

## SUDBURY EAST PLANNING BOARD

### NOTICE OF THE PASSING OF A ZONING BY-LAW

**TAKE NOTICE THAT** the Sudbury East Planning Board passed

#### **By-Law 2019-03**

on the 9<sup>th</sup> day of May, 2019

under Section 34 of The Planning Act, R.S.O. 1990, Chapter P.13

**AND TAKE NOTICE THAT** any person or agency may appeal to the Local Planning Appeal Tribunal in respect of the by-law by filing with the Secretary-Treasurer of the Sudbury East Planning Board (39 Lafontaine Street, Unit 4, P.O. Box 250, Warren, Ontario, P0H 2N0), not later than the

**29<sup>th</sup> day of May, 2019**

**A NOTICE** of appeal setting out the objection to the by-law and reasons in support of the objection, accompanied by the fee of \$300.00 required by the Local Planning Appeal Tribunal, payable to the Minister of Finance, Province of Ontario.

The complete by-law is available for public review during normal office hours at the Sudbury East Planning Board Office, 39 Lafontaine Street, Unit 4, P.O. Box 250, Warren, Ontario, P0H 2N0 (telephone (705)967-2174 or fax (705)967-2177).

**Note:** Only individuals, corporations, and public bodies may appeal a by-law to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the approval authority or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated at Warren, this 13<sup>th</sup> day of May, 2019.

Matthew Dumont, MCIP, RPP  
Director of Planning

**Purpose and Effect of By-Law 2019-03**

Re: Application No. ZBA 19-04HND  
(Michael Chapman)  
Roll No. 5202-250-000-056-00

On May 9<sup>th</sup>, 2019, the Sudbury East Planning Board approved a zone change application submitted by Michael Chapman, for lands described as Part of Lot 11, Concession 4, in the Unincorporated Township of Hendrie, Territorial District of Sudbury, and being Part 1, Plan 53R-12068 (Parcel 23890 Sudbury East Section).

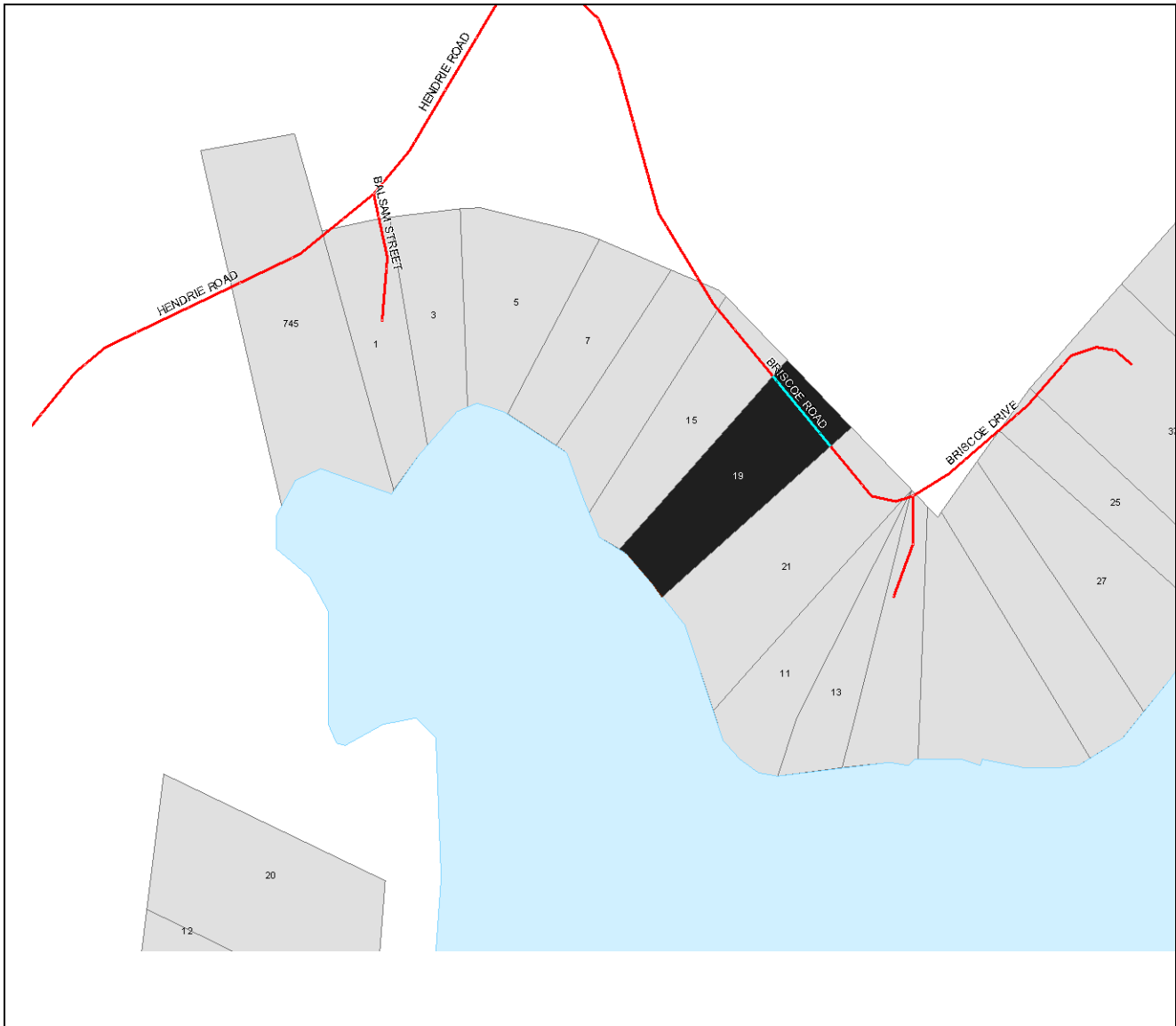
The purpose and effect of the application is to maintain the Waterfront Residential (WR), however a regulation is to be implemented to recognize a reduced setback from the optimal summer water level for structural development, thereby protecting the natural vegetation along the shoreline.

