

**SUDBURY EAST PLANNING BOARD  
MINUTES  
Thursday, May 13, 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, Rachelle Pigeau  
Carol Lemmon, Renee Carrier, Paul Branconnier, Jackie Lafleur

**MEMBERS PRESENT:** None

**MEMBERS ABSENT:** John Dimitrijevic, Ron Campbell

**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: 21-022**

**BE IT RESOLVED THAT** the agenda for the Sudbury East Planning Board regular meeting of May 13, 2021 be adopted as distributed.

**MOVED BY: David Viau**

**SECONDED BY: Renee Carrier**

**Carried.**

**3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

Ned Whynoot made the board aware that his brother had an application on the agenda. The Director of Planning advised Mr. Whynott that when it came to discuss his applications that he would be asked to leave the room and return once the application had been discussed.

**4. ADOPTION OF MINUTES**

a) Sudbury East Planning Board – Regular meeting of April 08th, 2021 be adopted as distributed.

**Resolution: 21-023**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meeting of April 08, 2021 be adopted as distributed.

**MOVED BY: Paul Branconnier**

**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 April 27, 2021, being over fourteen (14) days prior to this evenings meeting (B/14/21/MW – Doreen Proulx ). 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/14/21/MW - Doreen Proulx**

The Director of Planning summarized the application.

Started this process with Bernard February 25/21.

The subject lands are surrounded by rural and residential land uses. Creative Meats business abuts to the west of the subject property. Highway 17 East provides access to the subject property.

The Sudbury East Planning Board has received a consent application which proposes to sever approximately 5.51 hectares from the above noted property and add the lands to the adjacent property to the south (7457 Highway 17 East). The proposed retained lands will have approximately 49.82 hectares of lot area and has road frontage on Highway 17 East. The enlarge lot is to be approximately 5.87 hectares in lot area with a road frontage of 105.0 metres on Highway 17 East.

With respect to the OP;

**4.5.1 Consent Policies**

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 agent currently has a two chicken coop structures and building materials, which forms part of his current business, that are partially located on the proposed severed lands. The proposed severed lands are not currently owned by the agent; therefore, the purpose of this lot addition is to acquire the lands to provide sufficient area for the agent to continue his business operations as well as existing agricultural uses.

With respect to Zoning;

The minimum lot area requirement is 5.0 hectares, and the minimum lot frontage requirement is 100.0 metres for the Rural (RU) Zone. After the lot addition is effected, the proposed lot to be enlarged lot (7457 Highway 17) will have an area of approximately 5.87 hectares and a lot frontage of 105.0 metres which meet the minimum requirements of the RU Zone. The enlarged lot will contain a single-family home, metal storage building, shed and two chicken coops.

The proposed lot to be retained has an approximate lot area of 49.82 hectares and an approximate lot frontage of greater than 400.0 metres which meet the minimum requirements of the RU Zone. The retained lot contains single-family home and a business known as 'Creative Meats' as well as another accessory structures.

Agency Comments:

**Chief Administrative Officer** – no objections.

**Chief Building Official**: concerns – see email from April 9<sup>th</sup>, 2021. **I have open building permits on both properties (7437 and 7457 HWY 17 E.). Open building permits must be addressed before lot addition is finalized.**

**Public Works Superintendent**: no objections.

**Fire Department**: no objections.

**Park and Recreation Department and Economic Development Officer**: N/A and no objections.

**Hydro One**: no comments or concerns.

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: 21-024**

**BE IT RESOLVED THAT** Consent Application B/14/21/MW submitted by Doreen Proulx be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY: David Viau**

**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 April 27, 2021, being over fourteen (14) days prior to this evenings meeting (B/15-18/21/FR – Silviu Boghina and Roch Blanchette). 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/15-18/21/FR - Silviu Boghina and Roch Blanchette**

The Director of Planning summarized the application.

The lands are located on the east side of Lakeview Drive and west of Courchesne's Lake. West of Lakeview drive are sixteen waterfront lots. North and south of the subject property are a total of three residential rural lots and crown land is located further east.

The Sudbury East Planning Board has received an application to create four residential rural lots in the Municipality of French River. Each of the proposed lots will have approximate areas ranging from 1.0 to 2.0 hectares and frontages ranging from 67.75 to 207.95 metres. All four proposed severed lots as well as the retained lot are to have frontage and access from Lakeview Drive. The subject property is presently vacant.

