

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, December 02, 2021 at 5:30 p.m.
Municipality of French River
Virtual Meeting**

MEMBERS PRESENT VIRTUALLY: Rob Campbell, Jackie Lafleur
Ned Whynott, Dave Viau,
Renee Carrier, Paul Branconnier

MEMBERS PRESENT: Carol Lemmon

MEMBERS ABSENT: Renee Germain, John Dimitrijevic, Rachelle Pigeau

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

PUBLIC PRESENT VIRTUALLY: Frank Romans

1. MEETING CALLED TO ORDER

The Chair called the meeting to order at 5:31 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 21-070

BE IT RESOLVED THAT the Amended agenda for the Sudbury East Planning Board regular meeting of December 02, 2021 be adopted as distributed.

MOVED BY: Dave 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 October 14th, 2021 be adopted as distributed.

Resolution: 21-071

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of October 14, 2021 be adopted as distributed.

MOVED BY: Paul Branconnier

SECONDED BY: Dave Viau

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 November 17, 2021, being over fourteen (14) days prior to this evenings meeting (B/49/21/FR – Gerald and Carmen Chartrand). 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/49/21/FR - Gerald and Carmen Chartrand**

The Director of Planning summarized the application.

The lands are located in between on the south side of Sequin Road and the north side of Wolseley Bay Road, west of rural lands and east of crown lands. The subject lands are in an area of preponderately rural uses.

The Sudbury East Planning Board has received a consent application to create one Rural (RU) lot on Sequin Road. The proposed lot to be severed is to be approximately 5.00 hectares in lot area with approximately 122.0 metres of lot frontage and is presently vacant. The proposed lot to be retained is to be approximately 61.00 hectares and have a lot frontage of 258.0 metres (Sequin Road) and 388.0 metres on Wolseley Bay Road respectively, and contains a single-family home and several accessory buildings (barn, detached garage, milking centers, barn).

With respect to the OP;

Creation of rural lot 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, the proposed severed and retained lot parcels will continue to 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 Sequin Road which the Municipality of French River had no objections. Minimum Distance Separation (MDS) is not applicable in this instance, as there are 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 (August 19th, 2021)**. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water have been provided.

With respect to Zoning;

The minimum lot area and the minimum lot frontage requirements in the 'Rural (RU)' Zone are 5.0 Hectares and 100.0 metres respectively; both the proposed severed and retained lots are to continue to meet the requirements of the RU Zone.

The proposal involves no new land use or change in land use.

Agency Comments:

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

The Sudbury & District Health Unit concluded that the proposed severed and retained parcels are capable of development for installation of a septic tank and leaching bed system.

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.

No questions were brought forward from the board members.

Resolution: 21-072

BE IT RESOLVED THAT Consent Application B/49/21/FR submitted by Gerald and Carmen Chartrand be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Renee Carrier

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 Ontario Land Tribunal.

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 November 17, 2021, being over fourteen (14) days prior to this evenings meeting (B/50/21/MW – Richard and Gisele Schryer). 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/50/21/MW - Richard and Gisele Schryer

The purpose of the Application for Consent is to create one (1) residential one lot. The proposed lot to be severed is to be approximately 15.2 hectares in lot area with approximately 373.0 metres of lot frontage and contains a single-family home, detached garage, and woodshed. The proposed lot to be retained is to be approximately 6.7 hectares and have a lot frontage of 132.0 metres and is presently vacant.

With respect to the OP;

Village Policy Areas are intended to serve the surrounding Rural Policy Areas as well as to provide an alternative to the higher density urban character found in Community Policy Areas which have full municipal services. New development in the Village Policy Area is intended to occur **through infill, intensification, and redevelopment in the built-up area.**

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

In this case, proposed severed lot will meet the requirements of the 'Residential One (R1)' Zoning. Adequate access for the proposed lots to be severed and retained parcel of land are to be accessed from Highway 17 East which the Ministry of Transportation had **no objections** (October 14th, 2020) to the severance. Minimum Distance Separation (MDS) is not applicable in this instance, as there are 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** with respect of 'lot 1' being capable of development for installation of a septic tank and leaching bed system (April 15th, 2020). Appropriate documentation with respect to availability of sewage hauling services was provided to the SEPB office.

With respect to zoning;

The Residential One (R1) Zone requires a minimum lot area of 0.14 hectares and a minimum lot frontage of 30.0 metres where municipal service (water/sewer) is not available. Both the proposed severed and retained lots will continue to meet these requirements of the Residential One (R1) zone.

The proposal involves no new land use or change in land use.

With Respect to agency comments:

The Municipality of Markstay-Warren has no objection to the severance.

The Sudbury & District Health Unit concluded that the proposed severed and retained parcels are capable of development for installation of a septic tank and leaching bed system.

The Ministry of Transportation no easements are required. The severance for both the severed and retained lots to have separate entrances.

Hydro One no concerns from Hydro One.

Bell Canada has no comments or concerns regarding this circulation.