The Zoning By-law Amendment will maintain the Waterfront Residential (WR), however a regulation will be implemented. The Zoning By-law Amendment for the subject lands will implement the following regulation:

- the minimum distance from the Optimal Summer Water Level for a seasonal dwelling shall be 9.0 metres.

No public input was received which effected the decision of the Board.

The subject property is located within the Waterfront Policy Area designation of the Official Plan for the Sudbury East Planning Area (adopted April 27<sup>th</sup>, 2010, approved by the Ministry of Municipal Affairs and Housing September 28<sup>th</sup>, 2010).



**KEY MAP**

Zoning By-law Amendment Application  
(Michael Chapman)  
Part of Lot 11, Concession 4  
Summer Location AE651  
in the Unincorporated Township of Hendrie  
Territorial District of Sudbury  
being Part 1, Plan 53R-12068  
Parcel 23890 S.E.S.  
(Roll No. 5202-250-000-056-00)  
(SEPB File No. ZBA 19-04HND)



**AERIAL PHOTOGRAPHY**

Zoning By-law Amendment Application

(Michael Chapman)

Part of Lot 11, Concession 4

Summer Location AE651

in the Unincorporated Township of Hendrie

Territorial District of Sudbury

being Part 1, Plan 53R-12068

Parcel 23890 S.E.S.

(Roll No. 5202-250-000-056-00)

(SEPB File No. ZBA 19-04HND)

## THE SUDBURY EAST PLANNING BOARD

### BY-LAW 2019-03

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Being a By-law to amend Zoning By-law 14-01, as amended  
(Michael Chapman)

**WHEREAS** By-law 14-01 of the Sudbury East Planning Board has been passed, being a Zoning By-law to regulate the use of land and the character, location, and use of buildings and structures, in the Unincorporated Townships of the Sudbury East Planning Area, under the authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Sudbury East Planning Board may amend such By-law in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

**AND WHEREAS** the Sudbury East Planning Board has received an application to amend such By-law;

#### **NOW THEREFORE THE SUDBURY EAST PLANNING BOARD ENACTS AS FOLLOWS:**

1. Schedule(s) A4 of the Western Unincorporated Townships (Hendrie Township) of By-law 14-01 of the Sudbury East Planning Board, as amended, is hereby further amended by the addition of Special Provision 29 (S29) to the Waterfront Residential Zone (WR) on Part of Lot 11, Concession 4, in the Unincorporated Township of Hendrie, Territorial District of Sudbury, being Part 1, Plan 53R-12068, Parcel 23890 Sudbury East Section, and as shown on Schedule "A-1" affixed hereto.
2. Section 8 of By-law 14-01 of the Sudbury East Planning Board is hereby amended by the addition of the following Special Provision:
  29. Notwithstanding any provisions to the contrary of Section 7.7.2 of By-law 14-01, within the lands zoned Waterfront Residential (WR), described as Part of Lot 11, Concession 4, in the Unincorporated Township of Hendrie, Territorial District of Sudbury, being Part 1, Plan 53R-12068, Parcel 23890 Sudbury East Section, the following special provisions shall apply:
    - (ii) Regulations:
      - the minimum distance from the Optimal Summer Water Level for a seasonal dwelling shall be 9.0 metres

All other provisions of By-law 14-01 as applicable to the Waterfront Residential Zone (WR) shall apply.

3. Schedule "A-1" is hereby declared to form part of this By-law.
4. This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, and Chapter P.13.