Related Files: DBL 21-03FR, 52T-09001FR and ZBA 09-01FR

With respect to the Provincial legislation,

- **efficient development** and land use patterns which sustain the **financial wellbeing of the Municipality of French River over the long term**. Also, rural lands in municipalities, permit residential development, including lot creation, **that is locally appropriate**, therefore the above noted application conforms to the provincial interests.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while **avoiding or mitigating risks to public health and safety**.
- 1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned, or feasible, **individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts**. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.
- 2.1.7 Development and site alteration shall not be permitted **in habitat of endangered species and threatened species**, except in accordance with provincial and federal requirements.
- 2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, **should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features**.

With respect to the OP;

#### 4.5.1 Consent Policies

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, no extension of services is required, adequate access to the severed and retained parcels can be provided from a year-round publicly maintained road, adequate sewage and water servicing can or will be provided, etc.**

Creation of rural residential lots will be evaluated using a number of criteria including:

In this case, proposed severed Lot 1 through Lot 4 and retained parcel **meet the requirements of the 'Residential Rural (RR)' Zoning**. Adequate access for the proposed lots to be severed and retained parcel of land are to be accessed from Lakeview Drive which is a **public road, maintained year-round** by the Municipality of French River. Minimum Distance Separation (MDS) is **not applicable** in this instance, as there is no farming related activities in the area. With respect to servicing, the agent has provided previous comments obtained from the **Sudbury and District Health Unit that are supportive (April 7<sup>th</sup>, 2021)**. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water **was not provided**, however,

both letters will be a requirement and form as conditions.

Section 3.5.2.5 contains policies respecting Significant Habitat of Endangered and Threatened Species. Development and site alteration are not permitted on lands adjacent to such habitat, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be **no negative impacts** on the natural features or their ecological functions. **Massasauga Rattlesnake** was identified as part of the Scoped Environmental Assessment of Lot 23. The owners engaged with Tulloch Environment to complete the required study. Their findings determined no suitable gestation or hibernation habitats were observed on site. That said, potential prime foraging habitat was identified within the wetland and upland area **within 30 metres of the wetland boundary**. Therefore, foraging habitat is considered as Category 2 Habitat for the species. Category 2 is considered to have a moderate tolerance to alteration. **Staff directed the consultant to refrain from development within the wetland and upland area within 30 metres (proposed Lot 5). This approach would be sufficient to satisfy Section 10(1) of the ESA as it relates to Massasauga if the species is present.**

The **second objective** was to delineate wetland boundaries at the site to standards established by the Ontario Wetland Evaluation System. **One meadow marsh wetland was observed on site** and its boundary was delineated to provincial interest standards. The Massasauga habitat as noted above is defined in relation to the boundary, specifically proposed Lot 5.

With respect to zoning;

The Residential Rural (RR) Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. Each of the proposed lots exceed the minimum requirements of the RR Zone and are intended to be used for residential uses as permitted by the zone.

With Respect to agency comments:

**Sudbury District Health Unit:** It appears that the proposed severed and retained lots are capable of development for installation of a septic system and leaching bed system.

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

**Municipality of French River:** parkland dedication is applicable.

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: 21-025**

**BE IT RESOLVED THAT** Consent Application B/15-18/21/FR submitted by Silviu Boghina and Roch Blanchette be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY: Paul Branconnier**  
**SECONDED BY: Rachelle Pigeau**

**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 27, 2021, being over fourteen (14) days prior to this evenings meeting (B/19-21/21/MW – Ralph and Verna Whyntott). 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/19-21/21/MW - Ralph and Verna Whyntott**

The Director of Planning summarized the application.

Process started on in early November 2020.

The lands are located on the west side of Nepewassi Lake Road, North of Mountain View Lodge. Further west and south, the lands abut Crown Land. The subject lands are in an area of rural properties with the exceptions of the of the lodge and crown land.

The Sudbury East Planning Board has received applications to create three Rural lots in the Township of Hawley. Each of the proposed lots will have an approximate area of 6.07 hectares and frontages ranging from 105.0 to 110.0 metres on Nepewassi Lake Road. The proposed retained lot is to have an approximated area of 10.92 hectares with a lot frontage of approximately 260.0 metres on Nepewassi Lake Road. Both the severed lots and retained lot are presently vacant.

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, no extension of services is required, adequate access to the severed and retained parcels can be provided from a year-round publicly maintained road, adequate sewage and water servicing can or will be provided, etc.**

Creation of rural residential lots will be evaluated using a number of criteria including:

- **size and dimensions of the severed and retained parcels are adequate to accommodate the proposed use;**
- **Adequate access** can be provided from a year-round publicly maintained road;
- Access will not create a traffic hazard;
- The severed and retained parcels comply with MDS;
- **Adequate sewage and water servicing** can or will be provided;
- It is feasible with regard to the other provisions of the Plan, provincial legislation, policies and appropriate
- guidelines and support studies for uses within or adjacent to any development constraint; and
- The request, if granted, would not pose an undue financial burden on the applicable municipality.

