

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, April 08, 2021 at 5:30 p.m.
Sudbury East Planning Board Office
39 Lafontaine Street, Warren, Ontario**

MEMBERS PRESENT VIRTUALLY:

Ned Whynott, Dave Viau, Renee Germain,
John Dimitrijevic, Rob Campbell, Renee Carrier, Paul Branconnier, Jackie
Lafleur

MEMBERS PRESENT: Carol Lemmon

MEMBERS ABSENT: Rachelle Pigeau

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

PUBLIC PRESENT: None

1. MEETING CALLED TO ORDER

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

2. ADOPTION OF THE AGENDA

Resolution: 21-012

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of April 08, 2021 be adopted as distributed.

MOVED BY: David Viau

SECONDED BY: Jackie Lafleur

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board – Regular meeting of March 11th, 2021 be adopted as distributed.

Resolution: 21-013

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of March 11, 2021 be adopted as distributed.

MOVED BY: Renee Carrier
SECONDED BY: Rob Campbell

Carried

5. PRESENTATION/DELEGATION

a) Audit

Tiffany Cecchetto, KPMG, presented the draft 2020 Financial Statement to the Board. Ms. Cecchetto discussed the Balance Sheet and Income Statements, explaining each of the accounts. Ms. Cecchetto stated that the Planning Board Staff was very helpful in the process and the Audit was completed very quickly.

The Director of Planning addressed the need for the surplus.

There were no further comments or questions from the Board.

Resolution: 21-014

BE IT RESOLVED THAT the 2020 Audited Financial Statements submitted by the accounting firm of KPMG be accepted.

MOVED BY: Rob Campbell
SECONDED BY: John Dimitrijevic

Carried

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 March 26, 2021, being over fourteen (14) days prior to this evenings meeting (B/11/21/FR – Dennis and Claudette Fredette). 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/11/21/FR - Dennis and Claudette Fredette

The Director of Planning summarized the application.

Started this process with Dennis on January 7th, 2021.

The lands are located on the west side of Monette Road, off Gordon William Drive, north of Highway 64. The subject lands and lands to the north and south are waterfront residential. Lands surrounding the area consist of a mix of rural and waterfront residential land uses.

The purpose of the Application for Consent is to effect a lot addition. The consent application proposes to sever 0.85 hectares, which comprises entirely of 14 Gordon William Drive and add such lands to the adjacent parcel known municipally as 183 Forest Hill Drive. The subject property is zoned Waterfront Residential (WR) lot which contains a boathouse and a illegal use, that being a detached garage. The detached garage is presently an illegal use because the waterfront residential lot does not contain a single-family home and MPAC states that the subject property is vacant. The owner has provided documentation to Sudbury East Building and By-law Services (SEBBS) to rectify this compliance issue. It is presently being resolved.

With respect to 183 Forest Hill Drive which is benefiting from the lot addition, the subject property contains a single-family home, detached garage, and a sleep cabin. The sleep cabin did not receive a building permit. Again, the owner has provided documentation to SEBBS to rectify this issue. Confirmation has been provided that the necessary drawings have been submitted to receive approval for the sleep cabin. After the lot has been enlarged through the consent application, it will have an lot area of 1.8 hectares and 98.0 metres of water frontage respectively, which exceeds the requirements of the WR Zone for lot area and lot frontage.

With respect to the OP;

4.5.1 Consent Policies

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 has an area of 0.85 ha and a frontage of 46.03 metres. The intent of the application is to enlarge the subject property so the owner can create more privacy in term of water frontage and acreage, and it allows the owner the ability to build structures in the future if those structures are in compliance with the Official Plan.

With respect to Zoning;

The 'Waterfront Residential (WR)' Zone permits a **single detached dwelling, a home occupation, bed and breakfast, boathouse, sleep cabin 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 has been enlarged through the consent application, it will have an area of 1.8 hectares and a water frontage of 98.0 metres which exceeds

the requirements respectively of 0.8 hectares and 60.0 metres of the WR Zone.

Agency Comments:

The Municipality of French River has no objection to the severance.

Owner comments: On March 23rd, the owner confirmed a building permit has been submitted for the sleep cabin and demolition permit is in hand regarding the garage.

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

The application for consent is consistent with the 2020 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 21-015

BE IT RESOLVED THAT Consent Application B/11/21/FR submitted by Dennis and Claudette Fredette be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Paul Branconnier

SECONDED BY: Renee Carrier

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 March 26, 2021, being over fourteen (14) days prior to this evenings meeting (B/12/21/FR – 833420 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.

b) B/12/21/FR - 833420 Ontario Limited

The Director of Planning summarized the application.