**READ A FIRST AND SECOND TIME this 9<sup>th</sup> day of May, 2019.**

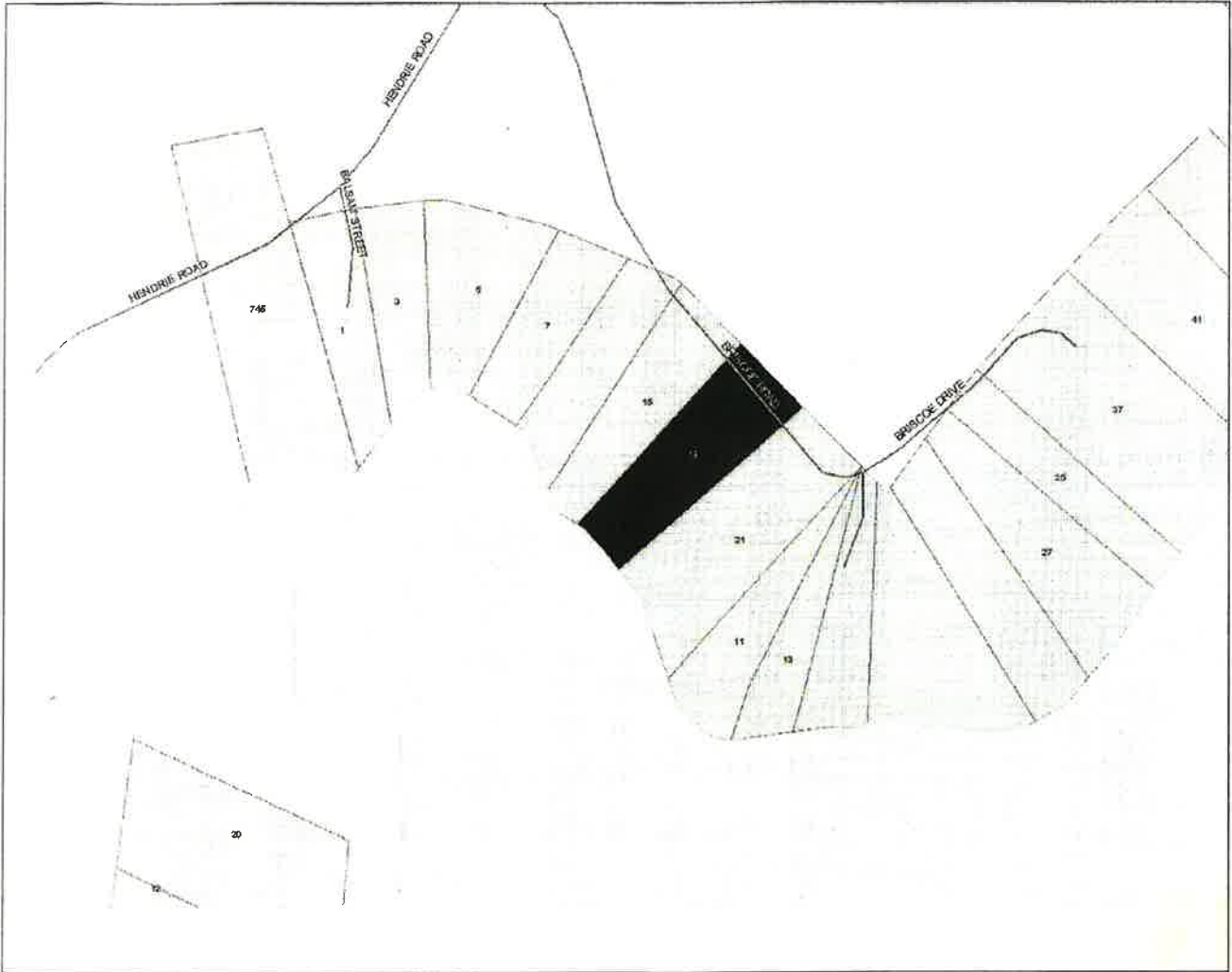
  
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CHAIR / MAYOR

  
\_\_\_\_\_  
SECRETARY-TREASURER / CLERK

**READ A THIRD TIME AND FINALLY PASSED this 9<sup>th</sup> day of May, 2019.**

  
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CHAIR / MAYOR

  
\_\_\_\_\_  
SECRETARY-TREASURER / CLERK



This is Schedule "A-1" to By-law 2019-03 of the Sudbury East Planning Board, passed this 9<sup>th</sup> day of May, 2019.

*Virginia Koch*  
 Chair / Mayor

*Matthew Dumort*  
 Secretary-Treasurer / Clerk



Lands zoned Waterfront Residential (WR), subject to Special Provision 29 (S29), on Part of Lot 11, Concession 4, in the Unincorporated Township of Hendrie, Territorial District of Sudbury; being Part 1, Plan 53R-12068, Parcel 23890 Sudbury East Section. (Roll No. 5202-250-000-056-00)