

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, April 14, 2022 at 5:30 p.m.
Municipality of French River
Virtual Meeting**

MEMBERS PRESENT VIRTUALLY: Dave Viau, Jackie Lafleur, Ned Whynott, John Dimitrijevic, Rachelle Pigeau

MEMBERS PRESENT: Carol Lemmon

MEMBERS ABSENT: Renee Carrier, Renee Germain, Rob Campbell, Paul Branconnier

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

PUBLIC PRESENT VIRTUALLY: Julie Allen, Tiffany Cecchetto

1. MEETING CALLED TO ORDER

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

2. ADOPTION OF THE AGENDA

Resolution: 22-021

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of April 14th, 2022 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 March 10th, 2022 be adopted as distributed.

Resolution: 22-022

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of March 10, 2022 be adopted as distributed.

MOVED BY: John Dimitrijevic

SECONDED BY: Ned Whynott
Carried

5. PRESENTATION/DELEGATION

a) 2021-KPMG- Audit

Tiffany Cecchetto, KPMG, presented the draft 2021 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.

There were no further comments or questions from the Board.

Resolution: 21-023

BE IT RESOLVED THAT the 2021 Audited Financial Statements submitted by the accounting firm of KPMG be accepted.

MOVED BY: Dave Viau

SECONDED BY: Jackie Lafleur

Carried

6. NEW BUSINESS

a) Draft Budget

The Director of Planning discussed the Draft Budget provided to the board members in the meeting files of Sudbury East Planning Boards March 10th, 2022 Agenda Package and April 14th, 2022 Agenda Package.

There were no further questions or comments from the Board.

Resolution 21-024

BE IT RESOLVED THAT the draft budget recommended by the Director of Planning, dated April 14, 2022 be adopted as the Sudbury East Planning Board's official budget for the fiscal year 2022.

MOVED BY: New Whynott

SECONDED BY: Dave Vaiu

Carried

b) Special Business case funding- Unorganized Townships, Central Ontario Ortho-Photography Project 2021 Report

Resolution 21-025

BE IT RESOLVED THAT the Sudbury East Planning Board hereby approves the allocation of the

funding received by the Ministry of Municipal Affairs and Housing for the Central Ontario Ortho-Photography Project as it pertains to the Unincorporated Townships of the Sudbury East Planning Board Area in the amount of \$3,436.00 as per the report provided by the Director of Planning.

MOVED BY: Rachelle Pigeau

SECONDED BY: Dave Vaiu

Carried

c) Special Business Case Funding Agreement 2022

Resolution 21-026

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: New Whynott

SECONDED BY: John Dimitrijevic

Carried

7. CONSENTS

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 31st, 2022, being over fourteen (14) days prior to this evenings meeting (B/09/22/FR – Carol Rochon and George Courchesne). 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/09/22/FR – Carol Rochon and George Courchesne

The Director of Planning summarized the application.

The lands are located on the south side of Highway 64 which is approximately 215.0 metres from the subject property. West and east of the subject property are rural and residential rural lots. RDH Mining Equipment Limited is adjacent to the subject property to the west. The subject lands are in an area of residential uses for the exception of RDH Mining Equipment Limited.

The Sudbury East Planning Board has received application for consent which proposes to create one Residential Rural (RR) lot from the subject lands on Highway 607 in the Municipality of French River.

The proposed retained lot is to be approximately 2.18 hectares in lot area with a lot frontage of approximately 115.38 metres and is presently vacant. The proposed severed lot is to be approximately 1.92 hectares in lot area with a lot frontage of approximately 83.82 metres and contains a single-family home, two detached garages and a shed.

History:

Consent application B23 in 2021 was conditionally approved by the Planning Board. The intent of the application was to create a new RR lot approximately 0.93 hectares in lot area with a lot frontage of approximately 83.82 metres and contained a single-family home, two detached garages and a shed. The owner requested to allow the conditional approval to lapse to allow for a new severance application which allows for a greater proposed acreage (1.92 hectares) for the severed lot than the previous conditional approval (0.93 hectares).

A zoning by-law amendment (ZBA 21-08FR) was approved by the Municipality of French River which rezoned the entire parcel of land from 'Rural (RU)' to 'Residential Rural (RR)' Zone. The intent of the rezoning then was to facilitate the severance application.

