

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, November 10, 2022 at 5:30 p.m.
Municipality of French River
Virtual Meeting**

MEMBERS PRESENT VIRTUALLY: Dave Viau, Rob Campbell, Ned Whynott, Paul Branconnier, Rachelle Pigeau, Renee Germain,
MEMBERS PRESENT: Carol Lemmon
MEMBERS ABSENT: John Dimitrijevic, Renee Carrier, Jackie Lafleur
OFFICIALS PRESENT: Matthew Dumont, Director of Planning/Secretary-Treasurer
Nancy Roy, Administrative Assistant

PUBLIC PRESENT VIRTUALLY: None

1. MEETING CALLED TO ORDER

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

2. ADOPTION OF THE AGENDA

Resolution: 22-074

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

MOVED BY: Rob Campbell

SECONDED BY: Ned Whynott

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board – Regular meeting of October 13th, 2022 be adopted as distributed.

Resolution: 22-075

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of October 13th, 2022 be adopted as distributed.

MOVED BY: Dave Viau

SECONDED BY: Paul Branconnier

Carried

5. PRESENTATION/DELEGATION

6. 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 October 20th, 2022, being over fourteen (14) days prior to this evenings meeting (B/30-31/22/BRW – Tanner Charbonneau and Estate of Ricky Charbonneau). 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.

The chair advised that a Public Hearing will be held before the Planning Board makes a decision on a zoning by-law amendment. Also that the analysis and discussion serves two purposes: first, to present to the Planning Board and the public the details and background to a proposed Zoning By-law Amendment; and second, to receive comments from the public and agencies before a Planning Board decision is made.

The Director of Planning Advised that Notice of the Public Hearing was posted in the Planning Board office and sent by First Class Mail to assessed owners within 120 metres of the property subject to the Zoning By-law Amendment Application and to those persons and agencies likely to have an interest in the application. The Notice was sent on October 20, 2022, being over twenty (20) days prior to this evenings meeting (ZBA 22-20BRW- Tanner Charbonneau and Estate of Ricky Charbonneau). 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/30-31/22/BRW – Tanner Charbonneau and Estate of Ricky Charbonneau**

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to create two (2) residential rural lots in the unincorporated township of Burwash. Each of the proposed lots will have approximate areas of 1.21 hectares. Proposed Lot A will have a road frontage of 128.0 m and 68.0 m on Nepewassi Lake Road and proposed Lot B will have a road frontage of 204.0 m and 62.0 m on Twin Bay Road. The proposed retained lands are to have an area of approximately 9.66 hectares and a road frontage of approximately 281.0 m on Nepewassi Lake Road and 306.0 m on Twin Bay Road m and contains a mobile home. The proposed severed lots are to be re-zoned the from 'Rural (RU)' to 'Residential Rural (RR)'.

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

In this case, the proposed retained lot will meet the requirements of the 'Rural (RU)' Zone, however, proposed lot A & lot B will require rezoning to the 'Residential Rural (RR)' classification. Re-zoning has been requested concurrently with the application for consent. Adequate access, as confirmed with the Local Roads Board on August 26th, 2022, will be provided from Twin Bay Road for both the proposed severed lots. The entrances must have a clear line of sight and will not create a traffic hazard. There are no development constraints relating to any adjacent features. The subject property is located within an unincorporated township and is not anticipated to create an undue financial burden on abutting municipalities due to the limited scope of the proposed development. 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 (July 21st, 2022)**. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water will be implemented as conditions of provision consent.

With respect to zoning, the proposed lot A & lot B to be severed are to have an area of 1.21 hectares and a lot frontages ranges from 62 m to 294 m. As such, the applicant has applied for Zoning By-law Amendment to re-zone the proposed severed lot A & lot B from 'Rural (RU)' to 'Residential Rural (RR)', which requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres.

Agency Comments:

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

Burwash-Hendrie LRB: Regarding the sketch we can confirm that the entrances are acceptable as long as the entrances are on Twin Bay Road. The entrances you choose must have a clear line of sight and will not create a traffic hazard. Please note our boards policy indicates it will only maintain the entrances once the initial culverts are put in according to the MTO specifications.

Hydro One: has a primary overhead line going through the 2 proposed severed lots. We would like to obtain an easement for the line prior to the severance taking place.

The application for consent and zoning by-law amendment 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.

There were no question from the board members.

Resolution: 22-076

BE IT RESOLVED THAT By-law Number 22-04 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 22-18BRW, submitted by Tanner Charbonneau and Estate of Ricky Charbonneau be read a first and second time

this 10th day of November, 2022.

