

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, March 13, 2025 at 5:30 p.m.
Virtual Meeting/ Municipal Office of French River**

MEMEBERS PRESENT

VIRTUALLY: None

MEMBERS PRESENT: Bob Prevost, Dave Viau, Mary Bradbury, Paul Branconnier, Josh Lachance, Steve Olsen, Rachelle Poirier

MEMBERS ABSENT: Carol Lemmon, Renee Germain, Dave Froats

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

PUBLIC PRESENT

VIRTUALLY: Vanessa Smith, Tasmin Haque

1. MEETING CALLED TO ORDER

Chairperson Prevost called the meeting to order at 5:32 p.m.

2. ADOPTION OF THE AGENDA

Member Olsen requested to have a Closed Meeting regarding a Personal Matter on the agenda.

Resolution: 25-010

BE IT RESOLVED THAT the amended agenda for the Sudbury East Planning Board regular meeting of March 13, 2025 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 February 13th, 2025 be adopted as distributed.

Resolution: 25-011

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of February 13, 2025 be adopted as distributed.

MOVED BY: Paul Branconnier

SECONDED BY: Josh Lachance

Carried

5. PRESENTATIONS/DELEGATIONS

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 February 19th, 2025, being over fourteen (14) days prior to this evenings meeting (B/1-4/25/FR- Giselle and Michel Lahaie, B/5-7/25/MW – Damien Taz Collins, B/08/25/MW -Qasim Hussein Ismeal, B/09/25/FR – Therese Bertrand and B/10/25/MW- Albert Desrosiers). 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/1-4/25/FR – Giselle and Michel Lahaie

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for severance to create four (4) residential rural lots from a parcel of land located on Golf Course Road in the Municipality of French River.

The subject property is currently zoned **Rural (RU)**. As part of the consent application, the applicant is requesting a rezoning to **Residential Rural (RR)** and **Residential Rural Special (RR-S)**. This rezoning is intended to facilitate the development of four new lots on the north portion of the property, which includes the construction of three single-family homes and a one-story fourplex residential dwelling. The proposed development would be serviced by private infrastructure, and the rezoning will be required as a condition of approval if the planning board approves the severances.

PPS 2024:

2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:

c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.

OFFICIAL PLAN:

Rural - limited residential development in the form of single detached dwellings may be permitted in areas designated "Rural" without requiring an amendment to this Plan, but may be subject to a rezoning, provided the proposed use meets the criteria established herein for Minimum Distance Separation formulae, separation distances from incompatible land uses, etc.

Village of Alban: Infilling, rounding out or minor extensions of existing Village Policy Areas may be permitted without requiring an amendment to this Plan. The proposed lot 1 which contains the fourplex abuts the Village of Laban and is directly adjacent to lot residential use to the north and represents a minor extension which is permitted without an amendment to the Official Plan.

Consents may only be granted where **they support the proper and orderly development of the Planning Area.**

Consents to sever land for the purpose of **creating a new building lot shall only be granted where** c) the proposed use of the severed parcel(s) is compatible with the abutting land uses; the application represents an orderly and efficient use of land and the severance would not hinder development of the retained lands; g) **the size and dimensions of the severed parcel(s) and the retained parcel are adequate to accommodate the proposed use or uses** ; h) **adequate access to the severed and retained parcel(s) can be provided from a year-round publicly maintained road in keeping with the transportation policies of this Plan**; i) access will not create a traffic hazard.

As a third priority, individual onsite systems may be used for development in the Rural Policy Area and the Waterfront Policy Area subject to the proponent of development demonstrating to the Planning Board, applicable municipality and **local Health Unit** or the Province that the proposed servicing scheme is feasible and appropriate.

