

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, February 08, 2024 at 5:30 p.m.
Virtual Meeting/ Municipal Office of French River**

MEMEBERS PRESENT

VIRTUALLY: Dave Froats, Steve Olsen, Rachelle Poirier

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

MEMBERS ABSENT: Renee Germain

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

PUBLIC PRESENT

VIRTUALLY: Bryan Dorland, Vanessa Smith, Wanda Brown, Kathy Cole, Gilles Tousignant

1. MEETING CALLED TO ORDER

Chairperson Prevost called the meeting to order at 5:30 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 24-001

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of February 08, 2024 be adopted as distributed.

MOVED BY: Dave Viau

SECONDED BY: Carol Lemmon

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 December 07th, 2023 be adopted as distributed.

Resolution: 24-002

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board’s regular meeting of December 07, 2023 be adopted as distributed.

MOVED BY: Dave Froats

SECONDED BY: Rachele Poirier

Carried

5. PRESENTATION/DELEGATION

6. BUSINESS ARISING FROM PREVIOUS MINUTES

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 January 25, 2024, being over fourteen (14) days prior to this evenings meeting (B/01/24/MW Perry McKnight, B/02-03/24/FR Brock Philp, B/24/04/MW Donald & Shelley Tarini, B/05-06/24/MW Kathy Cole & Gilles Tousignant, B/07/24/MW John and Eleanor Carr). 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/01/24/MW – Perry McKnight

The Director of Planning summarized the application.

The lands are located north and west of Nepewassi Lake Road approximately 300 metres from Nepewassi Lake. The subject lands are surrounded by rural properties and Crown land.

The Sudbury East Planning Board has received an application for consent which proposes to create

one rural lot on Nepewassi Lake Road in the Municipality of Markstay-Warren. The proposed lot to be severed is to be approximately 6.07 hectares in area with a road frontage of 110.00 metres and is presently vacant. The proposed lot to be retained is to be approximately 21.05 hectares in area with a road frontage of 250.00 metres on Nepewassi Lake Road and contains a single-family home and sleep cabin.

With respect to the OP

Section 4.5 of the Plan contains policies pertaining to Consents. Subsection 2, outlines criteria that shall be considered when creating a new building lot:

- a) Plan of subdivision not appropriate (ie existing services);
- b) Intended uses of the parcels conform with the Plan and Zoning By-law;
- c) There is no extension of municipal services required;
- d) Represents orderly and efficient use of land (would not hinder development of retained lands);
- e) Size and dimension of proposed lots are adequate for the proposed use;
- f) Adequate access can be provided from a year-round publicly maintained road;
- g) Adequate water and sewage servicing can be provided;
- h) The request, if granted, would not pose an undue financial burden on the applicable municipality.

With respect to servicing, the applicant has provided the required documentation to demonstrate site suitability for a septic system, reasonable expectation of potable water and capacity for hauled sewage.

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

With respect to zoning

Current Zoning: **Rural (RU)**

Proposed Zoning: Same as above.

Comments: The Rural Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. The proposed severed and proposed retained lots will continue to meet these requirements.

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

The application, as proposed, complies with the regulations of the Zoning By-law.

Agency Comments:

Chief Administrative Officer/Clerk/Treasurer – no concerns.

Fire Department – no concerns.

Chief Building Official – no concerns

Public Works Superintendent: no concerns.

- Email from November 2nd, 2023, from Kim Morris stating that the Manager of Public Works determined the location is suitable for a new driveway access and confirms Nepewassi Lake Road is a public road and maintained year-round by the Municipality.

Bell Canada: require protection for existing facilities. Requests a 3.0-meter-wide easement, to measure 1.5 metres on either side of the buried and aerial infrastructure.

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 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.

Resolution: 24-003

BE IT RESOLVED THAT Consent Application B/01/24/MW submitted by Perry McKnight be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Mary Bradbury

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 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/02-03/24/FR – Brock Philp

The Director of Planning summarized the application.

The lands are located on the south side of Meilleur Road, west of North Channel Road and east of Green Bay Road. The subject lands are in an area of predominantly rural uses as well as a small mix of waterfront uses located on the French River.

File B/02/24/FR - The Sudbury East Planning Board has received an application for severance to separate two lots which have merged on title due to the pattern of ownership (Roll # 5201-030-000-037-00/5201-030-000-035-00).

File B/03/24/FR - The Sudbury East Planning Board has received an application for an access easement which proposes to establish a right-of-way on an existing private driveway, over the above noted parcel of land, to provide continued legal access to 193A Meilleur Road.