No other comments were received as 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: 21-073

BE IT RESOLVED THAT Consent Application B/50/21/MW submitted by Richard and Gisele be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Renee Carrier

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 Ontario Land Tribunal.

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 November 17, 2021, being over fourteen (14) days prior to this evening's meeting (B/51/21/MW – Chantal Roy and Kyle Jacobson). 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/51/21/MW - Chantal Roy and Kyle Jacobson

The Director of Planning summarized the application.

The lands are located on the south side of McKerral Road, north of Highway 17 and west of Homestead Road. The subject lands are in an area of predominantly of rural uses and some residential rural uses.

The purpose of the Application for Consent is to create one (1) residential rural lot on McKerral Road. The proposed lot to be severed is to be approximately 8.0 hectares in lot area with approximately 30.4 metres of lot frontage and is presently vacant. The proposed lot to be retained is to be approximately 53.0 hectares and have a lot frontage of 546.0 metres on Homestead Road, and contains a mobile home, woodshed, and detached garage.

With respect to the OP;

Lands designated in the **Rural Policy Areas** are intended to protect the natural amenities of the Sudbury East Planning Area as well as to provide opportunities for agriculture and resource-based uses, such as forestry, mining, and aggregate operations, as well as limited residential developments, where appropriate.

In this case, the proposed retained parcel will continue to meet the requirements of the 'Rural (RU)' zone, however the proposed severed lot will no longer meet the requirements of the 'Rural (RU)' Zone due to the insufficient lot frontage (proposed 30.4 metres) on McKerral Road. As a condition of provisional consent, a zoning by-law amendment application is to be deemed complete by the Planning Board and approved by Council for the Municipality of Markstay-Warren to recognize the use of land as a 'Residential Rural (RR)' zone and recognize inadequate lot frontage. Adequate access for the proposed lot to be severed and retained parcel of land are to be accessed from McKerral Road (total 2.9 kilometers) and Homestead Road (0.7 kilometers) which is a public road, maintained year-round by the Municipality of Markstay-Warren. Minimum Distance Separation (MDS) is not applicable in this instance, as there are no farming related activities in the area. With respect to servicing, the agent has not obtained supportive comments from the Sudbury District Health Unit. As a condition of provisional consent, supportive comments from the Sudbury District Health Unit are required to support the severance application. Lastly, as per the Official Plan, appropriate documentation with respect to availability of sewage hauling services and probability of potable water is required, however, the agent has not obtained the letters. Again, as part of the conditions for provisional consent, both letters will be a requirement, and require supportability.

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. Based on the correspondence received from Publicworks Superintendent on March 29th, 2021, the lot to be retained will continue to meet those requirements.

The 'Residential Rural (RR)' requires a minimum lot area 0.8 hectares and a minimum lot frontage of 60.0 metres: the proposed severed lot is to comply with the lot area of 0.8 hectares, however the lot frontage will not meet the required 60.0 metres of lot frontage. The agent is proposing 30.4 meters of lot frontage on McKerral road, therefore requiring a special provision to identify the reduced lot frontage for the severed lot and to recognize the intended use of the proposed severed lot.

With Respect to agency an public comments:

Chief Administrative Officer – no objection.

Chief Building Official: no comment required.

Public Works Superintendent: no objections. Email received from March 29th, 2021, regarding road maintenance of McKerral Road and Homestead Road.

Fire Department: no issues with the application.

Park and Recreation Department and Economic Development Officer: N/A

Economic Development Officer: no comments to add

Union Gas: no concerns.

Hydro One: no concerns with respect to proposed severance.

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

Resolution: 21-074

BE IT RESOLVED THAT Consent Application B/51/21/MW submitted by Chantal Roy and Kyle Jacobson be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Ned Whynott

SECONDED BY: Dave 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 Ontario Land Tribunal.

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 November 17, 2021, being over fourteen (14) days prior to this evenings meeting (B/52/21/MW – Frank Romans). 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/52/21/MW - Frank Romans

The Sudbury East Planning Board has received an application to create one Rural (RU) lot on 3rd Concession Road. The proposed lot to be severed is to be approximately 16.9 hectares in lot area with approximately 101.0 metres of lot frontage and is presently vacant. The proposed lot to be retained is to be approximately 16.9 hectares and have a lot frontage of 101.0 metres and contains a single-family home and a detached garage.

With respect to the OP;

In this case, proposed severed and retained lots will meet the requirements of the 'Rural (R1)' Zoning 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. The owner has provided comments obtained from the Sudbury and District Health Unit that are **supportive** with respect of 'lot 1' being capable of development for installation of a septic tank and leaching bed system (October 8th, 2021). 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). Minimum Distance Separation (MDS) is not applicable in this instance, as there are no farming related activities in the area. 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 3rd Concession Road.

The proposal involves no new land use or change in land use.

With Respect to agency comments:

The Municipality of Markstay-Warren has no objection to the severance.

The Sudbury & District Health Unit concluded that the proposed severed and retained parcels are capable of development for installation of a septic tank and leaching bed system.

Hydro One no concerns from Hydro One.