Started this process on January 11th when Vicky, agent reached out to the Planning Board.

The Sudbury East Planning Board has received applications for consent and zoning by-law amendment which proposes to effect a lot addition from the subject lands on Golf Course Road in the Municipality of French River, and to rezone such lot from 'Open Space (OP)' to 'Residential Rural (RR)' to recognize the intended use of the lot.

The small sliver of land was intended to service the Golf Course; however, this is no longer the intended use, therefore 301 Riverview Drive proposes to acquire the lands.

The proposed severed lot is approximately 0.13 hectares in area from the above noted parcel which is to be added to the adjacent lands to the north (301 Riverview Drive). The proposed retained lands will have approximately 27.44 hectares of lot area and a road frontage of approximately 570 metres on Golf Course Road. The entire enlarged lot, once the lands have been added, is to be approximately 2.90 hectares in lot area with a road frontage of 60.0 metres on Riverview Drive.

With respect to the Provincial legislation,

- Section 1.1.5.2 residential development, is permitted on rural lands located in municipalities, that is locally appropriate, provided that such development is compatible with the rural landscape and sustained by rural service levels.

With respect to the OP;

Section 4.5.1 of the Plan contains policies pertaining to Consents. Subsection 1, outlines criteria that shall be considered when creating new buildings lots:

- a) new lots that represent minor infilling;
- b) the mortgaging of land beyond 21 years;
- c) lot boundary adjustments;**
- d) facilitating the disposal of a second legal dwelling;
- e) separating existing legal uses;
- f) providing a retirement residence on non-prime agricultural lands for a farmer who worked on the subject farm much of their adult life;
- g) separating lots that have merged on title; and,
- h) easements or right-of-way.

The application, as proposed, generally conforms to the intent and polices of Section 4.5.1.(c). The intent of the application is to acquire approximately 0.13 hectares of land which abuts the rear yard of 301 Riverview Drive. In my opinion, the 5.0 metres by 276.0-meter strip of land was intended to provide the golf course an alternative means of water supply in case other options such as a private well did not work. At the time, the golf course would have the ability to withdraw water from Murdock River. However, over the years that strip of land never served the intended use, therefore the neighboring property owner is acquiring those lands.

With respect to zoning;

The minimum lot area and the minimum lot frontage requirements in the 'Residential Rural (RR)' Zone is 0.80 hectares and 60.0 metres respectively; the proposed enlarged lot will continue to comply with those requirements.

The minimum lot area and the minimum lot frontage requirements in the 'Open Space (OS)' Zone is 0.40 hectares and 30.0 metres respectively; the proposed retained lot will continue to comply with those requirements.

With Respect to agency comments:

Municipality of French River: consent application is not subject to conditions relating to municipal drains, parkland dedication or any road transfers.

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

Public Consultation:

One phone call was received requesting further understanding of the proposal and one email regarding the proposal which was from a Property owner at 181 Murdock River Road - Please insure the changes to enlarge lot 301 Riverview Dr. Do not affect my access to my property. I have had to have my property lines remarked because of disputes with 301 Riverview drive as to where the property line is and the open space in question.

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

The applications for consent are consistent with the 2020 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 21-016

BE IT RESOLVED THAT Consent Application B/12/21/FR submitted by 833420 Ontario Limited be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell

SECONDED BY: Renee Carrier

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 March 26, 2021, being over fourteen (14) days prior to this evenings meeting (B/13/21/MW – Chris Sattler and Karey-Anne Fannon). 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/13/21/MW - Chris Sattler and Karey-Anne Fannon

The Director of Planning summarized the application.

Process started on November 26th, 2021.

The lands are located on the south side of Highway 17 (approximately 300 metres) and south of the Village of Markstay. The subject lands are in an area of predominantly rural uses.

The purpose of the Application for Consent is to create one Rural lot on Nepewassi Lake Road. The proposed retained lot is to be approximately 12.69 hectares in lot area with a lot frontage of approximately 292.72 metres and is presently vacant. The proposed severed lands are to be approximately 7.99 hectares in lot area with a lot frontage of approximately 205.42 metres and is presently vacant.