Delineation of certain **Natural Heritage Features** is based on data provided by the Ministry of Natural Resources. **These features will be protected for the long-term** and, where possible, enhanced in the development,

ZONING:

Current Zoning: **Rural (RU)**

Proposed Zoning: Special Residential Rural (S-RR) – Proposed Severed Lot 1
Residential Rural (RR) – Proposed Severed Lots 2-4
Same as Above – Proposed Retained Lot

Lot Dimensions:	<u>Lot Area</u>	<u>Lot Frontage</u>
Severed Lot 1	1.3 hectares	90 metres
Severed Lot 2	2.4 hectares	60 metres
Severed Lot 3	1.7 hectares	60 metres
Severed Lot 4	1.7 hectares	60 metres
Retained Lot	21.6 hectares	771 metres

The 'S-RR' Zone is to permit a one storey fourplex dwelling. The site-specific zone is required for the fourplex dwelling to be added as a permitted use on the subject property whereas the standard RR zone limits the residential built form to a single detached dwelling unit.

The 'RR' Zone is to permit single detached dwellings.

The '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 'RR' Zone is 0.8 hectares and 60.0 metres respectively, the proposed severed lots are to continue to meet those requirements.

The maximum lot coverage for the 'RR' zone is 10% and the proposed lot 1, which proposes a one-storey fourplex has a proposed lot coverage of 3.3%. Minimum parking spaces required are 5 spaces where 5 to 8 spaces are provide within the proposed development and the maximum driveway width is being proposed as 9 meters and parking area buffer 3 metres, which both conform to by-law 2014-23 standards.

AGENCY COMMENTS:

Hydro One: No concerns from H1, we do not have plant on those lots.

Municipality of French River: Please be advised through circulation, the following comments were received and that the Consent Application will be subject to Conditions relating to **municipal drains, parkland dedication, or road transfers**.

Chief Building Official: Septic approval should be investigated for 4-plex servicing taking well placement into consideration.

Public Health Sudbury & Districts: Severed vacant lots with proposed single family dwellings services by private sewage systems and private water supplies and concluded that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system – 2024/08/07.

Tulloch Engineering: I contacted the Health Unit regarding the below and they let me know that their policy is that every severance is reviewed with the assumption that a 3-bed 2-bath would be constructed regardless of location. They do not consider any other building (i.e., multi-units etc) or use (i.e., commercial etc) beyond that when providing their comments. Additionally, many municipalities are permitting 4-units as-of-right on both urban and rural lots and have done the leg-work to determine that rural lots can accommodate 4-units while still being under the 4500L/d max usage.

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

The application for consent is consistent with the 2024 Provincial Planning 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.

Member Viau asks who regulates the gallons for septic? Agent Vanessa Smith answers that the Planning Act states it.

Member Olsen asks if there was a study done for the wet lands? The Director of Planning states that yes that an assessment was completed.

Resolution: 25-012

BE IT RESOLVED THAT Consent Application B/1-4/25/FR submitted by Giselle and Michel Lahaie be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

SECONDED BY: Steve Olsen

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/5-7/25/MW – Damien Taz Collins

The Director of Planning summarized the application.

- **Property Overview:**

- **Location:** 2566 Rabbit Trail Road
- **Designation:** Rural Policy Area (Official Plan)
- **Zoning:** Rural (RU) (Municipality of Markstay-Warren)
- **Lot Area:** 68.7 hectares
- **Road Frontage:** 840 metres along Rabbit Trail Road

- **Proposed Severance:**

- **Lot 1:** 3.25 hectares, 213.5 metres frontage, Vacant
- **Lot 2:** 3.78 hectares, 205.9 metres frontage, Vacant
- **Lot 3:** 2.43 hectares, 205.17 metres frontage, Vacant
- **Retained Lot:** 2 hectares, 220 metres frontage, Vacant

- **Zoning:**

- The application seeks to rezone from **Rural (RU)** to **Residential Rural (RR)** to facilitate the creation of four lots. The **RR** zone requires a minimum area of 0.8 hectares and 60 metres of frontage.

PPS 2024:

2.1 Housing

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and

OFFICIAL PLAN:

The Proposed Development Conforms to the Official Plan for the following reasons and therefore can be supported from a Planning Perspective.

