

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, October 10, 2019 at 5:30 p.m.
Sudbury East Planning Board Office
39 Lafontaine Street, Warren, Ontario**

MEMBERS PRESENT: Carol Lemmon, Ned Whynott, Dave Viau, Heide Ralph,
Jackie Lafleur, Ginny Rook

MEMBERS ABSENT: Paul Branconnier, Rachelle Pigeau, John Dimitrijevic, Ron Garbutt

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

1. MEETING CALLED TO ORDER

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

2. ADOPTION OF THE AGENDA

Resolution: 19-073

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of October 10, 2019 be adopted as distributed.

MOVED BY: Heide Ralph

SECONDED BY: David Viau

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 September 12th, 2019 be adopted as distributed.

Resolution: 19-074

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of September 12, 2019 be adopted as distributed.

MOVED BY: David Viau

SECONDED BY: Jackie Lafleur

Carried

5. PRESENTATION/DELEGATION

6. 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 September 26, 2019, being over fourteen (14) days prior to this evenings meeting (B/26/19/SC – 2249162 Ontario Inc.(Gerry Dignard)). 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/26/19/SC - 2249162 Ontario Incorporated (Gerry Dignard)

The Director of Planning summarized the application.

The lands are located on the west side of Highway 535, north of Decosse Road and south of Coursol Road. The subject lands are in an area of residential and farming uses and are approximately 2.50 kilometers from the Village of St. Charles.

The purpose of the Application for Consent is to create one Rural lot which contains a contractor's establishment to store and maintain Canadian Shields own equipment. The company is a turnkey environmental engineering firm. The proposed lot is to be 8.0 hectares in lot area with a frontage of 100.0 metres and contains the above noted shop. The retained lot is 89.0 hectares in area with a frontage of 302.0 metres and contains an accessory building (detached garage) that was built in the 1980's.

The applicant severed two residential rural lots in 2007 from the subject property through application B/18-19/07/SC. Both proposed severed lots were rezoned to Residential Rural (RR) through application ZBA 07-06 & 07SC.

With respect to the OP, Consents to sever land for the purposes of creating a new building lot shall only be granted where a plan of subdivision has been determined not to be appropriate.

One potential development constraint was identified on Schedule D of the Official Plan. An abandoned Mine Site is located to the immediate north of the subject lands. Section 3.8.3 of the Official Plan echoes the policies of the Provincial Policy Statement pertaining to the protection from incompatible adjacent land uses.

The Ministry of Energy, Northern Development and Mines (ENDM) states that there is one AMIS Site #04967 within close proximity of the subject land. However, this site is classified as Class D. Class D sites are the sites

where potential concerns regarding receiving environment, potential for onsite public health concerns and potential for serious injury or death to occur is not expected, therefore ENDM has no concerns with the proposal.

With respect to zoning, The 'Rural (RU)' Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres. The lot to be severed and retained will continue to meet those requirements.

Agency Comments:

Municipality of St. Charles: Municipal Drains – there are multiple drains on this property and will require reassessment.

Chief Building Official: Building Permit 11-044 – is open on subject property. Please contact Andrea to arrange for inspection.

Sudbury District Health Unit: no approvals. A condition of approval is required.

Fire Department: has no objection to the severance.

Ministry of Energy, Northern Development and Mines: has no concerns on this application based on the AMIS information.

Bell Canada: has no concerns with respect to the proposed application.

Ministry of Environment, Conservation and Parks: does not consider severances as an 'activity' under ESA that would impact SAR or protected habitat since development is not currently proposed.

No other Comments were received from agencies or the public as of the date this report was written. The application for consent is consistent with the 2014 Provincial Policy Statement and does comply with the Official Plan for the Sudbury East Planning Area, therefore it is recommend that application be Approved.

A board member questioned why the Sudbury District Health Unit Approval was part of the condition and not a requirement for the application? The Director of Planning stated that the owner is well aware of the condition and agreed to it before hand.

Resolution: 19-075

BE IT RESOLVED THAT Consent Application B/26/19/SC submitted by 2249162 Ontario Incorporated (Gerry Dignard) be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Heide Ralph

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 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 September 19, 2019, being over fourteen (14) days prior to this evenings meeting (B/29/19/FR – Madeleine and Richard Thomas). 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/29/19/FR - Madeleine and Richard Thomas

The Director of Planning summarized the application.

The lands are located within the Village of Alban. The property is located north of Highway 64, west of Delamere Road and east of Rochon Road. The lands are accessed via a provincial highway that being Highway 64. The subject lands are surrounded by a wide range of uses including residential, commercial and institutional.

The purpose of the Application for Consent is to effect a lot addition. The proposed lot to be severed is approximately 464 square metres and is to be added to the adjacent property to the west – 579 Highway 64. The proposed retained lot is to have an approximate area of 0.2 hectares and a frontage of 30.48 metres. The purpose of this transaction is to have the existing detached garage which is located on the above noted lands added to adjacent property to the west.

The purpose of the minor variance is to recognize the reduced lot area for the retained lot from the 0.4 hectares required by the 'Residential One (R1)' Zone provisions of the Zoning By-law 2014-23.

With respect to the OP, Consent 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 zoning, the minimum lot area requirement (without sewer services) is 0.4 hectares and the minimum lot frontage requirement (without sewer services) is 30.0 metres. Once the lot addition has been completed, the proposed lot to be enlarged will have an area of approximately 0.47 hectares and a lot frontage of 52.74 metres, however the retained lot will be further reduced in area from 0.25 hectares to 0.20 hectares. A minor variance is required to recognize the reduced lot area of the retained lot.

With Respect to agency comments:

Municipality of French River: had no comments or objections with respect to the propose lot addition.

Hydro One: has no comments or concerns with respect to the proposed application.