MOVED BY: Paul Branconnier

SECONDED BY: Dave Viau

Carried

Resolution: 22-077

BE IT RESOLVED THAT By-law Number 22-04 being a By-law for the purpose of amending Zoning By-law No. 14-01 of the Sudbury East Planning Board, in respect of application ZBA 22-18BRW submitted by Tanner Charbonneau and Estate of Ricky Charbonneau be read a third and final time this 10th day of November 2022.

MOVED BY: Rob Campbell

SECONDED BY: New Whynott

Carried

Resolution: 22-078

BE IT RESOLVED THAT Consent Application B/30-31/22/BRW submitted by Tanner Charbonneau and Estate of Ricky Charbonneau be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell

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.

b) B/32-33/22/FR – Kyle Landry and Merrissa Beaucage

The Director of Planning summarized the application.

The Sudbury East Planning Board has received applications for consents and zoning by-law amendment which proposes to create two residential rural lots from the subject lands on Delamere Road in the Municipality of French River, and to rezone such lots from 'Rural (RU)' to 'Residential Rural (RR)' to recognize the intended use of the lots. Proposed Lot A is to be approximately 2.09 hectares in lot area with a lot frontage of approximately 140.0 metres and is presently vacant. Proposed Lot B is to be approximately 0.89 hectares in lot area with a lot frontage of approximately

60.96 metres and is presently vacant. The proposed retained lot will have an area of 57.61 hectares and lot frontage of approximately 309.04 metres and is presently vacant.

With respect to the OP,

In this case, once the proposed severed Lot A and Lot B are rezoned from 'Rural (RU)' to 'Residential Rural (RR)' Zone, the lots will conform to the requirements of the 'Residential Rural (RR)' zoning. The retained lot 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 Delamere Road which is maintained year-round by the Municipality of French River. On August 17th, 2022, the Manager of Public Works confirmed there are no concerns with creating entrances on the newly proposed severed lots. Minimum Distance Separation (MDS) is not applicable in this instance, as there are no farming related activities in the area. With respect to Sudbury District Health Unit (site suitability for a septic system), comments were received on August 26th, 2022, stating that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water have been provided and are supported. 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 lot to be retained will continue to meet those requirements.

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; the proposed severed lots are to comply with the above noted lot area and lot frontage.

With Respect to agency comments:

The Municipality of French River has no objection to the severance; however, parkland dedication and road transfer will form as conditions of approval.

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.

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.

There were no question from the board members.

Resolution: 22-079

BE IT RESOLVED THAT Consent Application B/32- 33/22/FR submitted by Kyle Landry and Merrissa Beaucage be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Renee Germain

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.

c) B/34/22/SC – David and Susanne Bushey

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application to create one (1) rural lot which is approximately 22.0 hectares in area with a lot frontage of approximately 35.0 metres on Highway 535 in St. Charles. The proposed severed lot is presently vacant. The proposed retained lot is to be approximately 38.0 hectares in area with a lot frontage of approximately 1038.0 metres on Highway 535 and presently contains a stored travel trailer.

With respect to the OP,

In this case, proposed severed and retained lots 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 Highway 535 which is maintained year-round by the Ministry of Transportation (MTO). On June 2nd, 2022, MTO confirmed supportability of the proposed severance in principle and states that the best access point for a new entrance would be at: 46.4156960, -80.4162557. Minimum Distance Separation (MDS) is not applicable in this instance, as there are no farming related activities in the area. With respect to Sudbury District Health Unit (site suitability for a septic system), comments were received on July 29th, 2022, stating that it appears that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water have been provided and are supported. 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' exceeds the minimum requirements for lot area with 22.0 hectares under the RU Zone, however the proposed lot frontage of 35.0 m will no longer meet the minimum lot frontage requirements of 100.0 m. As a condition of provisional consent, a minor variance application is required to recognize relief for the proposed reduced lot frontage under the RU Zone.

Lastly, the proposed retained lands will conform to the minimum requirements of the RU Zone.

With Respect to agency comments:

Clerk/ Treasurer for the Municipality of St. Charles: The property is subject to municipal drains and may require reapportionment. Please advise the applicants to contact the clerks to request Section 65 reapportionment as there are fees associated with this.

Public Works Superintendent: no concerns.

Parks and Recreation Department: no concerns.

Fire Department: 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.

There were no question from the board members.

Resolution: 22-080

BE IT RESOLVED THAT Consent Application B/34/22/SC submitted by David Susanne Bushey be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rachelle Pigeau

SECONDED BY: Paul Branconnier

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.

d) B/35/22/HND – Murray Dodge

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to establish an access easement over the subject property (PIN 73463-0046) to benefit the adjacent lands to the immediate east (PIN 73463-0025, 73463-0056, and 73463-0081). The subject property and adjacent properties to the east utilize an existing gravel access road. Further east are nine

waterfront properties which utilize a registered access easement (PIN 73463-0067 & easement No. LT245459). The current application proposes to establish an access easement to provide continuous access over that portion of private land and to tie together legal access with the registered access easement (PIN 73463-0067 & easement No. LT245459).

