IT RESOLVED THAT** the agenda for the Sudbury East Planning Board regular meeting of July 14<sup>th</sup>, 2016 be adopted as amended.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Carole Lemmon

**Carried.**

**3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

Member Rook disclosed Pecuniary Interest in Consent Application B/16/16/KL.

**4. ADOPTION OF MINUTES**

- a) Sudbury East Planning Board – Regular meeting of June 9, 2016
- b) Sudbury East Planning Board – Special meeting of June 20, 2016

**Resolution: 16-058**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meetings of June 9, 2016, and June 20, 2016, be adopted as distributed.

**MOVED BY:** Ned Whynott

**SECONDED BY:** Paul Schoppmann

**Carried**

**5. CLOSED SESSION**

**Resolution: 16-059**

**BE IT RESOLVED THAT** the Sudbury East Planning Board proceed to a closed session as per Section 239(2)(b) of the Municipal Act for the purpose of discussing personal matters about an identifiable individual, including municipal or local board employees.

**MOVED BY:** Ned Whynott

**SECONDED BY:** Heide Ralph

**Carried.**

**Resolution: 16-064**

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

**MOVED BY:** Debbie Burant

**SECONDED BY:** Carol Lemmon

**Carried.**

The Chair advised that a closed meeting was held. Items discussed were matter respecting an identifiable individual. No further action is required.

**6. PRESENTATIONS/DELEGATIONS**

There were no presentations and/or delegations.

**7. ZONING CONFORMITY PERMITS**

a) Zoning Conformity Permits for the second quarter of 2016.

**8. ZONING BY-LAW AMENDMENTS**

The chair advised that a Public Hearing will be held before the Planning Board makes a decision on a zoning by-law amendment. Also that the analysis and discussion serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Zoning By-law Amendment; 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 the Public Hearing was posted in the Planning Board office and sent by First Class Mail to assessed owners within 120 metres of the property subject to the Zoning By-law Amendment Application and to those persons and agencies likely to have an interest in the application. The Notice was sent on May 18<sup>th</sup>, 2016, being over twenty (20) days prior to this evenings meeting. Included with the Notice was an explanation of the purpose and effect of the proposed Consent and a key map showing the location of the property. The circulation was provided in accordance with the provisions of the Planning Act, R.S.O., Chapter P.13.

a) ZBA 16-05BRW – Tanner and Ricky Charbonneau

Tanner Charbonneau was present for questions or comments from the Board.

The Director of Planning summarized the application. The subject property is located at 2239 C Nepewassi Lake Road, in the Unincorporated Township of Burwash. The associated application for consent (B/10/16/BRW) proposes to sever one lot of 1.0 hectares in area and 155.0 metres of frontage from the easterly side of the property. The associated application for Zoning By-law Amendment would rezone the proposed severed lands from the current Rural (RU) to Residential Rural (RR) to recognize the intended size and use of the lot.

This property has an extensive development history. It was part of the original Vacationland Campground. The original parcel was naturally severed by Nepewassi Lake Road, Langley Road and Twin Bay Road and some development has occurred from the naturally severed portions. In 1998, two lots were severed from the north end of the subject lands, each containing an existing dwelling. The subject lands still contains a number of structures associated with the original use, as described on page 3 of the staff report. Upon site visit it appears that the white siding cottage is in use and the owners' mother indicated that a cousin uses the structure seasonally. The permanent structures would be considered legal non-conforming and it appears that in 2007 two of the park model trailers were considered legal non-conforming.

The applicants are reminded that the use of travel trailers for human habitation is not permitted in any zone other than those zoned for commercial tourist use.

My recommendation would be that the application could potentially be supported if a condition is applied that would see the removal of one of the park model trailers. If that condition is applied, the application could be considered to meet the policies of the PPS and OP with respect to limited rural development on appropriate services.

No comments were received through agency circulation and no comments were received through public notice.

The application can be supported from a planning perspective.

There were no questions or comments from the Board.