With respect to the OP;

Section 4.5.1 provides for instances when consents may be granted, including criteria for the creation of a new building lot:

- a) **Plan of subdivision not appropriate** (ie existing services);
- b) Intended uses of the parcels conform with the Plan and Zoning By-law;
- c) **Proposed use of parcels is compatible with abutting uses;**
- d) **There is no extension of municipal services required;**
- e) Represents orderly and efficient use of land (would not hinder development of retained lands);
- f) Limited circumstances in the rural policy area (on non-prime agricultural lands, farm splits,

farm retirement lots, residence surplus to farm operations and residential infilling are permitted);

- g) **Size and dimension of proposed lots are adequate for the proposed use;**
- h) **Adequate access** can be provided from a year-round publicly maintained road;
- i) Access will not create a traffic hazard;
- j) The severed and retained parcels comply with Minimum Distance Separation (MDS);
- k) Adequate water and sewage servicing can be provided;

- l) It is feasible with regard to other provisions of this Plan, provincial legislation, policies and appropriate guidelines for uses within or adjacent to a development constraint; and
- m) The request, if granted, would not pose an undue financial burden on the applicable municipality.

The proposed severed and retained lots are of adequate for their respective proposed zones and it is anticipated that the proposed rural use will be compatible with the surrounding rural uses. With respect to servicing, the applicant has provided the required documentation to demonstrate reasonable expectation of potable water and capacity for hauled sewage. With respect to Sudbury District Health Unit (site suitability for a septic system), the applicants agreed to having this requirement as part of the Conditions-in-principle for the severance so they could fast track the application. No development constraints have been identified that would require support studies and municipal staff have expressed no concern with respect to access or other municipal considerations. The Public works Superintendent advised the Planning Board by email that he had a site meeting with the owners which the Municipality of Markstay-Warren agreed on the proposed entrance on Nepewassi Lake Road. The application, as proposed, generally conforms to the intent and the policies of the Official Plan.

With respect to zoning;

The 'Rural (RU)' zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. The proposed lot to be retained and severed will continue to meet these requirements. The proposed lot to be severed and retained will have an area that exceeds 5.0 hectares and has sufficient frontage on both Nepewassi Lake Road.

With Respect to agency comments:

Chief Administrative Officer – no issues with proposal.

Chief Building Official: no issues with application.

Public Works Superintendent: no issues with proposed driveway location.

Fire Department: no issues.

Park and Recreation Department and Economic Development Officer: had no issues with the proposal.

Hydro One: no comments or concerns at this time.

Bell Canada: no concerns

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

The applications for consent is consistent with the 2020 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 21-017

BE IT RESOLVED THAT Consent Application B/13/21/MW submitted by Chris Sattler and Karey-Anne Fannon be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: David Viau

SECONDED BY: Jackie Lafluer

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

a) Special Business Case Funding Agreement

Resolution 21-018

BE IT RESOLVED THAT the Sudbury East Planning Board hereby authorize the Chair and the Secretary-Treasurer to execute the pending Special Business Case Funding agreement with the Ministry of Municipal Affairs and Housing for the provision of approximately \$3,436.00 to the Sudbury East Planning Board being the estimated cost associated with the Central Ontario Ortho-Photography Mapping Project as it pertains to the Unincorporated Townships of the Sudbury East Planning Board.

MOVED BY: David Viau

SECONDED BY: John Dimitrijevic

Carried



b) Draft Budget 2021

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 \$22.00 per house hold as included in the Draft Budget presented by the Director of Planning.

A Board Member representing the municipality of French River commented on how informative and easy the budget package was to read.

A Board Member representing the municipality of St. Charles made a recommendation of possibly switching to internet phone options. The Director of Planning agreed that the option will be explored.

There were no further questions or comments from the Board.

Resolution 21-019

BE IT RESOLVED THAT the draft budget recommended by the Director of Planning, dated April 08, 2021 be adopted as the Sudbury East Planning Board's official budget for the fiscal year 2021.

MOVED BY: Renee Carrier

SECONDED BY: John Dimitrijevic

Carried

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

9. PAYMENT OF VOUCHERS

a) March 2021

Resolution 21-020

BE IT RESOLVED THAT the statement of disbursements for the month of March 2021 in the amount of \$ 21,908.50 to be distributed and is hereby approved for payment.

MOVED BY: David Viau

SECONDED BY: Jackie Lafleur

Carried

13. ADJOURNMENT

Resolution: 21-021

BE IT RESOLVED THAT the Meeting be adjourned at 7:18 P.M.

AND THAT the next regular meeting be held on May 13th, 2021 at 5:30 P.M. at the Municipality office in French River, Virtually.

MOVED BY: Rob Campbell

SECONDED BY: Renee Carrier

Carried.



CHAIR



SECRETARY-TREASURER

