

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, May 09, 2019 at 5:30 p.m.
Sudbury East Planning Board Office
39 Lafontaine Street, Warren, Ontario**

MEMBERS PRESENT: Carol Lemmon, Dave Viau, Jackie Lafleur, Paul Branconnier
Ginny Rook, Rachelle Pigeau, John Dimitrijevic, Ned Whynott

MEMBERS ABSENT: Ron Garbutt, Heide Ralph

OFFICIALS PRESENT: Matthew Dumont, Director of Planning/Secretary-Treasurer
Nancy Roy, Administrative Assistant

1. MEETING CALLED TO ORDER

Chair Rook called the meeting to order at 5:32 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 19-030

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of May 09, 2019 be adopted as distributed.

MOVED BY: David Viau

SECONDED BY: Paul Branconnier
Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No disclosures of Pecuniary Interest.

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board – Regular meeting of March 14th, 2019 be adopted as distributed.

Resolution: 19-031

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of March 14, 2019 be adopted as distributed.

MOVED BY: Paul Branconnier

SECONDED BY: Jackie Lafleur

Carried

5. PRESENTATION/DELEGATION

a) SEEDA (Sudbury East Economic Development Authority)

Sebastien Lagrandeur (Regional Economic Development Officer) brought forward information for the board members to inform them regarding SEEDA process and goals (Terms of Reference Attached).

Member Whynott questioned whether SEEDA would trigger any extra costs for the municipalities to endure. Mr. Lagrandeur assured the members that there would not be an extra costs involved.

Member Branconnier asked Mr. Lagrandeur if there was a meeting schedule in place at the moment. Member Branconnier was informed that meeting schedules and method will be determined once all members have been joined.

Member Lafleur stated that she approves the recommendation of the Director of Planning to be a member of SEEDA and commented that it would add weight for future encounters with development for the municipalities.

Resolution: 19-032

BE IT RESOLVED THAT the Sudbury East Planning Board allow the Director of Planning to be a member of the Sudbury East Economic Development Authority (SEEDA) which provides advocacy for economic development and coequally propels collaboration amongst its members.

MOVED BY: David Viau

SECONDED BY: Carol Lemmon

Carried

6. 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 April 17, 2019, being over twenty (20) days prior to this evenings meeting (ZBA 19-04HND – Michael Chapman). 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 19-04HND – Michael Chapman

The Director of Planning summarized the application.

The subject lands are located west of Highway 69 (8.5 kilometres) and is adjacent to Nepewassi Lake and is surrounded to the northwest and southeast by waterfront residential lots. To the north, lies Crown Land.

Presently, the subject property contains a seasonal dwelling that was constructed in 1952 and is approximately 4.38 metres from the Optimal Summer Water Level (OSWL). The seasonal dwelling is a legal non-complying structure and rather than using the existing footprint to reconstruct and/or expand the seasonal dwelling, the owner intends to demolish the existing structure entirely, therefore the legal non-complying status is no longer applicable. The new location is setback further from the existing seasonal dwelling to 9.0 metres, however 20.0 metres is required from the OSWL. The proposed area will facilitate the construction of a new seasonal dwelling with a detached garage and will include the removal of the original septic sewage disposal system. The seasonal dwelling will require relief from the OSWL.

With respect to the Official Plan, Waterfront Policy Areas are intended to provide the main locations for seasonal and limited permanent residential, recreational and tourism-oriented commercial uses. In accordance with Section 2.2.9.1.4, in the Waterfront land use designation, one primary dwelling is permitted on each residential lot.

With respect to zoning, The Waterfront Residential Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. In this case, the lot does not conform to the minimum lot area (0.29 hectares) nor the minimum lot frontage (31.39 metres) however, with respect to the lot area and lot frontage, the lot would be deemed to comply with the lot requirements of the Zoning By-law by virtue of Section 6.26 to Zoning By-law 14-01.

With respect to comments, no comments were received through agency circulation nor through the public.

It is recommended that the by-law be passed to recognize above noted application.

Resolution: 19-033

BE IT RESOLVED THAT By-law Number 19-03 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 19-04HND, submitted by Michael Chapman be read a first and second time this 09th day of May, 2019.

MOVED BY: Jackie Lafleur

SECONDED BY: Ned Whynott

Carried

Resolution: 19-034

BE IT RESOLVED THAT By-law Number 19-03 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 19-04HND submitted by Michael Chapman be read a third and final time this 09th day of May, 2019.