**Resolution: 16-065**

**BE IT RESOLVED THAT** By-law Number 16-01 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 16-05BRW, submitted by Tanner and Ricky Charbonneau be read a first and second time this 14<sup>th</sup> day of July, 2016.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Debbie Burant

**Carried**

**Resolution: 16-066**

**BE IT RESOLVED THAT** By-law Number 16-01 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 16-05BRW submitted by Tanner and Ricky Charbonneau be read a third and final time this 14<sup>th</sup> day of July, 2016.

**MOVED BY:** Ginny Rook

**SECONDED BY:** Heide Ralph

**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.

## 9. **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 60 metres of the property subject to Consent Application and to those persons and agencies likely to have an interest in the application. The Notices were sent on May 18, 2016 (B/10/16/BRW – Tanner and Ricky Charbonneau), May 30, 2016 (B/12/16/KL - Doris Beaulieu and Joanne Bouchard), June 7, 2016 (B/13/16/FR - Jeanne Brabant), June 10, 2016 (B/14-15/16/MW – Philip and Simone Boivin) and June 13, 2016 (B/16/16/KL – Leo and Elaine Ouimette) (B/17/16/FR – Richard Quesnel) 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/10/16/BRW – Tanner and Ricky Charbonneau**

#### **Resolution: 16-067**

**BE IT RESOLVED THAT** Consent Application B/10/16/BRW submitted by Tanner and Ricky Charbonneau be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Paul Schoppmann

**SECONDED BY:** Heide Ralph

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

**b) B/12/16/KL – Doris Beaulieu and Joanne Bouchard**

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

The Director of Planning summarized the application. The subject property is located on the newly realigned Gauthier Road on the west side of Highway 69, just south of Highway 64.

The application proposes to sever 1 rural lot of approximately 9.91 hectares with 473.5 metres frontage and retain 12.17 hectares with 431.0 metres frontage.

With respect to Official Plan policies, pre-consultation was required with MTO regarding access, in fact the application was delayed for over a year as MTO did not wish to have the application proceed until the realignment work was completed. The Corridor Management Officer has since confirmed that sight lines are good in both directions for the new proposed driveway. No other issues with respect to OP policies were identified.

Both lots will continue to meet the minimum requirements of the RU Zone, no rezoning is required.

No additional comments, aside from MTO were received through agency circulation.

We did receive one phone call from an abutting property owner seeking clarification regarding the application, but no concerns were expressed.

The application can be supported from a planning perspective.

There were no comments or questions from the Board.

**Resolution: 16-068**

**BE IT RESOLVED THAT** Consent application B/12/16/KL submitted by Doris Beaulieu and Joanne Bouchard be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Heide Ralph

**SECONDED BY:** Debbie Burant

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may

appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

**c) B/13/16/FR – Jeanne Brabant**

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

The Director of Planning summarized the application. The subject property is located on Bear Lake Road in the Municipality of French River. The application for consent is for a lot addition of 487 m<sup>2</sup> which is intended to provide sufficient area to construct a septic system which will replace an existing holding tank.

Both the retained and proposed enlarged lots are undersized, and the applicant has submitted a concurrent application for minor variance to recognize the further reduced lot area of the retained lot and the existing reduced frontage. That application will be considered by the Committee of Adjustment for the Municipality of French River on July 27, 2016.

The lot addition does not affect any provincial interests under the Provincial Policy Statement, generally lot boundary adjustments are permitted by the Official Plan. With respect to both Official Plan and the Zoning By-law, both lots are undersized to current Waterfront Residential (WR) provisions, however, if you look at the FRI imagery, you will see that the configuration of the portion to be severed is irregular, largely consisting of access for other lots. This will not affect the usability or location for sewage services for the retained lot, but will serve to improve the sewage services on the proposed enlarged lot which is currently an issue.

No comments were received through agency circulation or through public consultation.