In this case, proposed severed Lot 1 through Lot 3 and retained parcel meet the requirements of the 'Rural (RU)' Zoning. Adequate access for the proposed lots to be severed and retained parcel of land are to be accessed from Nepewassi Lake Road which the Municipality of Markstay-Warren had **no objections** to the severance. Minimum Distance Separation (MDS) is not applicable in this instance, as there is no farming related activities in the area. With respect to servicing, the agent has provided previous comments obtained (April 7<sup>th</sup>, 2021) from the Sudbury and District Health Unit that are supportive. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water have been provided.

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.

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. Each of the proposed lots exceed the minimum requirements of the RU Zone and are intended to be used for residential uses as permitted by the zone.

With Respect to agency comments:

**Sudbury District Health Unit:** It appears that the proposed severed and retained lots are capable of development for installation of a septic system and leaching bed system.

**Hydro One:** no comments or concerns currently.

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

**Union Gas:** does have service line running within the area which may or may not be affected by the proposed site plan.

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: 21-026**

**BE IT RESOLVED THAT** Consent Application B/19-21/21/MW submitted by Ralph and Verna Whynott 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.

**7. BUSINESS ARISING FROM PREVIOUS MINUTES**

**8. NEW BUSINESS**

**a) Letter to MMAH regarding Funding**

**Resolution 21-027**

**BE IT RESOLVED THAT** the Sudbury East Planning Board submit a request letter to Ministry of Municipal Affairs and Housing regarding increase in funding for 2022 budget for the unorganized townships.

**MOVED BY: David Viau**

**SECONDED BY: Renee Carrier**

**Carried**

**b) TARIFF FEES**

The Director of Planning presented a report outlining the rationale for application fee increases.

Member Carrier commented that she has no issues with increases and that possibly an idea would be to have yearly increases to be proactive and keep up with increases in the budget. Also stated that if the Board does not increase fees then the extra funds will have to be requested from each municipality yearly.

Member Whynott and member Pigeau addressed some concerns with increases possibly detouring development. They stated they do not want to discourage development based on fees for the area.

The Director of Planning pointed out that the Board has not seen a change in development since raising the fees in 2017.

Member Viau and member Carrier added that when the Board is reviewing proposed budget yearly to revisit Tariff Fees and provide a comparison report. Not necessarily to increase fees but to see where the Board stands.

Member Lafleur stated she agrees with member Viau and member Pigeau and is supportive of the increase.

Member Pigeau requests an explanation as to how each increase was decided. The Director of Planning advised the board that many application fees were not increased in 2017 which is the reasoning for large jump in amounts increased.

Member Germain stated that she did not think the Board would want to sacrifice service over fees and that, in her view, the fees increases were sufficient increases when compared to time put into each process.

Member Branconnier recommends possibly presenting the Tariff Fees Report to each municipality prior to making a decision. Member Carrier states that as a board member it is the responsibility of each member to represent their municipality and that a decision should be made that night. Member Viau and member Whynott state they agree with member Carrier.

Member Lafleur states she is ready to make a decision tonight also.

#### **Resolution 21-028**

**BE IT RESOLVED THAT** By-law No. 21-01, being a by-law to establish a tariff of fees be read a first and second time this 13<sup>th</sup> day of May, 2021.

**MOVED BY: Jackie Lafleur**

**SECONDED BY: David Viau**

**Carried**

#### **Resolution 21-029**

**BE IT RESOLVED THAT** By-law No. 21-01, being a by-law to establish a tariff of fees be read a third and final time this 13<sup>th</sup> day of May, 2021.

**MOVED BY: Renee Carrier**

**SECONDED BY: David Viau**

**Carried**

8. **NOTICES OF MOTION RECEIVED BY THE SECRETARY-TREASURER PRIOR TO THE CLOSING OF THE MEETING**
9. **PAYMENT OF VOUCHERS**

a) April 2021

**Resolution 21-030**

**BE IT RESOLVED THAT** the statement of disbursements for the month of April 2021 in the amount of \$ 16,092.34 to be distributed and is hereby approved for payment.

**MOVED BY: Jackie Lafleur**

**SECONDED BY:**

**Carried**

**13. ADJOURNMENT**

**Resolution: 21-031**

**BE IT RESOLVED THAT** the Meeting be adjourned at 7:37 P.M.


**AND THAT** the next regular meeting be held on June 10<sup>th</sup>, 2021 at 5:30 P.M. at the Municipality office in French River, Virtually.

**MOVED BY: David Viau**

**SECONDED BY: Jackie Lafleur**

**Carried.**

  
\_\_\_\_\_  
CHAIR

  
\_\_\_\_\_  
SECRETARY-TREASURER

