

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, August 13, 2024 at 5:30 p.m.
Virtual Meeting/ Municipal Office of French River**

MEMEBERS PRESENT

VIRTUALLY: Steve Olsen, Rachelle Poirier, Paul Branconnier, Carol Lemmon, Dave Froats

MEMBERS PRESENT: Dave Viau, Mary Bradbury, Josh Lachance

MEMBERS ABSENT: Renee Germain, Bob Prevost

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

PUBLIC PRESENT

VIRTUALLY: Pierre Tessier, Micheline Tessier

1. MEETING CALLED TO ORDER

Vice-Chairperson Viau called the meeting to order at 5:30 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 24-039

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of August 13, 2024 be adopted as distributed.

MOVED BY: Josh Lachance

SECONDED BY: Paul Branconnier

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 June 13th, 2024 be adopted as distributed.

Resolution: 24-040

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board’s regular meeting of June 13, 2024 be adopted as distributed.

MOVED BY: Steve Olsen

SECONDED BY: Mary Bradbury

Carried

5. PRESENTATIONS/DELEGATIONS

6. ZONING BY-LAW AMENDMENTS

a) ZBA 24-15BRW – Pierre and Micheline Tessier

The Vice-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 July 22, 2024, being over twenty (20) days prior to this evenings meeting (ZBA 24-15BRW- Pierre and Micheline Tessier). 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 Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent and zoning by-law amendment which proposes to create one Special Residential Rural (RR) lot. The proposed lot to be severed is to be approximately 2.0 hectares in lot area with a road frontage of 213 metres and contains an existing telecommunication tower. The proposed lot to be retained is to be approximately 22.0 hectares in lot area with a road frontage of 720 metres and contains a single-family home and accessory structures (shed, shop, and Quonset building). The proposed severed lot is to be rezoned from Rural (RU) to Special Residential Rural (RR) to recognize the deficiency being proposed for lot area and the permission/additional use to the RR zone - an existing telecommunication tower. Both the proposed severed and retained lots have access from Elbow Ridge Road.

With respect to OP:

In this case, the proposed retained parcel of land will continue to conform to the requirements of the 'Rural (RU)' Zone. The proposed severed lot is to be rezoned from Rural (RU) to Residential Rural (RR) to recognize the proposed lot area deficiency and to add an additional use – an existing telecommunication tower. Adequate access for the proposed lot to be severed and a retained is to be from Elbow Ridge Road. Elbow Ridge Road was dedicated as a public road by MTO as part of the Burwash-Hendrie Locals Roads Board area. 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 owners have 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 was provided to the Planning Board was supportive.

With respect to zoning:

Proposed Zoning: Special Residential Rural (RR); Special Provision 40 – proposed lot to be severed.

The Rural (RU) Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres. The proposed retained lot is to have 22 hectares in lot area and a minimum lot frontage of 720 metres, thus conforming to the requirements of the RU Zone.

The Residential Rural (RR) Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. The proposed severed lot is to have 2.0 hectares in lot area and a minimum lot frontage of 720 metres, therefore, requiring a change in land use to recognize the deficiency in lot area and to permit an existing telecommunication tower where no telecommunication tower is permitted under the RR Zone.

Agency Comments:

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.

Union Gas: no concerns or comments with respect to the proposal.

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

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

The application for ZBA and Consent is consistent with the 2020 Provincial Policy Statement, conforms with the Official Plan for the Sudbury East Planning Area and zoning by-law for the unincorporated townships, therefore can be supported from a planning perspective.

There were no comments from the board.

Resolution: 24-041

BE IT RESOLVED THAT By-law Number 24-02 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 24-15BRW, submitted by Pierre and Micheline Tessier be read a first and second time this 13th day of August, 2024.

MOVED BY: Josh Lachance
SECONDED BY: Carol Lemmon

Carried

Resolution: 24-042

BE IT RESOLVED THAT By-law Number 24-02 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 24-15BRW submitted by Pierre and Micheline Tessier be read a third and final time this 13th day of August, 2024.

