

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, February 13, 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,
John Dimitrijevic, Ginny Rook, Ron Garbutt,

MEMBERS ABSENT: Rachelle Pigeau, Jackie Lafleur, Paul Branconnier

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

PUBLIC PRESENT: Dave Dorland, Lee Walker, Albert Gauthier, Laurie Bissonette

1. MEETING CALLED TO ORDER

The Chair called the meeting to order at 5:33 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 20-001

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of February 13, 2020 be adopted as distributed.

MOVED BY: David Viau

SECONDED BY: Carol Lemmon

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No disclosures of Pecuniary Interest.

4. ELECTIONS

Resolution: 20-002

BE IT RESOLVED THAT the election term for Chair and Vice-Chair be extended to the full term of Council.

MOVED BY: Heide Ralph

SECONDED BY: David Viau

Carried

5. ADOPTION OF MINUTES

- a) Sudbury East Planning Board – Regular meeting of December 05th, 2019 be adopted as distributed.

Resolution: 20-003

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board’s regular meeting of December 05, 2019 be adopted as distributed.

MOVED BY: David Viau

SECONDED BY: Heide Ralph

Carried

6. PRESENTATION/DELEGATION

- a) Audit

Laurie Bissonette, KPMG, presented the draft 2019 Financial Statement to the Board. Ms. Bissonette discussed the Balance Sheet and Income Statements, explaining each of the accounts. Ms. Bissonette stated that the Planning Board Staff was very helpful in the process and the Audit was completed very quickly.

There were no further comments or questions from the Board.

Resolution: 20-004

BE IT RESOLVED THAT the 2019 Audited Financial Statements submitted by the accounting firm of KPMG be accepted.

MOVED BY: Heide Ralph

SECONDED BY: Ron Garbutt

Carried

7. ZONING CONFORMITY PERMITS

- a) **4th Quarter 2019** - The Zoning Conformity Permits issued for the Fourth Quarter of 2019 were presented to the Board for their information.

8. 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 January 29, 2020, being over fourteen (14) days prior to this evenings meeting (B/40/19/KL – Kenneth and Deborah Owen). 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/40/19/KL - Kenneth and Deborah Owen

The Director of Planning summarized the application.

The lands are located on the south side of Highway 637 and are north east of the settlement boundary for the Community of Killarney. The subject lands are surrounded by a mix of rural, residential rural and crown lands.

The purpose of the Application for Consent is to create one Rural (RU) lot on Highway 637. The proposed lot to be severed is to be approximately 5.6 hectares in lot area with approximately 155.0 metres of lot frontage and contains an existing dwelling and an accessory structure (workshop). The proposed lot to be retained is to be approximately 28.0 hectares in lot area with approximately 647.0 metres of lot frontage and is presently vacant.

With respect to the OP, One potential development constraint was identified on Schedule D of the Official Plan. Killarney Waste Disposal Site is located to the immediate west of the subject lands. Section 3.7.3(2)b) of the Official Plan echoes the policies of the Provincial Policy Statement pertaining land uses near landfills and dumps.

The applicant retained Pinchin Ltd. to conduct a Site Evaluation of the property in accordance with the Ministry of the Environment, Conservation and Parks (MECP) "Guideline D-4 Assessment to ensure the proximity to Killarney's waste disposal site and potential nuisance effects associated with

the location of the development are clearly outlined as well as to guarantee that remedial measures are compiled with, and to ensure the property owners understand D-4 study for one development may not apply to another.

The consultants determined that no potential contaminant pathway or nuisance source was identified that is likely to result in potential subsurface impacts at the Site as a result of the Killarney Waste Disposal Site, therefore no subsurface investigation work or remedial measures are recommended.

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. Both the lot to be retained and severed will continue to meet those requirements.

Agency Comments:

Sudbury District Health Unit: The proposed severed and retained lots are capable of development for installations of a septic tank and leaching bed system.

Ministry of Transportation has no objections to the proposed severance and subject to the following:

- The property is located within the Ministry of Transportation's (MTO) Permit Control Area. MTO building/land use permit(s) are required prior to the construction of any proposed buildings, septic systems, wells etc. located within 45m of the MTO right-of-way (ROW) limits or within a 180m radius of intersections along Highway 637.
- MTO entrance permits are required prior to the construction of any new entrances, upgrading of entrances or to reflect any changes in land ownership. The location of any new entrances must be approved by the MTO and brushing may be required to meet or enhance sightlines.
- MTO sign permits are required for the placement of any signs within 400m of the limit of the highway.

Municipality of Killarney: no issues with the proposed development.

Bell Canada: no concerns.

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: 20-005

BE IT RESOLVED THAT Consent Application B/40/19/KL submitted by Kenneth and Deborah Owen 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 January 29, 2020, being over fourteen (14) days prior to this evenings meeting (B/41/19/MW – Albert and Lucie Gauthier). 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/41/19/MW - Albert and Lucie Gauthier

The Director of Planning summarized the application.

The purpose of the Application for Consent is to effect a lot addition of approximately 3.55 hectares in lot area with approximately 45.72 metres lot frontage which is to be severed from the subject property and be added to the adjacent lands to the west (PIN 73481-0455). The lands to the west (PIN 73481-0455) which are benefiting from the lot addition is presently located in the City of Greater Sudbury limits. The lot addition is intended to rectify a small encroachment issue regarding an above ground swimming pool.