MOVED BY: Carol Lemmon

SECONDED BY: David Viau

Carried

Member Rook 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 Local Planning Appeal Tribunal Act.

7. CONSENT APPLICATIONS

The chair advised that a Public Hearing will be held before the Planning Board makes a decision on a Consent Application. 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 Consent Application; 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 60.0 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on April 04, 2019, being over fourteen (14) days prior to this evenings meeting (B/07-08/19/FR – Raymond Guy and Francine Gagnon). 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) **B/07-08/19/FR - Raymond Guy and Francine Gagnon**

The Director of Planning summarized the application.

The lands are located on the south side of Turenne Road, north of Highway 64 and east of Highway 69. The subject lands are in an area of residential uses (waterfront) and is approximately 1.65 kilometers from the Village of Alban.

The purpose of the Applications for Consent is to re-establish Lots 21 & 22 on Plan M-809 with a minor reconfiguration of the rear lots to include Parts 11 & 10 respectively on the draft plan (formed part of the closed portion of Victor Road) which have already been consolidated with the overall parent parcel, and one (1) right of-way on land known Municipally as 368 C Turenne Road. The proposed severed lot is to have a lot area of 0.38 ha and a water frontage of 30.0 metres and presently contains a **seasonal dwelling** and accessory structures (two wood sheds and a gazebo). The proposed retained lot is to have a lot area of 0.31 ha and a water frontage of 31.0 metres and presently contains a **seasonal dwelling** and an accessory structure (sauna).

The purpose of the right-of-way is to establish legal access for the subject lands (Lot 21, Plan M-809). The lands are located on the Bay of French River. The subject lands and adjacent lot (Lot 22, Plan M-809) access the properties via a registered right-of-way and a blanket easement (Victor Road closed by By-law 2007-54) extending from Turenne Road. The applicant is requesting legal access to recognize the **existing driveway** access which is to Lot 21, Plan M-809.

The purpose of the minor variance is to recognize the reduced lot areas and lot frontages of both the severed and retained lots from the 0.8 hectares and 60.0 metres required by the Waterfront Residential (WR)' provisions of the Zoning By-law 2014-23.

With respect to the Official Plan, 4.5.1, consents for separating lots that have merged on title; facilitating the disposal of a second legal dwelling; new lots that represent minor infilling; and easements or right-of-ways are permitted.

With respect to zoning, The 'Waterfront Residential (WR)' Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. The variances being sought would facilitate the creation of one (1) waterfront lot having a water frontage on the Bay of French River in the Municipality of French River.

With respect to comments, no comments were received through agency circulation nor through the public.

Staff of the Municipality of French River had no comments or concerns.

The application can be supported from a planning perspective provided that the attached conditions area fulfilled with respect to the severance.

Resolution: 19-035

BE IT RESOLVED THAT Consent Application B/07-08/19/FR submitted by Raymond Guy and Francine Gagnon be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: David Viau

SECONDED BY: Paul Branconnier

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 Local Planning Appeal Tribunal Act.

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

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 60.0 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on April 24, 2019, being over fourteen (14) days prior to this evenings meeting (B/09/19/MW – Barbara St. Germain). 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.

b) B/09/19/MW - Barbara St. Germain

The Director of Planning summarized the application.

The subject property is located at 191 McKerral Road in the Municipality of Markstay-Warren. The application proposes a lot addition of approximately 0.7 hectares to be severed from the subject lands and added to the adjacent undersized parcel. This lot addition will ensure that the enlarged lot has sufficient area to be developed for residential purposes and meet the minimum requirements of the residential rural zone.

This application was similar to B/33/15/MW and B/17/17/MW which was approved by SEPB, but lapsed prior to all conditions being satisfied.

An application for zoning by-law amendment was approved by the Municipality of Markstay-Warren on December 21st, 2015, which was to ensure the entire enlarged lot is zoned residential rural. The retained lands are to be 25 hectares in area with a lot frontage of 278 metres and will continue to meet the requirements of the rural zone.

Staff and Council of the Municipality of Markstay-Warren had no comments or concerns.

Bell Canada: confirmed that they have an existing easement over the subject property and that their rights must be maintained, however they do not have any concerns or easement requirements.

SDHU: supportive comments received.