With respect to the OP:

2.2.9.1 Policies 1. Lands designated “Waterfront” shall be used primarily for water-oriented single detached dwellings and water-oriented recreational and tourist commercial uses.

4.5.1 Policies

1. Consents may only be granted where they support the proper and orderly development of the Planning Area and the policies of this Plan provided all other policy and legislative requirements have been met. Accordingly, consents are generally limited to:

- g) separating lots that have merged on title; and,**
- h) easements or rights-of-way.**

The intent of the proposal conforms to the above noted consent policies under section 4.5.1 of the Official Plan.

With respect to zoning:

Current Zoning: **Rural (RU)** – roll number 5201-030-000-037-00
 Waterfront Residential (WR) – roll number 5201-030-000-035-00

Proposed Zoning: Same as above for both properties.

Severed Lot 1 - The ‘Waterfront Residential (WR)’ Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. Once the lot has been re-established, both the lot area and lot frontage will conform to the minimum requirements of the WR Zone.

Retained Lot - The Rural Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. The proposed retained lot will continue to meet these requirements.

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

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 and that the application is not subject to any municipality related Conditions.

Manager of Public Works in principle, I support the intent to re-separate the two lots and support the relief that may require for the WR lot – January 23rd, 2023.

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. 2023/11/20 date

of inspection.

Hydro One: have no comments or concerns regarding this severance. We serviced these lots by sub cable from across the lake 2 summers ago.

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.

Member Branconnier questioned if the properties will keep their original zoning? The Director of Planning stated that they will keep the current zone.

Resolution: 24-004

BE IT RESOLVED THAT Consent Application B/02-03/24/FR submitted by Brock Philp be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

SECONDED BY: Carol Joch Lachance

Carried

c) B/04/24/MW – Donald and Shelley Tarini

The Director of Planning summarized the application.

The lands are located south of Nepewassi Lake Road and west of Long Road. The Village of Markstay is approximately three kilometers north of the subject property.

The Sudbury East Planning Board conditionally approved severance application nos. B/36-39/23/MW on September 14th, 2023. As a condition of approval, the applicant is to establish legal access to the retained property in the form of a right-of-way/access easement (easement to benefit PIN 73484-0086) and register on title which is to be included in the Transfer/Deed of Landform.

History: B/36-39/23/MW

The Sudbury East Planning Board conditionally approved Four Rural lots in the Township of Hagar. Each of the proposed lots will have an approximate area ranging between 5.63 to 10.70 hectares, and frontages ranging from 114.90 to 128.30 metres on Long Road. The proposed severed Lot 1 through to Lot 4 are presently vacant. The proposed retained lot is to have an approximate area of 36.34 hectares with a lot frontage of approximately 456.60 metres on Nepewassi Lake Road and contains a single storey dwelling and an existing pit (License #20477).

With respect to the OP:

4.5.1 Policies 1. Consents may only be granted where they support the proper and orderly development of the Planning Area and the policies of this Plan provided all other policy and legislative requirements have been met. Accordingly, consents are generally limited to:

h) easements or rights-of-way.

In this case, the subject property has legal road frontage on Long Road (once a portion of Long Road is transferred to the Municipality as part of the conditional approval from files B/36-39/23/MW) which is a public road that is assumed and maintained year-round by the Municipality of Markstay-Warren. The applicant is to establish legal access to the retained property in the form of a right-of-way/access easement (easement to benefit PIN 73484-0086) and register on title which is to be included in the Transfer/Deed of Landform.

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

With respect to zoning.

Current Zoning: **Rural (RU)**

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. The proposal has no negative impact with respect to the intent of legal access and considering files B/36-39/23/MW were conditionally approved by the Planning Board.

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

Agency Comments:

Chief Administrative Officer/Clerk/Treasurer – no concerns.

Fire Department – no concerns.

Chief Building Official – 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, 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.

Resolution: 24-005

BE IT RESOLVED THAT Consent Application B/04/24/MW submitted by Donald and Shelley Tarini be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Froats

SECONDED BY: Carol Lemmon

Carried

d) B/05-06/24/MW – Kathy Cole and Gilles Tousignant

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 two (2) residential rural lots from the subject lands and to rezone such lots from 'Rural (RU)' to 'Residential Rural (RR)' to recognize the intended use of the lots.

The subject lands are located on Chain Lake Road, which is a publicly assumed road that is maintained year-round by the Municipality of Markstay-Warren.

The proposed severed Lot A is to be approximately 0.811 hectares in lot area with approximately 61 metres on Chain Lake Road and is presently vacant.

The proposed severed Lot B is to be approximately 0.807 hectares in lot area with approximately 61 metres on Chain Lake Road and is presently vacant.

