

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, July 13, 2023 at 5:30 p.m.
Virtual Meeting/ Municipal Office of French River**

MEMEBERS PRESENT

VIRTUALLY: Dave Froats, Rachelle Poirier

MEMBERS PRESENT: Josh Lachance, Bob Prevost, Paul Branconnier, Mary Bradbury, Carol Lemmon, Dave Viau

MEMBERS ABSENT: Renee Germain

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

PUBLIC PRESENT

VIRTUALLY: Vanessa Smith, Gisele Guenard, James Dorland

1. MEETING CALLED TO ORDER

Chairperson Prevost called the meeting to order at 5:33 p.m.

Chair Prevost thanked the Sudbury East Planning Board members that attended the previous June 08th, 2023 meeting for their patience with how the meeting concluded and the 30 minute waiting period as per the procedural by law.

2. ADOPTION OF THE AGENDA

Resolution: 23-058

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of July 13, 2023 be adopted as distributed.

MOVED BY: Dave Viau

SECONDED BY: Josh Lachance
Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

No disclosures of Pecuniary Interest.

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board – Regular meeting of June 08, 2023 be adopted as distributed.

Resolution: 23-059

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of June 08,

2023 be adopted as distributed.

MOVED BY: Dave Viau

SECONDED BY: Carol Lemmon

Carried

5. PRESENTATION/DELEGATION

6. BUSINESS ARISING FROM PREVIOUS MINUTES

- Caisse Alliance- Banking

Resolution: 23-060

BE IT RESOLVED THAT the Sudbury East Planning Board invest \$100,000.00 into a redeemable term deposit at the Caisse Alliance.

MOVED BY: Dave Viau

SECONDED BY: Josh Lachance

Carried.

Member Branconnier questioned if the funds would be readily available and Chair Prevost assured him that the funds are always accessible.

7. 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 June 14, 2023, being over fourteen (14) days prior to this evenings meeting (B/31-33/23/SC – Gilles Lebeau, B/34/23/FR- Maria and Josef Tatar, B/35/23/MW – Yvette Makitalo). 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/31-33/23/SC – Gilles Lebeau**

The Director of Planning summarized the application.

The Sudbury East Planning Board has received a consent application to create three Rural lots on Victoria Road.

Proposed Lot A is to be 5.23 hectares in lot area with a lot frontage of 150.0 metres and is presently vacant.

Proposed Lot B is to be 5.27 hectares in lot area with a lot frontage of 150.0 metres and is presently vacant.

Proposed Lot C is to be 7.28 hectares in lot area with a lot frontage of 118.3 metres and is presently vacant.

The proposed retained lot is to be 9.60 hectares in lot area with a lot frontage of 200.0 metres and contains an existing garage (year approximately 1978) as well as an existing driveway on Victoria Road. The Site also have frontage on Shank Road.

With respect to the OP

In this case, proposed severed Lot A through to Lot C and retained parcel conform to 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 an existing year-round maintained road, that being Victoria Road as well as Shank Road. 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 obtained comments from Sudbury and District Health Unit (SDHU) which are supportive – July 12th, 2023. Also, 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 condition if the consent is approved by the Board.

With respect to zoning

Current Zoning: **Rural (RU) Zone**

Proposed Zoning: Same as above.

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 conform to the minimum standards of the RU Zone and are intended to be used for residential uses as permitted by the zone.

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

Agency Comments:

Chief Administrative Officer/Clerk/Treasurer: property subject to municipal drains and may require reapportionment. Please advise applicants to contact the Clerks to request Section 65 reapportionment as there are fees associated to this process.

Chief Building Official: no issues.

Fire Department: approved, no issues.

Public Works Superintendent: Any driveway application for 'Lot C' may be subject to specific placement requirements due to visibility.

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

Resolution: 23-061

BE IT RESOLVED THAT Consent Application B/31-33/23/SC submitted by Gilles Lebeau recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Carol Lemmon

SECONDED BY: Josh Lachance

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

b) B/34/23/FR – Maria and Josef Tatar

The Director of Planning summarized the application.

The Sudbury East Planning Board has received applications for consent and zoning by-law amendment which proposes to create one residential rural lot from the subject lands on Dry Pine Bay Road and Whippoorwill Road in the Municipality of French River, and to rezone such lot (proposed severed lot) from 'Rural (RU)' to 'Residential Rural (RR)' to recognize the intended use of the lot. The proposed lot to be severed and rezoned is approximately 1.71 hectares in lot area with a lot frontage of approximately 175.32m on Dry Pine Bay Road and 29.62m on Whippoorwill Road, and is presently vacant. The proposed lot to be retained is to be approximately 63.38 hectares in lot area with a lot frontage of approximately 169.65m on Dry Pine Bay Road and 87.9m on Whippoorwill Road and contains a dwelling unit, three sheds, lean-to, field bed and a detached garage.