MOVED BY: Rachelle Poirier
SECONDED BY: Dave Froats

Carried

7. CONSENT APPLICATIONS

The Vice-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 July 22nd, 2024, being over fourteen (14) days prior to this evenings meeting (B/19/24/BRW Pierre and Micheline Tessier). 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/19/24/BRW – Pierre and Micheline Tessier**

Resolution: 24-043

BE IT RESOLVED THAT Consent Application B/19/24/BRW submitted by Pierre and Micheline Tessier be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Josh Lachance

SECONDED BY: Carol Lemmon

Carried

The Vice-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/20/24/SC – Jeff Burke**

The Vice-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 September 29th, 2024, being over fourteen (14) days prior to this evenings meeting (B/20/24/SC Jeff Burke). 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 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, shared, legal access over an existing driveway. 202 D Island Road East is to benefit from the access easement.

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, access was through 202B Island Road East, however the owner of the subject property no longer permitted access to 202C and 202D Island Road East. As a result, the owners require access to each waterfront property and have proposed a shared driveway from Island Road East.

With respect to Zoning:

Current Zoning: Waterfront Residential (WR)

Proposed Zoning: Same as above.

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

With Respect to agency comments:

Clerk/Treasurer for Municipality of St. Charles: If the property abuts Island Road East – road allowance will need to be transferred to Municipality of St. Charles.

Chief Building Official: no concerns.

Public Works Superintendent: no concerns.

Fire Department: Unable to read measurements on R-Plan. Ensure driveway is wide enough for fire truck access and staging proximate to house. The driveway should be a minimum of 10 feet wide.

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 conforms to the Zoning By-law 2014-26 for the Municipality of St. Charles, therefore can be supported from planning perspective.

Member Proirier questioned what would happen to the easement if the property was sold. The Director of Planning assured her that the easement would still be on title.

Resolution: 24-044

BE IT RESOLVED THAT Consent Application B/20/24/SC submitted by Jeff Burke be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Josh Lachance

SECONDED BY: Paul Branconnier

The Vice-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

c) B/21/24/SC – Darren Lachance

The Vice-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 September 29th, 2024, being over fourteen (14) days prior to this evenings meeting (B/20/24/SC Darren Lachance). 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 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, shared, legal access over an existing driveway. 202 C Island Road East is to benefit from the access easement.

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, access was through 202B Island Road East, however the owner of the subject property no longer permitted access to 202C and 202D Island Road East. As a result, the owners require access to each waterfront property and have proposed a shared driveway from Island Road East.

With respect to Zoning:

Current Zoning: Waterfront Residential (WR)

Proposed Zoning: Same as above.

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

With Respect to agency comments:

Clerk/Treasurer for Municipality of St. Charles: If the property abuts Island Road East – road allowance will need to be transferred to Municipality of St. Charles.

Chief Building Official: no concerns.

Public Works Superintendent: no concerns.

Fire Department: Unable to read measurements on R-Plan. Ensure driveway is wide enough for fire truck access and staging proximate to house. The driveway should be a minimum of 10 feet wide.

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 conforms to the Zoning By-law 2014-26 for the Municipality of St. Charles, therefore can be supported from planning perspective.

No questions were brought forward from the board,

Resolution: 24-045

BE IT RESOLVED THAT Consent Application B/21/24/SC submitted by Darren Lachance be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Mary Bradbury

SECONDED BY: Dave Froats

The Vice-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

8. BUSINESS ARISING FROM PREVIOUS MINUTES

9. NEW BUSINESS

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

MEETING

11. PAYMENT OF VOUCHERS

a) JUNE 2024

Resolution 24-046

BE IT RESOLVED THAT the statement of disbursements for the month of June 2024 in the amount of \$28,074.43 to be distributed and is hereby approved for payment.

MOVED BY: Carol Lemmon
SECONDED BY: Josh Lachance

Carried

12. ADJOURNMENT

Resolution: 24-047

BE IT RESOLVED THAT the Meeting be adjourned at 6:04 P.M.

AND THAT the next regular meeting be held on October 10th, 2024 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.

Vice Chair 

 CHAIR



 SECRETARY-TREASURER