The application can be supported from a planning perspective provided that the attached conditions are fulfilled with respect to consolidation of the lot addition, required discharged of easement is completed, and the variances are approved by the Municipality of French River.

There were no questions or comments from the Board.

**Resolution: 16-069**

**BE IT RESOLVED THAT** Consent application B/13/16/FR submitted by Jeanne Brabant be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Debbie Burant

**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

appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

**d) B/14-15/16/MW – Philip and Simone Boivin**

Philip Boivin was available for questions or comments from the Board.

The Director of Planning summarized the applications. The subject property is located at 481 MacLean Road in the Municipality of Markstay-Warren. The application proposes to separate three original parcels which have merged on title due to the pattern of ownership. Each of the proposed severed parcels have an area of 32.4 hectares and a frontage of 400.0 metres and are presently vacant. The proposed retained lot will have an area of 16.2 hectares and a frontage of 200.0 metres and contains an existing dwelling and accessory structures.

With respect to Official Plan policies, separation of lots that have merged on title is permitted and the application was also reviewed with respect to the criteria for creation of a new vacant lots. No constraints or issues were identified.

All lots will continue to meet the requirements of the Rural Zone.

With respect to agency review, Hydro One has advised they have no objection in principle provided that their easement rights are protected and maintained. They have requested detailed servicing plans and site plans when construction takes place. For that reason, I have included a condition to place the property under site plan control. Site plan control will be triggered through the building permit process.

The Municipality of Markstay-Warren provided comments after the report was written indicating that the property is not affected by a municipal drain.

No other comments were received through agency circulation or from the public.

The applications can be supported from a planning perspective, subject to the attached conditions.

There were no questions or comments from the Board.

**Resolution: 16-070**

**BE IT RESOLVED THAT** Consent application B/14-15/16/MW submitted by Philip and Simone Boivin be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Ginny Rook

**SECONDED BY:** Denny Sharp

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

**e) B/16/16/KL – Leo and Elaine Ouimette**

Member Rook had declared pecuniary interest in the application and withdrew from the Board.

The Director of Planning summarized the application. The subject property is located at 829 Hartley Bay Road in the Municipality of Killarney. The application proposes a lot addition of 0.9 hectares with 67.0 metres frontage to be added to the adjacent lot to the west (857 Hartley Bay Road).

Both lots are currently zoned Residential Rural (RR), and the lot addition will result in the increase in size of an undersized lot to 1.3 hectares which will then meet the requirement of the Zoning By-law and the retained lot will continue to meet the minimum requirement with an area of 1.6 hectares.

The application complies with the policies of the Provincial Policy Statement and the Official Plan and as mentioned the Zoning By-law.

No comments were received through agency circulation or through public consultation.

The application can be supported from a planning perspective.

There were no questions or comments from the Board.

**Resolution: 16-071**

**BE IT RESOLVED THAT** Consent application B/16/16/KL submitted by Leo and Elaine Ouimette be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Paul Schoppmann

**SECONDED BY:** Carol Lemmon

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will lapse.

Member Rook returned to the Board table.



**f) B/17/16/FR – Richard Quesnel**

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

The Director of Planning summarized the application. The subject property is located on Dokis Reserve Road in the Municipality of French River.

The application proposed to create one Residential Rural (RR) lot containing an existing dwelling and accessory structures having an area of 2.4 hectares and a frontage of 144.6 metres. The retained lot is to be 25.2 hectares with a frontage of 526.0 metres and is currently vacant.

With respect to Provincial Policy and Official Plan Policy, a licensed aggregate resource site is located to the immediate north of the subject lands.

Development (including lot creation) and activities that would preclude or hinder the establishment of an operation or continued use of the resource unless it can be demonstrated that the resource use would not be feasible, the proposed use or development serves a greater long term interest and issues of public health and safety have been addressed. In that regard the applicant was requested to and submitted a report prepared by DST Consulting which concluded that the proposed severance would not impact the resource. Site observations indicate that extraction of significant volumes of aggregate would be limited by the surface water on the western portion of the property, bedrock to the south and east and residential development to the north.