With Respect to agency comments:

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.

There were no question from the board members.

Resolution: 22-081

BE IT RESOLVED THAT the Consent Application B/35/22/HND submitted by Murray Dodge be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Paul Branconnier

SECONDED BY: New Whynott

Carried

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Land Tribunal.

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

e) B/36/22/HND – John and Laurianne Valiquette

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to establish an access easement over the subject property (PIN 73463-0046) to benefit the adjacent lands to the immediate east (PIN 73463-0025, 73463-0056, and 73463-0081). The subject property and adjacent properties to the east utilize an existing gravel access road. Further east are nine waterfront properties which utilize a registered access easement (PIN 73463-0067 & easement No. LT245459). The current application proposes to establish an access easement to provide continuous access over that portion of private land and to tie together legal access with the registered access easement (PIN 73463-0067 & easement No. LT245459).

With Respect to agency comments:

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.

There were no question from the board members.

Resolution: 22-082

BE IT RESOLVED THAT Consent Application B/36/22/HND submitted by John and Laurianne Valiquette be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell

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.

f) B/37/22/HND – Jeff Lebeau

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to establish an access easement over the subject property (PIN 73463-0025) to benefit the adjacent lands to the immediate east (PIN 73463-0056, and 73463-0081). The subject property and adjacent properties to the east utilize an existing gravel access road. Further east are nine waterfront properties which utilize a registered access easement (PIN 73463-0067 & easement No. LT245459). The current application proposes to establish an access easement to provide continuous access over that portion of private land and to tie together legal access with the registered access easement (PIN 73463-0067 & easement No. LT245459).

With Respect to agency comments:

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.

There were no question from the board members.

Resolution: 22-083

BE IT RESOLVED THAT Consent Application B/37/22/HND submitted by Jeff Lebeau be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

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.

g) B/38/22/HND – Jeff Lebeau

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to establish an access easement over the subject property (PIN 73463-0056) to benefit the adjacent lands to the immediate east (PIN 73463-0081). The subject property and adjacent properties to the east utilize an existing gravel access road. Further east are nine waterfront properties which utilize a registered access easement (PIN 73463-0067 & easement No. LT245459). The current application proposes to establish an access easement to provide continuous access over that portion of private land and to tie together legal access with the registered access easement (PIN 73463-0067 & easement No. LT245459).

With Respect to agency comments:

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.

There were no question from the board members.

Resolution: 22-084

BE IT RESOLVED THAT Consent Application B/38/22/HND submitted by Jeff Lebeau be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell

SECONDED BY: Renee Germain

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.

h) B/39/22/HND – Anette Lebeau

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to establish an access easement over the subject property (PIN 73463-0081) to benefit the adjacent lands to the immediate east (PIN 73463-0067 & easement No. LT245459). The subject property and adjacent properties to the east utilize an existing gravel access road. To the east, there are nine waterfront properties which utilize a registered access easement (PIN 73463-0067 & easement No. LT245459). The current application proposes to establish an access easement to provide continuous access over that portion of private land and to tie together legal access with the registered access easement (PIN 73463-0067 & easement No. LT245459).

With Respect to agency comments:

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.

There were no question from the board members.

Resolution: 22-085

BE IT RESOLVED THAT Consent Application B/39/22/HND submitted by Anette Lebeau be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rachelle Pigeau

SECONDED BY: New Whynott

Carried

The Chair advised that there is a 20 day appeal period during which time any person or public body may appeal the decision or any condition imposed by the Planning Board by filing an appeal with the Secretary-Treasurer as prescribed by the Ontario Land Tribunal.

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

lapse.

7. BUSINESS ARISING FROM PREVIOUS MINUTES

8. NEW BUSINESS

a) MMAH Funding

Resolution 22-086

BE IT RESOLVED THAT the Sudbury East Planning Board hereby authorizes the Chair and the Secretary-Treasurer to execute the funding agreement with the Ministry of Municipal Affairs and Housing for the allocations of \$27, 591.00 to the Sudbury East Planning Board for the delivery of planning services in the planning area from April 1, 2022 to March 31, 2023

MOVED BY: Dave Viau

SECONDED BY: Rachelle Pigeau

Carried

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

10. PAYMENT OF VOUCHERS

11. ADJOURNMENT

Resolution: 22-087

BE IT RESOLVED THAT the Meeting be adjourned at 6:23 P.M.

AND THAT the next regular meeting be held on February 09th, 2023 at 5:30 P.M. at the Municipality office in French River, Virtually or in person.

MOVED BY: Dave Viau

SECONDED BY: Rob Campbel

Carried.



CHAIR



SECRETARY-TREASURER