To the west, the lands abut the boundary of Greater City of Sudbury and are surrounded by Crown lands to the north. The area has only of four rural properties. The surrounding lands are Crown.

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 the current proposal. The lot proposed to be severed is currently oversized, as is the proposed lot to be enlarged. The lot addition is to rectify a

small encroachment issue regarding an above ground swimming pool.

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 retained will continue to meet those requirements. With respect to the severed lot which to be added to the adjacent lands, the enlarged lot will continue to meet the requirements of the Rural (RU) Zone under the City of Greater Sudbury's Zoning By-law 2010Z-100 which requires a minimum lot area of 2.0 hectare and a minimum lot frontage of 90.0 metres

With Respect to agency comments:

Municipality of Markstay-Warren: had no objections or issues with respect to the proposed lot addition.

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

Hydro One: has no objections 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: 20-006

BE IT RESOLVED THAT Consent Application B/41/19/MW submitted by Albert and Lucie Gauthier be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: David Viau

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 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 January 30, 2020, being over fourteen (14) days prior to this evenings meeting (B/01/20/MW – Florence Elsasser). 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/01/20/MW - Florence Elsasser

The Director of Planning summarized the application.

The lands are located on the north side of Highway 17, west of Park Drive and 4.5 kilometers west of the Village of Markstay. The subject lands are in an area of predominately residential rural uses.

The two parcels were formerly two separate parcels, however, have merged on title due to the pattern of ownership.

The purpose of the Application for Consent is to sever one residential rural lot from the subject lands. The proposed severed lot is to be approximately 0.77 hectares in lot area with a lot frontage of approximately 73.0 metres; the proposed retained lands are to be approximately 0.84 hectares in lot area with a lot frontage of approximately 43.90 metres. The proposed severed lands are currently vacant and are to be used for rural residential uses; the proposed retained lands contain a dwelling and an accessory structure are to continue to be used for residential rural uses.

With respect to the OP, Section 4.5.1 of the Official Plan provides guidance as to when it is appropriate to grant a consent, including the **separation of lots that have merged on title**.

With respect to zoning, the Residential Rural Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. In this case the subject lands are comprised of two formerly separate parcels which have merged in title. Parcel 34136 has an area of **0.77 hectares** and a lot frontage of 73.0 metres, and Parcel 27699 has an area of 0.84 hectares and a lot frontage of **43.90 metres**. As a condition of consent the planning board has requested that both Parcels 34136 and 27699 receive approval for a minor variance application regarding reduced lot area (severed lot) and reduced lot frontage (retained lot).

With Respect to agency comments:

Municipality of Markstay-Warren: had no objections/concerns with the proposal.

Sudbury District Health Unit: The proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system.

Ministry of Transportation: will not object to the proposed severance. However, the entrance will not be permitted to be upgraded beyond residential usage. Entrance permit '4837' for residential use was issued in 1990 for the western parcel prior the parcels being merged on title.

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

Hydro One: no objections to the proposal.

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

The applications 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: 20-007

BE IT RESOLVED THAT Consent Application B/01/20/MW submitted by Florence Elsasser be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: David Viau

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 Local Planning Appeal Tribunal Act.

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

9. BUSINESS ARISING FROM PREVIOUS MINUTES

10. NEW BUSINESS

a) Draft Budget

The Director of Planning discussed the Draft Budget provided to the board members in the meeting files.

All members present were appreciative of the effort included in the Budget process. All members were also interested in keeping the budget packages in order to bring the useful calculated data back to their municipality for future reference.

All members were in agreement that the apportionment fee per house hold increase \$1.00 to \$21.00 per house hold as included in the Draft Budget presented by the Director of Planning.

There were no further questions or comments from the Board.

Resolution 20-008

BE IT RESOLVED THAT the draft budget recommended by the Director of Planning, dated February 13, 2020 be adopted as the Sudbury East Planning Board's official budget for the fiscal year 2020.

MOVED BY: Ron Garbutt

SECONDED BY: John Dimitrijevic

Carried

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

10. PAYMENT OF VOUCHERS

a) December 2019 and January 2020

Resolution 20-009

BE IT RESOLVED THAT the statement of disbursements for the month of December 2019 in the amount of \$ 22,192.64 and for January 2020 in the amount of \$29,393.86 be distributed and is hereby approved for payment.

MOVED BY: David Viau

SECONDED BY: Heide Ralph

Carried

13. ADJOURNMENT

Resolution: 20-010

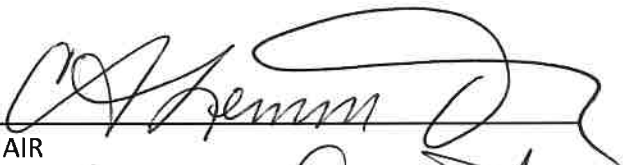
BE IT RESOLVED THAT the Meeting be adjourned at 6:21 P.M.

AND THAT the next regular meeting be held on March 12th, 2020 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.


MOVED BY: Heide Ralph

SECONDED BY: David Viau

Carried.



CHAIR



SECRETARY-TREASURER