The proposed retained lands are to be approximately 21.53 hectares in lot area with a lot frontage of approximately 140 metres on Chain Lake Road and contains a single-family home and detached garage.

With respect to the OP:

The proposed severed and retained lots are adequate for their respective proposed zones (rural and residential rural) and it is anticipated that the proposed residential rural use will be compatible with the surrounding rural uses. With respect to servicing, the applicant has provided the required documentation to demonstrate reasonable expectation of potable water (Gilles Bouffard Drilling Ltd.) and capacity for hauled sewage (Rays Enterprise). With respect to Sudbury District Health Unit (site suitability for a septic system), the applicants received approval (letter dated April 19th, 2023) from SDHU. The Director of Operations for Markstay-Warren advised the Planning Board by email that he had no issues in the locations for the proposed driveway permits. There are no sight obstructions that would cause any safety issues for drivers going north or south, thus the conclusion from the Municipality.

One potential development constraint was identified on Schedule D of the Official Plan. A licensed pit (ALPS ID: 7673) is adjacent to the subject property to the immediate west. Section 3.8.2 of the Official Plan echoes the policies of the Provincial Policy Statement pertaining to the protection of aggregate resources for continued extraction or future use.

To address the policies of the PPS and Official Plan, Pebble Beach Aggregates & Timber Craft Consultation Inc. prepared an aggregate study. It was concluded that the potential severance should not be considered significant as an aggregate reserve, due to the quality of the material and the amount of material available for extraction. Therefore, there should be no impact created from the proposed severed lots.

With respect to zoning.

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

Proposed Zoning: Severed Lot A - Residential Rural (RR) Zone
Severed Lot B - Residential Rural (RR) Zone

The 'Rural (RU)' zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. The

Proposed retained lot will continue to meet these requirements.

The 'Residential Rural (RR)' zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60 metres. The proposed severed Lot A and Lot B are to be approximately 0.8 hectares in lot area with approximately 61 m on Chain Lake Road, therefore both lots will meet the requirements of the RR Zone.

The application, as proposed, generally conforms to the Zoning By-Law.

Agency Comments:

Chief Administrative Officer/Clerk/Treasurer – no concerns.

Fire Department – no concerns.

Chief Building Official – 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, 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.

Resolution: 24-006

BE IT RESOLVED THAT Consent Application B/05-06/24/MW submitted by Kathy Cole and Gilles Tousignant be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Steven Olsen

SECONDED BY: Josh Lachance

Carried

e) B/07/24/MW – John and Eleanor Carr

The Director of Planning summarized the application.

The lands are located on the north side of Highway 17, west of Highway 539 and east of Highway 535 North. The subject lands are in an area of rural uses with pockets of land that produce and harvest hay.

The Sudbury East Planning Board has received applications for consent and zoning by-law

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

Chief Administrative Officer/Clerk/Treasurer – no concerns.

Fire Department – no concerns.

Chief Building Official – 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, 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.

Resolution: 24-007

BE IT RESOLVED THAT Consent Application B/07/24/MW submitted by John and Eleanor Carr be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Froats

SECONDED BY: Mary Bradbury

Carried

8. NEW BUSINESS

The Chair Bob Prevost read an email that was sent to him and the vice chair on February 7th, 2024.

“Good morning Bob and David, I just finished processing my minor variance application at our Sudbury East Planning Board and have to say I was very impressed with the response time, service and professionalism from Matt Dumont and Nancy Roy.

They were a great help and provided great support on my upcoming project this year.

Just wanted to reach out to say that you have a great local team.

Jeremy Lacombe
Markstay Resident

All board members acknowledged the email and stated “Great work” to the Sudbury East Planning Board staff.

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

10. PAYMENT OF VOUCHERS

a) November 2023 and December 2023

Member Lachance had some general questions regarding the financials which were answered by the Administrative assistant.

Resolution 24-008

BE IT RESOLVED THAT the statement of disbursements for the month November 2023 in the amount of \$23,415.15 and for the month of December 2023 in the amount of \$37,121.16 to be distributed and is hereby approved for payment.

MOVED BY: Dave Viau

SECONDED BY: Carol Lemmon

Carried

11. ADJOURNMENT

Resolution: 24-009

BE IT RESOLVED THAT the Meeting be adjourned at 6:27 P.M.

AND THAT the next regular meeting be held on March 14th, 2024 at 5:30 p.m. at the Municipality of French River Municipal Office Virtually and in person.

MOVED BY: Steve Olsen

SECONDED BY: Dave Froats

Carried.



CHAIR



SECRETARY-TREASURER