No other Comments were received as of the date this report was written.

The application for consent is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 19-076

BE IT RESOLVED THAT Consent Application B/29/19/FR submitted by Madeleine and Richard Thomas 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 September 26, 2019, being over fourteen (14) days prior to this evenings meeting (B/30/19/FR – Antony and Joscelyn 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.

c) B/30/19/FR - Antony and Joscelyn Gagnon

The Director of Planning summarized the application.

The lands are water access. Sufficient parking and boat launching services are provided at Rainbow Camp and Trailer Park which is located approximately 830 metres south of the subject property. The subject lands are in an area of predominantly waterfront residential uses which are also water access.

The purpose of the Application for Consent is to create one (1) Waterfront Residential lot. The proposed lot to be severed is approximately 0.50 hectares in area with an approximate water frontage of 130.0 metres and is presently vacant and is accessed by water only. The proposed retained lot is to be approximately 0.51 hectares in area with an approximate water frontage of 70.0 metres and presently contains a seasonal cottage, sleep cabin and a land based boathouse and is also accessed by water only.

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

With respect to the OP, Lands designated **Waterfront** are intended to provide the main locations for seasonal and limited permanent residential and recreational and tourism oriented commercial uses in the Sudbury East Planning Area (Section 2.2.9.1).

Section 2.1.5 (6)f) - the adequate provision of off-street parking, public boat docking facilities and garbage disposal for development that is to be accessible by water. The agent has provided a letter from Rainbow Camp and Trailer Park which supports the above noted policy.

Consent

Section 4.5.1 of the Plan lists instances where consents are granted;

New lots that represent minor infilling

With respect to zoning, the minimum lot area requirement is 0.8 hectares and the minimum lot frontage requirement is 60.0 metres. A minor variance is required to recognize the reduced lot area of the retained and severed lot.

With Respect to agency comments:

Municipality of French River: stated the severed lot would be subject parkland dedication policy.

Sudbury District Health Unit: appears that the proposed and retained lots are capable of development for installation of s septic tank and leaching bed system.

Hydro One: has no comments or concerns with respect to the proposed application.

No other Comments were received as of the date this report was written.

The application for consent is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 19-077

BE IT RESOLVED THAT Consent Application B/30/19/FR submitted by Antony and Joscelyn Gagnon be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: David Viau

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 September 26, 2019, being over fourteen (14) days prior to this evenings meeting (B/29/19/FR – Frank Deiacco and Julie Davidson). 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/31/19/MW - Frank Deiacco and Julie Davidson

The Director of Planning summarized the application.

The lands are located in the south side of 3rd Concession Road, west of Boundary Road, and municipally known as 988 3rd Concession Road. The subject lands are surrounded by rural and Crown lands.

The purpose of the Application for Consent is to sever one (1) Rural lot from the subject lands. The proposed severed lot is to be approximately 10.0 hectares in lot area with a lot frontage of approximately 200.0 metres and contains an existing dwelling. The proposed retained lands are to be approximately 52.9 hectares in lot area with a lot frontage of approximately 100.0 metres and is presently vacant.

Related File B/17/15/MW:

The Sudbury East Planning Board approved an Application for Consent is to sever one (1) Rural lot from the subject lands in 2015. The proposed severed lot was approximately 5.0 hectares in lot area with a lot frontage of approximately 100.0 metres and contained an existing dwelling and accessory structures. The proposed retained lands were to be approximately 62.9 hectares in lot area with a lot frontage of approximately 300.0 metres and were presently vacant.

With respect to the OP, With respect to servicing, the applicant has provided the required documentation to demonstrate site suitability for a septic system, reasonable expectation of potable water and capacity for hauled sewage. With respect to development constraints, a mine hazard was identified on Schedule D: Development Constraints. The Planning Board consulted with the Ministry of Northern Development and Mines (MNDM) who confirmed that a 2000 report indicates that there were two shallow trenches (1 metre deep) and a pit. The trenches are not significantly different from the surrounding topography, and are therefore not hazards and the pit has been filled in, so is no longer a hazard either. Based on that report MNDM is satisfied that no study would be required before severance.

With respect to zoning, The Rural Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. Each of the proposed severed and proposed retained lot will continue to meet these requirements.

With Respect to agency comments:

Hydro One Networks and Bell Canada had no concerns with the application and no other comments were received as of the date this report was written.

Municipality of Markstay-Warren: No objections or concerns.

Chief Building Official: Building Permit 15-065 – is open on subject property. Please contact Andrea to arrange for inspection.

Sudbury District Health Unit: appears that the proposed and retained lots are capable of development for installation of s septic tank and leaching bed system.

Fire Department: has no objection to the severance.

The application for consent is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 19-078

BE IT RESOLVED THAT Consent Application B/31/19/MW submitted by Frank Deiacco and Julie Davidson be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Heide Ralph

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.

7. BUSINESS ARISING FROM PREVIOUS MINUTES

8. NEW BUSINESS

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

10. PAYMENT OF VOUCHERS

a) September 2019

Resolution 19-079

BE IT RESOLVED THAT the statement of disbursements for the month of September in the amount of \$8,766.48 be distributed and is hereby approved for payment.

MOVED BY: Heide Ralph

SECONDED BY: Carol Lemmon

Carried

13. ADJOURNMENT

Resolution: 19-080

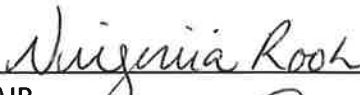
BE IT RESOLVED THAT the Meeting be adjourned at 6:19 P.M.

AND THAT the next regular meeting be held on December 05th, 2019 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.


MOVED BY: Heide Ralph

SECONDED BY: Carol Lemmon

Carried.



CHAIR



SECRETARY-TREASURER