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

In this case, proposed severed and retained lot 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 Highway 607 which the Ministry of Transportation had no objections on March 5th, 2021, 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. 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 'Residential Rural (RR)' Zone is 0.8 hectares and 60.0 metres respectively; both the proposed severed and retained lots are to comply with the 0.8 hectares and

Agency Comments:

The **Municipality of French River** has no objection to the severance; and parkland dedication,

municipal drains or any road transfers are not applicable.

Ministry of Transportation has no objections in principle to the proposal.

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.

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

Hydro One has no concerns with respect to the proposed application.

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

The application for consent is consistent with the 2020 Provincial Policy Statement, conforms with the Official Plan for the Sudbury East Planning Area and the Zoning By-law for the Municipality of French River, therefore can be supported from planning perspective.

No questions were brought forward from the board members.

Resolution: 22-027

BE IT RESOLVED THAT Consent Application B/09/22/FR submitted by Carol Rochon and George Courchesne be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Jackie Lafleur

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 Ontario Land Tribunal.

The applicants have two years 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 31, 2022, being over fourteen (14) days prior to this evenings meeting (B/11/22/FR – Daniel and Marie-Paule Dupuis). 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/11/22/FR – Daniel and Marie-Paule Dupuis

The lands are located on the northwest of the Village of Noelville, west of Highway 535 and north of Lafreniere Road. The subject lands are in an area of predominantly rural uses except for a few residential rural lots.

The Sudbury East Planning Board has received an application to create one rural lot on Lafrenière Road. The proposed severed lot is to be approximately 5.2 hectares in lot area with a lot frontage of 120.0 metres and is presently vacant. The proposed retained lot is to be approximately 60.15 hectares in lot area with a total lot frontage of 1495.0 metres on Highway 535 and contains a single-family home, shed, detached garage, and carport.

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

In this case, proposed severed 'Lot 1' 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 Lafreniere Road and Highway 528 which are maintained year-round by the Municipality of French River and the Ministry of Transportation (MTO). The Municipality of French River states that it would be appropriate for an entrance. Public works confirmed that a permit can be issued once the severance is final (January 27th, 2022). MTO has not provided comments yet in support of the application. Minimum Distance Separation (MDS) is not applicable in this instance, as there is no farming related activities in the area. With respect to Sudbury District Health Unit (site suitability for a septic system), the applicants agreed to having this requirement attached as a conditions-in-principle for the severance so they could fast track the application. The applicants are aware that supportability is required from SDHU to support the proposed severance. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water have been provided. 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.

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 proposed 'lot 1' exceeds the minimum requirements for lot frontage and lot area under the RU Zone and are intended to be used for residential uses. Also, the proposed retained lands will conform to the minimum 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. Municipal drains are not applicable, road survey and transfer may be required for the proposed severed lot, and parkland dedication will be subject to the minimum contribution of \$1,000.00. Also, The Municipality of French River states that it would be appropriate for an entrance. Public works confirmed that a

permit can be issued once the severance is final (January 27th, 2022).

The Ministry of Transportation: no comments received as of the date this report written.

Hydro One has no concerns with respect to the proposed application.

Bell Canada: has no comments or concerns regarding this application.

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, conforms with the Official Plan for the Sudbury East Planning Area and the Zoning By-law for the Municipality of French River, therefore can be supported from planning perspective.

No questions were brought forward from the board members.

Resolution: 22-028

BE IT RESOLVED THAT Consent Application B/11/22/FR submitted by Daniel and Marie- Paule Dupuis be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Jackie Lafleur

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 Ontario Land Tribunal.

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

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 31th, 2022, being over fourteen (14) days prior to this evenings meeting (B/12/22/MW – Alain Pilon). 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/12/22/MW – Alain Pilon

The lands are located on the north side of Dupuis Road, northeast of Village of St Charles and east of Highway 535. Adjacent to the east of the subject lands is an existing pit which is a Class A License - greater than 20,000 Tonnes (ALPS ID: 20480) which is approved through the Ministry of Northern Development, Mines, Naturel resources and Forestry (MNDMNRF).

The Sudbury East Planning Board has received applications for consent and zoning by-law amendment to create one rural lot on Dupuis Road. The proposed severed lot is to be approximately 8.09 hectares in lot area with a lot frontage of approximately 180.0 metres and contains a single-family home, detached garage and shed. The proposed retained lot is to be approximately 56.65 hectares in lot area with approximately a lot frontage of 233.0 meters and is presently vacant. The Agent has applied for license/aggregate permit to MNDMNRF.