1. Conformance with Residential Rural Zone Standards:

- The proposed severed lots (Lot 1 to Lot 3) will meet the Residential Rural Zone standards, including a minimum lot frontage of 60 metres and a minimum lot area of 0.8 hectares.
- The proposed retained lot will also conform to the Residential Rural Zone standards, including a minimum lot frontage of 60 metres and a minimum lot area of 0.8 hectares.

- The naturally severed lot, which has 815.26 metres of lot frontage and 55.76 hectares of lot area, will continue to meet the Rural Zone standards, which require a minimum frontage of 100 metres and a minimum lot area of 5.0 hectares.

2. Access and Infrastructure:

- The proposed severed lots and the retained parcel will have access from Rabbit Trail Road, a public road maintained year-round by the Municipality of Markstay-Warren, ensuring adequate access to all lots.

3. Minimum Distance Separation (MDS):

- MDS is not applicable in this case, as there are no farming-related activities in the area. After reviewing aerial imagery and the surrounding land, it is evident that the property contains mature trees and is non-agricultural in nature.
- Given these conditions and based on professional judgment, I do not believe it is reasonable to require the submission of an MDS 1 report, despite its general applicability in other circumstances.

4. Servicing Approvals:

- The agent has secured approval from the Sudbury District Health Unit for the installation of a septic system and leaching bed system (dated October 10th, 2024).
- Documentation has also been provided confirming the availability of sewage hauling services and the potential for potable water, further supporting the viability of the proposed severances.

ZONING:

Current Zoning: **Rural (RU) – Natural Severance – See attached sketch from Tulloch Engineering.**

Proposed Zoning: **Residential Rural (RR) - Severed Lot 1
Residential Rural (RR) - Severed Lot 2
Residential Rural (RR) - Severed Lot 3
Residential Rural (RR) - Retained Lot**

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 naturally severed 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; both the proposed severed lots and retained lot are to comply with the above noted standards; minimum lot area and minimum lot frontage.

AGENCY COMMENTS:

Fire Department: no concerns.

Sudbury East Building and By-law Services (SEBBS): no issues.

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 – October 10th, 2024

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

The application for consent is consistent with the 2024 Provincial Planning Statement, conforms with the Official Plan for the Sudbury East Planning Area and conforms to the Zoning By-law 2014-27 for the Municipality of Markstay-Warren, therefore can be supported from planning perspective.

Member Poirier asks if there are any buildings on the on the property. The Director of Planning advises that, as per MPAC and the Municipal circulation for comments, he is under the understanding that there are no building on the property.

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.

Resolution: 25-013

BE IT RESOLVED THAT Consent Application B/5-7/25/MW submitted by Damien Taz Collins be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

SECONDED BY: Paul Branconnier

Carried

c) B/08/25/MW – Qasim Hussein Ismeal

The Director of Planning summarized the application.

- **Property Description:**
 - Lot Area: Approximately 4.755 hectares
 - Road Frontage: Approximately 189 metres on Dupuis Road/252 metres on Highway 535
- **Proposed Severed Lot:**
 - Lot Area: Approximately 2.378 hectares
 - Lot Frontage: Approximately 95 metres on Dupuis Road
 - Vacant Land
- **Proposed Retained Lot:**
 - Lot Area: Approximately 2.377 hectares
 - Lot Frontage: Approximately 94 metres on Dupuis Road

- Vacant Land
- **Zoning:**
 - Both the proposed severed and retained lots are requested to be rezoned from Rural (RU) to Residential Rural (RR) zone to recognize the proposed lot areas.

PPS 2024:

Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.
2. Development that can be sustained by rural service levels should be promoted.

OFFICIAL PLAN:

The Proposed Development Conforms to the Official Plan for the following reasons and therefore can be supported from a Planning Perspective.

5. Conformance with Residential Rural Zone Standards:

- The proposed severed lot 1 will meet the Residential Rural Zone standards, including a minimum lot frontage of 60 metres and a minimum lot area of 0.8 hectares.
- The proposed retained lot will also conform to the Residential Rural Zone standards, including a minimum lot frontage of 60 metres and a minimum lot area of 0.8 hectares.