Bell Canada has no comments or concerns regarding this circulation.

No other comments were received as 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: 21-075

BE IT RESOLVED THAT Consent Application B/52/21/MW submitted by Frank Romans be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Ned Whynott

SECONDED BY: Dave 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 Ontario Land Tribunal.

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 November 17, 2021, being over fourteen (14) days prior to this evenings meeting (B/53/21/FR – Gilles and Nicole Desloges). 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/53/21/FR- Gilles and Nicole Desloges

The purpose of the Application for Consent is to re-establish through consent a residential rural lot on Highway 607. The intent of the severance application is to rectify a contravention to the Planning Act. A transfer to the above noted property occurred on February 2nd, 2012, without obtaining consent from the Sudbury Eats Planning Board.

The proposed lot to be severed is to be approximately 2.57 hectares in lot area with approximately 67.83 metres of lot frontage and is presently vacant.

With respect to the OP;

Consents

Section 4.5 of the Plan contains policies pertaining to Consents. Subsection 1, outlines criteria where consents are generally limited to:

- 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 rights-of-way.

As stated in page one of the report the severance is technical in nature because the intent is to rectify a contravention to the Planning Act. A transfer occurred between legal counsel on February 2nd, 2012, without obtaining consent from the Sudbury Eats Planning Board, therefore the consent is separating an existing legal lot. The application, as proposed, generally conforms to the intent and the policies of the Official Plan.

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. The proposed re-established lot exceeds the minimum requirements of the RR Zone and is intended to be used for residential uses as permitted by the zone.

The proposal involves no new land use or change in land use.

With Respect to agency comments:

Municipality of French River: No concerns, no comments and not subject to any conditions

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

Hydro One: No concerns.

No other comments were received as 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: 21-076

BE IT RESOLVED THAT Consent Application B/53/21/FR submitted by Gilles and Nicole Desloges be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell

SECONDED BY: Jackie Lafeur

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 Ontario Land Tribunal.

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 November 17, 2021, being over fourteen (14) days prior to this evenings meeting (B/54/21/SC – Jonathon Gerber). 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.

e) B/54/21/SC- Jonathon Gerber

The Sudbury East Planning Board has received an application for consent which proposes to separate two parcels (1467 & 397) which have merged on title due to pattern of ownership on Coursol Road, Decosse Road, and Highway 535, in the Township of Appleby.

With respect to the OP;

Section 4.5 of the Plan contains policies pertaining to Consents. Subsection 1, outlines criteria where consents are generally limited to:

- 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-ways.

With respect to zoning;

The RU Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 meters. Both the proposed severed and retained lots will continue to meet these requirements.

The proposal involves no new land use or change in land use.

With Respect to agency comments:

Bell Canada: no comments or concerns regarding the circulation.

Hydro One: no comments.

Municipality of St. Charles: no comments or concerns currently.

No other comments were received as 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: 21-077

BE IT RESOLVED THAT Consent Application B/54/21/SC submitted by Jonathon Gerber be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Paul Branconnier

SECONDED BY: Rob Campbell

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 Ontario Land Tribunal.

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****a) Official Plan Amendment- OPA 21-01FR****Resolution 21-078**

BE IT RESOLVED THAT the Sudbury East Planning Board adopts file OPA 21-01FR for the Municipality of French River, subject to the Ministry of Municipal Affairs and Housing Approval.

MOVED BY: Renee Carrier

SECONDED BY: Jackie Lafleur

Carried

b) Office Space Rental Renewal Agreement

Member Lafleur states she appreciates the gradual increase in fees and not having a large increase to start.

Member Branconnier comments that the Municipality of St. Charles has space that might have accommodated the Sudbury East Planning Board needs.

Member Whynott commented he felt the agreement was fair and was pleased that the Director of Planning and the CAO of Markstay-Warren were able to come to an agreement.

Member Campbell advising the board that possibly, when the term is due, the board requests staff to inquire on whether or not other space might be a better fit.

Resolution 21-079

BE IT RESOLVED THAT the Planning Board authorizes the Director of Planning to enter into a 5-year lease agreement with the municipality of Markstay-Warren to procure office space at Warren Arena in the community of Warren beginning January 2022.

MOVED BY: Rob Campbell

SECONDED BY: Dave Vaiu

Carried

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

11. PAYMENT OF VOUCHERS

a) **October 2021**

Resolution 21-080

BE IT RESOLVED THAT the statement of disbursements for the month of October 2021 in the amount of \$ 13,162.11 to be distributed and is hereby approved for payment.

MOVED BY: New Whynott
SECONDED BY: Renee Carrier

Carried

12. ADJOURNMENT

Resolution: 21-081

BE IT RESOLVED THAT the Meeting be adjourned at 7:00 P.M.

AND THAT the next regular meeting be held on February 10th, 2022 at 5:30 P.M. at the Municipality office in French River, Virtually.

MOVED BY: Dave Viau
SECONDED BY: Jackie Lafleur

Carried.



CHAIR



SECRETARY-TREASURER