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

Staff of the Municipality of Markstay-Warren had no comments or concerns.

The application can be supported from a planning perspective provided that the attached conditions area fulfilled with respect to the lot addition.

Resolution: 19-036

BE IT RESOLVED THAT Consent Application B/09/19/MW submitted by Barbara St. Germain be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: New Whynott

SECONDED BY: David Viau

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 Local Planning Appeal Tribunal Act.

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

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 60.0 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on April 12, 2019, being over fourteen (14) days prior to this evenings meeting (B/10/19/SC – Andrew and Nancy Kennedy). 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.

c) B/10/19/SC - Andrew and Nancy Kennedy

The Director of Planning summarized the application.

The lands are located on the west side of Highway 64 and southwest of Musky Island Road. The lands are accessed via a private road, approximately 1.7 kilometres, which meanders to Musky Island Road through crown lands and private lands. The subject lands are surrounded by three (3) waterfront residential developments to the east and west which were intended to be Water Access lots only. To the south, the subject property abuts Crown lands and to the north, abuts the West Arm (Lake Nipissing).

The purpose of the Application for Consent is to effect a lot addition of approximately 0.26 hectares to be severed from the above noted property on Musky Island Road and to be added to the adjacent property to the west for additional amenity area. The proposed lot to be enlarged is known municipally as 325 Musky Island Road. The proposed retained lands are to be approximately 0.55 hectares in lot area with a lot frontage of approximately 84.0 metres and presently contains a season dwelling.

The purpose of the minor variance is to recognize the reduced lot area for the retained lot from the 0.8 hectares required by the Waterfront Residential (WR)' provisions of the Zoning By-law 2014-26.

With respect to the official Plan, Lands designated Waterfront Policy Area are intended to provide the main locations for seasonal and limited permanent residential, recreational and tourism-oriented commercial uses. Section 2.2.9.1 (4) permits one primary dwelling on each residential lot.

With respect to the zoning by-law, the minimum lot area requirement is 0.8 hectares and the minimum lot frontage requirement is 60.0 metres. After the lot addition, the proposed lot to be enlarged will have an area of approximately 0.68 hectares and a lot frontage of 125.0 metres. Section 6.26(c) of the Zoning By-law provides that where lands are added to an existing undersized parcel, that such lot is deemed to comply with the minimum lot area requirements, therefore no variance is required to recognize the reduced lot area.

Staff of the Municipality of St. Charles had no comments or concerns.

Bell Canada: had no comments with respect to the proposed application.

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

The application can be supported from a planning perspective provided that the attached conditions area fulfilled with respect to the lot addition.

Resolution: 19-037

BE IT RESOLVED THAT Consent Application B/10/19/SC submitted by Andrew and Nancy Kennedy be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Paul Branconnier

SECONDED BY: Jackie Lafleur

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 Local Planning Appeal Tribunal Act.

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

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 60.0 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on April 24, 2019, being over fourteen (14) days prior to this evenings meeting (B/11/19/KL – Kevin Prentice). 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.

d) B/11/19/KL - Kevin Prentice

The Director of Planning summarized the application.

The purpose of the Application for Consent is to effect a lot addition to provide sufficient area to resolve an existing covered deck which encroaches on Lot 23, TP196. The proposed retained lot is to be approximately 1.33 hectares in lot area with a lot frontage of approximately 70.0 metres and is presently vacant. The proposed severed lands are to be approximately 32 square metres in area and are to be added to Lot 24, TP196.

With respect to the official Plan, Section 4.5.1 of the Plan lists instances where consents are granted, including **lot boundary adjustments** such as that currently proposed. The lot proposed to be severed is currently oversized, as is the proposed lot to be enlarged. The lot addition is to provide sufficient room for an existing deck which encroaches on the subject property.

With respect to the zoning by-law, the minimum lot area requirement is 0.8 hectares and the minimum lot frontage requirement is 60.0 metres. After the lot addition, the proposed lot to be enlarged will have an area of approximately 1.30 hectares and a lot frontage of 55.4 metres. Section 6.26(c) of the Zoning By-law provides that where lands are added to a lot (as defined by this By-law), that such lot is deemed to comply with the minimum lot frontage requirements, therefore no variance is required to recognize the reduced lot frontage.

The Municipality of Killarney has no issues or concerns with the proposal.

Bell Canada has no comments with respect to the proposed application.