6. Access and Infrastructure:

- The proposed severed lots and the retained parcel will have access from Dupuis Road, a public road maintained year-round by the Municipality of Markstay-Warren, ensuring adequate access to both lots.

7. Minimum Distance Separation (MDS) Analysis:

- The property in question has not been developed since 1979, and it was previously severed from the parent parcel. There are seven residential homes across from Highway 535, which are legally non-complying due to the zoning or regulations at the time of their construction.
- MDS is generally used to maintain a safe distance between certain land uses (e.g., farming operations and residential areas) to mitigate potential conflicts, such as odor, noise, or other impacts.
- In this specific case, MDS is not applicable due to several factors: The property has been vacant for 46 years, meaning there hasn't been recent development or agricultural activity to consider. The homes across Highway 535 are legal but non-

complying, suggesting they may not conform to modern zoning or MDS standards, and any development on the subject property might have to account for these non-compliances. The fact that the property was severed from a larger parcel and is limited to farming-related activities restricts the potential development options.

8. Servicing Approvals:

- The agent has secured approval from the Sudbury District Health Unit for the installation of a septic system and leaching bed system (dated December 5th, 2024).
- Documentation has also been provided confirming the availability of sewage hauling services and the potential for potable water, further supporting the viability of the proposed severances.

ZONING:

Current Zoning: **Rural (RU)**

Proposed Zoning: **Lot to be severed – Residential Rural (RR)**
Lot to be retained – Residential rural (RR)

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 lots and retained lot are to comply with the above noted standards; minimum lot area and minimum lot frontage.

AGENCY COMMENTS:

Sudbury East Building and By-law Services (SEBBS): no issues.

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 – December 5th, 2024

Ministry of Transportation (MTO): supports the proposed severance and rezoning in principle – please refer to the attached email which outline further comments from MTO.

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

The application for consent is consistent with the 2024 Provincial Planning Statement, conforms with the Official Plan for the Sudbury East Planning Area and conforms to the Zoning By-law 2014-27 for the Municipality of Markstay-Warren, therefore can be supported from planning perspective.

Member Olsen questions if there are still cattle on the property. The Director of Planning states that he is not aware of the history behind the cattle.

Member Lachance also comments that he believes the property has a long history of having cattle on the lot.

The Director of Planning advises the Board members that if they feel a MDS assessment is needed they can request that it becomes a condition.

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.

Resolution: 25-014

BE IT RESOLVED THAT Consent Application B/08/25/MW submitted by Qasim Hussein Ismeal be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rachelle Poirier

SECONDED BY: Mary Bradbury

Carried

d) B/09/25/FR – Therese Bertrand

The Director of Planning summarized the application.

The applications for severance and minor variance seek approval for a lot addition to resolve an encroachment issue. The Calvary Mennonite Church has been utilizing a small portion of land as part of their surface parking area. The proposed severed land, measuring approximately 0.04 hectares, with a frontage of approximately 11.58 metres, is to be added to the property at 15 Mercer Road.

The proposed retained lot will be approximately 0.57 hectares in area, with a frontage of approximately 68 metres, and is currently vacant. The minor variance application is to address a reduced lot area for the retained lands.

ZONING BY-LAW 2014-23 (Municipality of French River)

The following variance to the regulations of the Residential Rural (RR) Zone has been requested in order to permit a reduced lot area to effect a lot addition as shown on the attached sketch dated February 3rd, 2025:

Relief from Section 7.6.2(a)ii. The lot– Minimum lot area – to permit a reduced lot area of 0.57 hectares instead of the minimum lot area permitted of 0.80 metres.

The subject land is also subject to an application for a consent (**SEP File No. B/09/25/FR**).

OFFICIAL PLAN:

Section 4.5.1 of the Plan contains policies pertaining to Consents. Subsection 1, outlines criteria that shall be considered when creating new buildings lots:

c) lot boundary adjustments;

The lot proposed to be severed is currently undersized, as is the proposed lot to be enlarged. The applications for severance and minor variance seek approval for a lot addition to resolve an encroachment issue. The Calvary Mennonite Church has been utilizing a small portion of land as part of their surface parking area.