With respect to zoning the proposed severed lot requires rezoning as it will no longer meet the minimum requirements of the Rural (RU) Zone. A concurrent application has been submitted and will be considered by the Council for the Municipality of French River at its meeting on July 27, 2016.

No comments were received through agency circulation or through public consultation.

The application can be supported from a planning perspective.

There were no questions or comments from the Board.

**Resolution: 16-072**

**BE IT RESOLVED THAT** Consent Application B/17/16/FR submitted by Richard Quesnel be recommended for approval as per the report submitted by the Director of Planning.

**MOVED BY:** Ned Whynott

**SECONDED BY:** Debbie Burant

**Carried**

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Municipal Board Act.

The applicants have one year to fulfill the conditions of this conditional approval or the approval will

lapse.

**10. NEW BUSINESS**

There is no new business.

**11. BUSINESS ARISING FROM PREVIOUS MINUTES**

a) Report on available Municipal properties for SEPB office.

The Director of Planning presented a spreadsheet to compare the facilities available from the member municipalities for relocation of the Planning Board office. The best location that filled all of the requirements was the new office space at the arena in the Community of Warren. The space has been empty since the construction four years ago.

**Resolution: 16-073**

**BE IT RESOLVED THAT** the Planning Board authorizes the Director of Planning to enter into a 5-year lease agreement with the Municipality of Markstay-Warren to procure new office space at the Warren Arena in the Community of Warren beginning August, 2016.

**MOVED BY:** Denny Sharp

**SECONDED BY:** Debbie Burant

**Carried**

a) Bill 73 Update

The Director of Planning brought forward information from Bill 73 stating that Board Members would have to indicate how comments from the public influenced their decisions regarding applications. There is a possibility that this will delay the approval process. Member Lemmon asked if there was a template for responses. The Director of Planning said that there would be.

b) COOP 2016 Funding

**Resolution 16-074**

**BE IT RESOLVED THAT** the Planning Board hereby authorizes the Director of Planning to enter into a Memorandum of Understanding with the area municipalities; and

**WHEREAS** the Planning Board will take the lead on payment for, and integration of, imaging tiles associated with the COOP 2016 Project, whereby the municipalities agree to repay the Planning Board within 30 days of receipt of an invoice for the said project.

**MOVED BY:** Paul Schoppmann

**SECONDED BY:** Ned Whynott

**Carried**

c) Signing Authority

**Resolution 16-075**

**BE IT RESOLVED THAT** the Sudbury East Planning Board confer signing authority to Michel Bigras, Chairperson or Paul Schoppmann, Vice-Chairperson and Karen Beaudette, Administrative Assistant, in regards to all banking matters pertaining to the Planning Board's General account. The Director of Planning/Secretary Treasurer will retain signing authority until the end of business day, July 29, 2016.

**MOVED BY:** Carol Lemmon  
**SECONDED BY:** Ginny Rook  
**Carried**

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

No Notices of Motion were received

**13. PAYMENT OF VOUCHERS**

a) June 2016

**Resolution 16-076**

**BE IT RESOLVED THAT** the statement of disbursements for the month of June 2016 in the amount of \$20,368.12 to be distributed and is hereby approved for payment.

**MOVED BY:** Debbie Burant  
**SECONDED BY:** Heide Ralph  
**Carried**


**14. ADJOURNMENT**

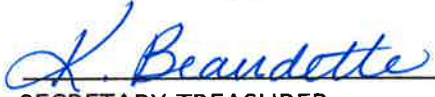
**Resolution: 16-077**

**BE IT RESOLVED THAT** the Meeting be adjourned at 6:47 P.M.

**AND THAT** the next regular meeting be held on August 11<sup>th</sup>, 2016 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

**MOVED BY:** Heide Ralph  
**SECONDED BY:** Denny Sharp  
**Carried.**

  
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CHAIR

  
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SECRETARY-TREASURER