Hydro One has no comments or concerns at this time.

No further comments were received as of the date this report was written.

The application can be supported from a planning perspective provided that the attached conditions area fulfilled with respect to the lot addition.

Resolution: 19-038

BE IT RESOLVED THAT Consent Application B/11/19/KL submitted by Kevin Prentice be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: John Dimitrijevic

SECONDED BY: Paul Branconnier

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 Local Planning Appeal Tribunal Act.

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

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 60.0 metres of the property subject to the Consent Applications and to those persons and agencies likely to have an interest in the applications. The Notice was sent on April 24, 2019, being over fourteen (14) days prior to this evenings meeting (B/12/19/FR – Theresa Bertrand). 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.

e) B/12/19/FR - Theresa Bertrand

The Director of Planning summarized the application.

The lands are located on the south side of Mercer Road, west of Highway 64. The subject lands are in an area of residential uses with the exception of the Monetville Public School which is on the north side of Mercer Road and a convenience store, located on the south side of Mercer Road. The subject lands are approximately 9.22 kilometers from the Village of Noelville and has frontage on Highway 64.

The purpose of the Application for Consent is to effect a lot addition in order to provide sufficient area to construct an addition to the rear of the Calvary Mennonite Church. The proposed retained lot is to be approximately 0.61 hectares in lot area with a lot frontage of approximately 68.0 metres and is presently vacant. The proposed severed lands are to be approximately 0.02 hectares in lot area with a lot frontage of approximately 52.0 metres and are to be added to 15 Mercer Road.

With respect to the official Plan, Section 4.5.1 of the Plan lists instances where consents are granted, including **lot boundary adjustments** such as that currently proposed.

With respect to the zoning by-law, The 'Residential Rural (RR)' permits a single family home, a bed and breakfast, a home industry, a home occupation, and other accessory structures in accordance with the applicable provisions. The minimum lot area requirement is 0.8 hectares and the minimum lot frontage requirement is 60.0 metres. After the lot addition, the proposed lot to be enlarged will have an area of approximately 0.23 hectares and a lot frontage of 52.0 metres. Section 6.26(c) of the Zoning By-law provides that where lands are added to an existing undersized parcel, that such lot is deemed to comply with the minimum lot area and minimum lot frontage requirements,

therefore no variance is required to recognize the reduced lot area and lot frontage. As a condition of approval, A minor variance is required to recognize the reduced lot area of the proposed severed lot because it will be further reduced by the proposed application.

The Municipality of French River has no issues or concerns with the proposal.

Bell Canada has no comments with respect to the proposed application.

Hydro One has no comments or concerns at this time.

No further comments were received as of the date this report was written.

The application can be supported from a planning perspective provided that the attached conditions area fulfilled with respect to the lot addition.

Resolution: 19-039

BE IT RESOLVED THAT Consent Application B/12/19/FR submitted by Theresa Bertrand be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Carol Lemmon

SECONDED BY: David Viau

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 Local Planning Appeal Tribunal Act.

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

8. NEW BUSINESS

a) Sudbury East Planning Board Tracking (Phone calls and Meetings)

For information only, the Director of Planning provided the members with data summarizing the Sudbury East Planning Board's office encounters with the public regarding property development. The data was formed threow office phone calls and In Office or site located meetings.

10. BUSINESS ARISING FROM PREVIOUS MINUTES

- No new business

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

12. PAYMENT OF VOUCHERS

a) **March 2019 and April 2019**

Resolution 19-040

BE IT RESOLVED THAT the statement of disbursements for the month of March 2019 in the amount of \$24,648.71 and for the month of April 2019 in the amount of \$18,484.30 to be distributed and is hereby approved for payment.

MOVED BY: Carol Lemmon
SECONDED BY: Rachelle Pigeau

Carried

13. ADJOURNMENT

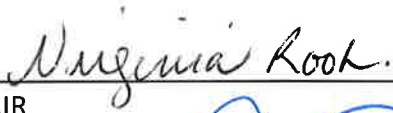
Resolution: 19-041

BE IT RESOLVED THAT the Meeting be adjourned at 6:52 P.M.


AND THAT the next regular meeting be held on June 13th, 2019 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

MOVED BY: David Viau
SECONDED BY: Jackie Lafleur

Carried.



CHAIR



SECRETARY-TREASURER