The application, as proposed, generally **conforms** to the intent and policies of the Official Plan.

ZONING:

Current Zoning: **Residential Rural (RR)**

Proposed Zoning: Same as above.

The 'Residential Rural (RR)' permits a single-family home, a bed and breakfast, a home industry, a home occupation, and other accessory structures in accordance with the applicable provisions. The minimum lot area requirement is 0.8 hectares and the minimum lot frontage requirement is 60.0 metres. After the lot addition, the proposed lot to be enlarged will have an area of approximately 0.27 hectares and a lot frontage of 61.0 metres. Section 6.26(c) of the Zoning By-law provides that where lands are added to an existing undersized parcel, that such lot is deemed to comply with the minimum lot area and minimum lot frontage requirements, therefore no variance is required to recognize the reduced lot area and lot frontage. However, a minor variance is required to recognize the reduced lot area of the proposed severed lot because it will be further reduced (0.61 hectares to 0.57 hectares) by the proposed application.

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

AGENCY COMMENTS:

Municipal Staff from the Municipality of French River: Please be advised that through the circulation, there were **no comments or concerns** in relation to this application and there are no Conditions relating to municipal matters.

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

The application for consent is consistent with the 2024 Provincial Planning Statement, conforms with the Official Plan for the Sudbury East Planning Area and conforms to the Zoning By-law 2014-23 for the Municipality of French River, therefore can be supported from planning perspective.

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 approval will lapse.

conditions of this provisional consent or the

Resolution: 25-015

BE IT RESOLVED THAT Consent Application B/09/25/FR submitted by Therese Bertrand be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rachelle Poirier

SECONDED BY: Josh Lachance

Carried

e) B/10/25/MW – Albert Desrosiers

The Director of Planning summarized the application.

The lands are designated 'Rural Policy Area' in the Official Plan for the Sudbury East Planning Board and are zoned "RU" Rural in Zoning By-law 2014-27 for the Municipality of Markstay-Warren.

The site plan proposes to create one rural lot from the subject lands. The proposed severed lot is to be approximately 5.0 hectares (12.35 acres) in lot area and have a lot frontage of approximately 101 metres on Ratter Lake Road and is presently vacant. The proposed retained lot is approximately 26.80 hectares (66.22 acres) in lot area and has a lot frontage of approximately 68 metres on Mackenzie Road and is presently vacant.

The minor variance application is to recognize a reduced lot frontage for the retained lands – Mackenzie Road.

OFFICIAL PLAN:

Consent

Section 4.5.1 of the Plan lists instances where consents are granted, including lot boundary adjustments such as that currently proposed. The proposed lot to be enlarged is currently undersized. The portion of the lot to be severed is separated from the developed portion by another lot, as shown on the FRI Imagery map.

Minor Variances

Section 4.2.5 of the Official Plan contains review criteria to be used in the evaluation of minor variances as follows:

When considering this application, the Committee must consider the four tests as outlined in Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13, which states that a variance from the zoning by-law should:

- a) be minor;
- b) be desirable for the appropriate development or use of the land, building, or structure;
- c) maintain the general intent and purpose of the Zoning By-law; and

- d) maintain the general intent and purpose of the Official Plan.

The application must meet all of the above tests and will be discussed further in the Zoning By-law.

The proposed severed lot complies with the requirements of the 'Rural (RU)' zoning. The retained lot will continue to be zoned as Rural (RU), but the proposed lot frontage of 68 meters is less than the required 100 meters. Therefore, a minor variance application is needed to recognize the reduced lot frontage for the Rural Zone. Access to the severed lot is available via Ratter Lake Road, which has 101 meters of frontage and provides a suitable location for a driveway. Ratter Lake Road is maintained year-round. The retained parcel on McKenzie Road has a frontage of 68 meters, with a suitable location for a driveway. McKenzie Road is also maintained year-round and includes a turn-around area at the front of the property. 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 case, as there are no farming-related activities in the area. Regarding servicing, the agent has provided comments from the Sudbury and District Health Unit (dated July 31, 2024) which are supportive of the proposal. Additionally, appropriate documentation has been provided, confirming the availability of sewage hauling services (June 13, 2024) and the probability of potable water (October 15, 2024).

