

**SUDBURY EAST PLANNING BOARD  
MINUTES  
Thursday, March 12, 2020 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, Ron Garbutt, Paul Branconnier

**MEMBERS ABSENT:** Rachelle Pigeau, Jackie Lafleur, Ginny Rook

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

**PUBLIC PRESENT:**

**1. MEETING CALLED TO ORDER**

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

**2. ADOPTION OF THE AGENDA**

**Resolution: 20-011**

**BE IT RESOLVED THAT** the agenda for the Sudbury East Planning Board regular meeting of March 12, 2020 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 February 13th, 2020 be adopted as distributed.

**Resolution: 20-012**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meeting of February 13, 2020 be adopted as distributed.

**MOVED BY: Ron Garbutt**  
**SECONDED BY: Heidi Ralph**

**Carried**

**5. PRESENTATION/DELEGATION**

**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 February 20, 2020, being over twenty (20) days prior to this evenings meeting (ZBA 20-01SCR- 1905212 Ontario Limited). 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 20-01SCR – 1905212 Ontario Limited**

The Director of Planning summarized the application.

The subject lands are presently zoned Industrial Rural (MR) Zone, subject to Special Provision 16 (S16) under Zoning By-law 14-01 of the Sudbury East Planning Board. The Proposed Zoning By-law Amendment will further amend the current zone to add a 'business office' on the subject property. The proposed structure is to be approximately 28ft by 40ft. Also, a regulation will be added in order to permit the location of the structure to be 1.5 metres from the front yard setback, where 15.0 metres is required.

History:

In 2018, Moore Propane amended the zoning by-law 14-01 to increase the storage amount to 90,000 United States Water Gallons propane dispenser tank (s).

In 2017, Moore Propane amended the zoning by-law 14-01 to permit the development of an additional 2,000 United States Water Gallon capacity propane dispenser tank for filling of commercial and wholesale propane cylinders and tanks and to recognize a reduced interior side yard at the rear of the plant.

In 2013, LRL Associates Ltd was retained by Moore Propane to locate an appropriate site in proximity to the City of Greater Sudbury for a bulk propane plant, consisting of one 30,000 USWG tank. Moore Propane retained Stirling Engineering to draft a Risk and Safety Management Plan (RSMP) for the site which satisfied the licensing requirements through the Technical Standards and Safety Authority (TSSA).

With respect to the OP, In addition to agricultural and agriculturally-related uses, **rural industrial/commercial uses** which are resource-based, including dry industrial/commercial uses and forestry uses, may be permitted without an amendment to this Plan ; however, the foregoing uses will be subject to the following requirements:

- a) The proposed use shall meet the requirements and separations distances set out in the Ministry of the Environment D-Series Guidelines, as amended from time to time;
- b) Any agricultural or agriculturally-related use shall meet the requirements of the Minimum Distance Separation formulae, as amended from time to time;
- c) The proposed use shall not create or add to a negative impact on the environment, adjacent or nearby sensitive land uses, or traffic patterns;
- d) The proponent shall demonstrate how outside storage, if applicable, and the storage and removal of on-site generated waste is to be accommodated;
- e) The proponent shall demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;
- f) For a use that may have the ability to compromise or contaminate the subject lands, the proponent shall submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the municipality, Planning Board, and the applicable Ministry(ies).

The Minimum Distance Separation is not applicable in instance because there are no farming operations in the area. The proposed business office is to support and accommodate the continued growth of Moore Propane's current operation, therefore, the proposal will not have a negative impact on the surrounding lands uses. The current operation is being maintained; therefore, no increased traffic is anticipated for the site.

With respect to zoning, The Industrial Rural (MR) Zone permits a range of land uses suitable for industrial uses more appropriately located outside of settlement areas. The MR Zone requires a minimum lot area of 2.0 hectares and a minimum lot frontage of 60.0 metres. The current application has a lot frontage of 125 metres and a lot area of 0.9 hectares. The reduced lot area was recognized through special provisions 16 in 2013 (ZBA 13-11SCR).

The proposed amending Zoning By-law will further establish provisions to add a 'business office' on the subject property. The proposed structure is to be approximately 28ft by 40ft. Also, a regulation will be added in order to permit the location of the structure to be 1.5 metres from the front yard setback, where 15.0 metres is required for a front yard setback.

**Agency Comments:**

No comments were received, as of the date of writing this report, through agency circulation or from the public.

The application for zoning by-law amendment 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: 20-013**

**BE IT RESOLVED THAT** By-law Number 20-01 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 20-01SCR, submitted by 1905212 Ontario Limited be read a first and second time this 12<sup>th</sup> day of March, 2020.

**MOVED BY: Ned Whynott**

**SECONDED BY: Paul Branconnier**

**Carried**

**Resolution: 20-014**

**BE IT RESOLVED THAT** By-law Number 20-01 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 20-01SCR submitted by 195212 Ontario Limited be read a third and final time this 12<sup>th</sup> day of March, 2020.

**MOVED BY: David Viau**

**SECONDED BY: Heidi Ralph**

**Carried**

**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 February 27, 2020, being over fourteen (14) days prior to this evenings meeting (B/02/20/FR – B and E Honey Fields Limited). 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/02/20/FR - B and E Honey Fields Limited**

The Director of Planning summarized the application.

The lands are located on the east side of North Channel Camp Road, north of the French River, and municipally known as 365 North Channel Camp Road. Southwest of the subject lands is a waterfront commercial tourist property known as North Channel Cottages. Lands to the far west of the subject property are waterfront residential properties and to east is predominantly crown land. An active aggregate pit is located north of the subject lands.