The Zoning By-law amendment is to rezone the proposed retained lot from 'Rural (RU)' to 'Mineral/Mining Extraction Zone (MX). The intent of the rezoning application is to comply to the MNDMNRF regarding a proposed permit for an aggregate license. The lands were at one time operated as a pit.

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

The proposed severed and retained lots are of adequate for their respective proposed zones (rural and mineral/mining extraction) and it is anticipated that the proposed rural and mineral/mining extraction uses will be compatible with the surrounding uses in the area. 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 attached as a Conditions-in-principle for the severance. The applicants are aware that supportability is required from SDHU to support the proposed severance. A pit was identified to the east of the property as a development constraint. With that said, NDMNRF stated that as the severance would be to separate the two parcels of land with one being rezoned MX (which would not permit a dwelling unit) I don't feel as though the D6 Guidelines would apply for this situation. As such, it is not likely there would be any aggregate specific concerns for this severance proposal. The Public works Superintendent for Markstay-Warren advised the Planning Board by email that the proposed entrance on Dupuis Road can be supported. The application, as proposed, generally conforms to the intent and the policies of the Official Plan.

Pit:

New Aggregate Resource Sites may be permitted in the Rural land use designation without requiring an amendment to this Plan provided they are in accordance with the Aggregate Resources Act and:

- a) the use is in keeping with provincial legislation, policies and appropriate guidelines.
- b) the proponent mitigates potential negative impacts of the extraction and/or operation on surrounding and/or sensitive land uses; and
- c) a zoning by-law amendment is approved by the Planning Board and/or applicable

municipality.

Section 3.8.4 Wayside Pits and Quarries and Portable Asphalt and Concrete Plants Policies

Wayside Pits and Quarries and Portable Asphalt and Concrete Plants will be defined in the implementing Zoning By-Law in accordance with provincial policy.

The Planning Board and/or the applicable municipality shall permit Wayside Pits and Quarries and Portable Asphalt and Concrete Plants in any land use designation, except those areas of existing development or environmental sensitivity which have been determined to be incompatible with extraction and associated activities, without requiring an amendment to this Plan or the implementing Zoning By-Law provided:

- a) the use is in keeping with provincial legislation, policies and appropriate guidelines; and
- b) the proponent mitigates potential negative impacts of the extraction and/or operation on surrounding and/or sensitive land uses.

With respect to zoning;

Proposed Zoning: Severed Lot – Same as Above
Retained Lot – Mineral/Mining Extraction Zone (MX).

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 severed will continue to meet these requirements.

The 'MX' zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres. The proposed lot to be retained will conform to these requirements, once the rezoning has been approved by Council for the Municipality of Markstay-Warren.

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

Agency Comments:

Chief Administrative Officer/Clerk/Treasurer – road maintenance agreement may be required prior to operation.

Chief Building Official: road maintenance agreement on specified haul routes may be required by municipality, otherwise no concerns.

Public Works Superintendent: – road maintenance agreement may be required prior to operation.

Fire Department: fire service has no issues with application.

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

Hydro One – no concerns.

NDMNRF – As the severance would be to separate the two parcels of land with one being rezoned MX (which would not permit a dwelling unit) I don't feel as though the D6 Guidelines would apply for this situation. As such, it is not likely there would be any aggregate specific concerns for this severance proposal.

Bell Canada: does not have any comments or concerns regarding this Circulation.

As of the writing of this report, concerns had been received from a neighboring property owner regarding an existing, operational, pit on Dupuis Road which creates current traffic issues. Adding another pit would make the current situation worse along with an increase in dust and noise 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, conforms with the Official Plan for the Sudbury East Planning Area and the Zoning By-law for the Municipality of Markstay-Warren, therefore can be supported from planning perspective.

Resolution: 22-029

BE IT RESOLVED THAT Consent Application B/12/22/MW submitted by Alain Pilon be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Jackie Lafleur

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 two years to fulfill the conditions of this provisional consent or the approval will lapse.

8. BUSINESS ARISING FROM PREVIOUS MINUTES

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

10. PAYMENT OF VOUCHERS

a) **March 2022**

Resolution 22-030

BE IT RESOLVED THAT the statement of disbursements for the month of March 2022 in the amount of \$ 41,595.53 to be distributed and is hereby approved for payment.

MOVED BY: Ned Whynott
SECONDED BY: Jackie Lafleur

Carried

12. ADJOURNMENT


Resolution: 22-31

BE IT RESOLVED THAT the Meeting be adjourned at 7:06 P.M.


AND THAT the next regular meeting be held on May 19th, 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