ZONING:

Current Zoning: **Rural (RU)**

Proposed Zoning: Same as above.

The RU minimum lot area requirement is 5.0 hectares, and the minimum lot frontage requirement is 100.0 metres.

A minor variance is required to recognize the reduced lot frontage of the proposed retained lot.

With respect to the required minor variance application, as noted in the Official Plan section above, minor variances must meet the four tests set out in Section 45(1) of the Planning Act. The following will provide an analysis of the application with respect to the four tests.

Minor in Nature

Given that the portion of the proposed lot to be retained has a reduced lot frontage does not negatively impact the function of the lot as an existing driveway continues to provide access to McKenzie Road.

Desirable and Appropriate

- The resulting development would be compatible with adjacent uses and in character with the established or planned development in the area;
- Adequate provision is made for vehicular access and off-street parking on the lot;
- Adequate buffering, screening and landscaping can be provided; and
- The application deals with circumstances particular to the site which design of the building or structure in conformity with the by-law is not feasible or possible.

The current applications will facilitate the proposed severance which will better serve the property

and reduce the likelihood of negative impacts on Ratter Lake Road.

Maintain General Intent and Purpose of Official Plan

The Official Plan permits single detached dwellings and accessory structures within the Rural Policy Area designation. The application maintains the general intent and purpose of the Official Plan.

Maintain the General Intent and Purpose of the Zoning By-law

The intent of the Zoning By-law is to recognize an existing lot frontage which provides access from McKenzie Road. The application maintains the general intent and purpose of the Zoning By-Law.

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

AGENCY COMMENTS:

Municipality of Markstay-Warren: no concerns.

Manager of Public Works: no concerns, application has been reviewed thoroughly.

Sudbury East Building and By-law Services (SEBBS): no issues.

Hydro One: no concerns.

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

The application for consent is consistent with the 2024 Provincial Planning Statement, conforms with the Official Plan for the Sudbury East Planning Area and conforms to the Zoning By-law 2014-27 for the Municipality of Markstay-Warren, therefore can be supported from planning perspective.

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.

Resolution: 25-016

BE IT RESOLVED THAT Consent Application B/10/25/MW submitted by Albert Desrosiers be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Steve Olsen

SECONDED BY: Dave Viau

Carried

7. BUSINESS ARISING FROM PREVIOUS MINUTES

8. NEW BUSINESS

The Director of Planning gives an update on where the Sudbury East Planning Board is at with the province regarding the Official Plan. He explains how all meetings were brought to a halt due to elections.

The Director of Planning advises the Board Members that the DRAFT Audit and DRAFT 2025 Budget will be handed out once completed which will be well in advance to the next Sudbury East Planning Board meeting.

The Chair person Mr. Prevost advises that the KPMG representative recommend that it would be a good idea to do salary reviews in the near future for the Director of Planning and the Administrative Assistant positions which should be completed by December 2025.

He also recommended that the Board revise application fees and bring the fees up to meet current going rates and inflation.

Chair Prevost also suggests a possible part time employee to replace vacations and time off and would like feed back from the board regarding the topic.

Chair Prevost states to the Board that he is postponing the Closed Session request until further information is given to the Chair of the Planning Board to better understand the nature of the request.

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

11. PAYMENT OF VOUCHERS

a) **Deferred**

Resolution 25-017

12. ADJOURNMENT

Resolution: 25-018


BE IT RESOLVED THAT the Meeting be adjourned at 7:13 P.M.

AND THAT the next regular meeting be held on April 17th, 2025 at 5:30 p.m. at the Municipality of French River Municipal Office Virtually and in person.


MOVED BY: Dave Viau

SECONDED BY: Josh Lachance

Carried.



CHAIR



SECRETARY-TREASURER