The purpose of the Application for Consent is to create one (1) Waterfront Residential (WR) lot. The proposed retained lot is to be approximately 23.0 hectares in lot area with a lot frontage of approximately 735.0 metres on North Channel Camp Road and contains a single-detached dwelling and accessory structures, including three sheds and two Type III uninsulated barns. The proposed severed lands are to be approximately 2.94 hectares in lot area with a water frontage of approximately 112.0 metres on the French River and is presently vacant.

The purpose of the Application for Zoning By-law Amendment is to recognize such Waterfront Residential (WR) use through appropriate zoning.

**Related Files:** B/10/17/FR and ZBA 17-04FR

With respect to the OP, Section 3.2 Municipalities will promote economic development by identifying areas for specific types of development that are key to the economic base of the Planning Area; these include lands for housing.

Section 3.8.2 of the Official Plan echoes the aggregate resource policies of the PPS, indicating that aggregate resource site shall be separated or buffered from sensitive lands uses. In this case, the proposal to sever a lot fronting on the French River which is approximately 550 meters from the aggregate pit and where the retained land contains an existing dwelling will not impact the development of new, or expansion of existing aggregate resources in the area, as per the Ministry of Natural Resources comments in Section 6 of this report.

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.

The lot to be severed will have an area of 2.94 hectares and a lot frontage of approximately 112.0 metres. That said, the severed lot will no longer be intended for a rural use. The proposed severed lot will be recognized as waterfront residential which requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. The proposed severed lot will meet the requirements of the Waterfront Residential (WR) Zone.

With Respect to agency comments:

Staff of the Municipality of French River had no objections or concerns. That said, the following conditions will be imposed; parkland dedication is applicable and municipal road may require a survey at the cost of the owner in order to have the municipal road transferred to the Municipality for road purposes.

The Ministry of Natural Resources and Forestry (Prabin Sharma, Aggregate Technical Specialist) stated that the mineral aggregate resource, license #612461, abutting the property to the north should have no impact on the proposed severance because the land is being used as residential/agriculture, and secondly, there is an existing entrance located on Highway 528, which protects the public safety and health, accessing the second potential entrance on North Channel Road. With respect to Species at Risk, The Ministry (Eric Cobb, District Planner) stated that other than Lake Sturgeon, no records of species at risk are associated with the subject property.

Bell Canada had no concerns with the application.

Hydro One had no concerns with the application.

The Sudbury District Health Unit: supportive of the consent 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: 20-015**

**BE IT RESOLVED THAT** Consent Application B/02/20/FR submitted by B and E Honey Fields Limited be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY: Heidi Ralph**

**SECONDED BY: John Dimitrijevic**

**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 February 27, 2020, being over fourteen (14) days prior to this evenings meeting (B/03/20/SC – Jean Paul Daoust). 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/03/20/SC - Jean Paul Daoust**

The Director of Planning summarized the application.

The lands are located in the south east side of Chevretils Lane, south of King Street West in the Village of St.-Charles.

The purpose of the Application for Consent is to sever one (1) residential lot from the subject lands. The proposed severed lot is to be approximately 0.26 hectares in lot area with a lot frontage of approximately 24.30 metres. The proposed retained lands are to be approximately 0.17 hectares in lot area with a lot frontage of approximately 23.39 metres.

With respect to the OP, 2.2.3.1 states that the predominant use of land will be for a variety of residential dwelling types, including single detached dwellings, semi-detached dwellings and duplex dwellings.

Section 2.1.4.5 provides policies regarding the provision of services within Village Policy Area. Development through infilling and the rounding out of the existing development pattern is intended to be connected to the existing partial municipal services available. Prior to approving new development applications, confirmation of adequate servicing allocations and treatment capacities shall be obtained.

The proposed application is considered to be infilling within the Village Policy Area. The subject property is currently vacant, and the lot is of sufficient size to accommodate additional development which is facilitated through this application for severance.

- With respect to zoning, The Residential One (R1) Zone requires a minimum lot area of 0.15 hectares and a minimum lot frontage of 18 metres where municipal sewer services are available. Both the proposed lot to be severed and the proposed lot to be retained area zoned Residential One (R1) and will continue to meet the requirements of the zone.

With Respect to agency comments:

The Municipality of St. Charles: no objections or concerns regarding the proposed severance. The clerk did provide the following comment that 'there are multiples drains on this property and will require reassessment'.

Bell Canada: no concerns.

Hydro One: no objections or concerns.

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: 20-016**

**BE IT RESOLVED THAT** Consent Application B/03/20/SC submitted by Jean Paul Daoust be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY: Ron Garbutt**

**SECONDED BY: Ned Whynott**

**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. BUSINESS ARISING FROM PREVIOUS MINUTES**

**9. NEW BUSINESS**

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



**11. PAYMENT OF VOUCHERS**

a) February 2020

**Resolution 20-017**

**BE IT RESOLVED THAT** the statement of disbursements for the month of February 2020 in the amount of \$28,731.09 be distributed and is hereby approved for payment.

**MOVED BY: Paul Branconnier**  
**SECONDED BY: John Dimitrijevic**

Carried

**12. ADJOURNMENT**


**Resolution: 20-018**

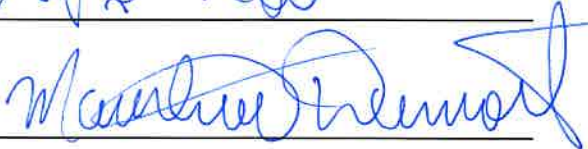
**BE IT RESOLVED THAT** the Meeting be adjourned at 6:21 P.M.

**AND THAT** the next regular meeting be held on April 09<sup>th</sup>, 2020 at 5:30 P.M. at the Sudbury East Planning Board Office in Warren.

**MOVED BY: Ron Garbutt**  
**SECONDED BY: David Viau**

Carried.

  
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CHAIR

  
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SECRETARY-TREASURER