With respect to the OP:

In this case, the proposed severed lot conforms to the requirements of the 'Residential Rural (RR)' Zoning. The proposed retained lot will continue to conform to the requirements of the 'Rural (RU)' Zoning. Adequate access for the proposed lots to be severed and retained are to be accessed from Dry Pine Bay Road and Whippoorwill Road, which is publicly assumed and maintained year-round

roads by the Municipality of French River (May 24th, 2023). The Manager of Public works stated after careful evaluation (a new driveway access on the corner of Dry Pine Bay Road and Whippoorwill Road), I am confident in stating that the chosen location is suitable for an entrance permit. Once the property is created, the owner will need to apply for an entrance permit prior to any 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 (June 2nd, 2023). Appropriate documentation with respect to availability of sewage hauling services (May 9th, 2023) and probability of potable water (May 10th, 2023) has been provided.

With respect to zoning:

Current Zoning: **Rural (RU)**

Proposed Zoning: Residential Rural (RR) – lot to be severed.
Rural (RU) – lot to be retained.

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 to be retained will continue to conform to the above noted 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 is to comply with the 0.8 hectares and the minimum lot frontages of 60.0 metres.

Agency Comments:

The Municipality of French River Please be advised that through the circulation, there were no comments or concerns in relation to this application. However, the Consent Application will be subject to Conditions relating to Parkland Dedication and possibility of road transfers.

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: no concerns or objection to the proposal.

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 intent of 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.

Resolution: 23-062

BE IT RESOLVED THAT Consent Application B/34/23/FR submitted by Maria and Josef Tatar be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rachelle Poirier

SECONDED BY: Dave Froats

Carried

c) B/35/23/MW – Yvette Makitalo

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to create an access easement (right-of-way) over the above noted parcel of land to provide continued legal access over an existing driveway to 37 Cottage Road.

With respect to the OP:

As per Section 3.3.2.19, Private Roads are roads that are not owned or maintained by the province or a municipality or maintained by a local roads board that service two or more properties in separate ownership. Development, i.e. lot creation on private roads is discouraged. However, there are many instances in the Planning Area where there are existing lots of record on private roads or that are accessed over crown land or via easement over private land.

In this case, there are several existing access easements or rights-of-way (S/T LT 172820, S/T LT175240, S/T LT198494 and S/T SD73498) registered on title with Cottage Road which benefit seven existing waterfront properties, however, the agent has indicated that 37 Cottage Road was missed through the registration process. Therefore, the intent of the consent application is to register an access easement on title to provide continued legal access to 37 Cottage Road.

With respect to zoning.

Current Zoning: **Waterfront Commercial Tourist (WCT) Zone**

Proposed Zoning: Same as above.

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

Agency Comments:

The Municipality of Markstay-Warren: emergency services access must remain open

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 intent of 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.

Member Lemmon asks for clarity of where the property owners access their property from. The Director of Planning provided the Key mapping to describe the access points.

Member Bradbury asks if the road is private. The Director of planning states that the Sudbury East Planning Board did not receive a response from the Municipality of Markstay-Warren staff. Member Poirier verified that the road is private.

Member Bradbury questioned if the adjacent landowners will require the same easement. The Director of Planning stated that he would recommend the adjacent landowners verify with their solicitor if their property has an easement on title or not.

Resolution: 23-063

BE IT RESOLVED THAT Consent Application B/35/23/MW submitted by Yvette Makitalo be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Mary Bradbury

SECONDED BY: Carol Lemmon

Carried

8. NEW BUSINESS

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

10. PAYMENT OF VOUCHERS

a) May 2023

Resolution 23-064

BE IT RESOLVED THAT the statement of disbursements for the month May 2023 in the amount of \$20,741.75 to be distributed and is hereby approved for payment.

MOVED BY: Dave Froats

SECONDED BY: Paul Branconnier

Carried

Chair Prevost brought forward the idea of having a Christmas Sudbury East Planning Board gathering this year, possibly in the beginning on December 2023.

12. ADJOURNMENT

Resolution: 23-065


BE IT RESOLVED THAT the Meeting be adjourned at 6:20 P.M.

AND THAT the next regular meeting be held on September 14th, 2023 at 5:30 P.M. at the Municipality of French River Municipal Office Virtually and in person.

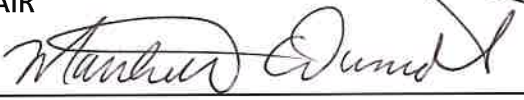
Moved BY: Josh Lachance

SECONDED BY: Paul Branconnier

Carried.



CHAIR



SECRETARY-TREASURER