

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

**MEMEBERS PRESENT**

**VIRTUALLY:** Steve Olsen, Rachelle Poirier, Dave Froats, Paul Branconnier

**MEMBERS PRESENT:** Carol Lemmon, Bob Prevost, Dave Viau, Mary Bradbury

**MEMBERS ABSENT:** Josh Lachance, Renee Germain

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

**PUBLIC PRESENT**

**VIRTUALLY:** Monique and Pierre Tessier, Kim Morris

**1. MEETING CALLED TO ORDER**

Chairperson Prevost called the meeting to order at 5:31 p.m.

**2. ADOPTION OF THE AGENDA**

**Resolution: 25-001**

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

**MOVED BY:** Paul Branconnier

**SECONDED BY:** Dave Viau

**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 December 12<sup>th</sup>, 2024 be adopted as distributed.

**Resolution: 25-002**

**BE IT RESOLVED THAT** the minutes of the Sudbury East Planning Board's regular meeting of December 12, 2024 be adopted as distributed.

**MOVED BY:** Dave Viau

**SECONDED BY:** Mary Bradbury

**Carried**

#### 5. PRESENTATIONS/DELEGATIONS

#### 6. ZONING BY-LAW AMENDMENTS

- a) **ZBA 24-26HND – Michael and Monique Tessier**

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 January 13, 2025, being over twenty (20) days prior to this evenings meeting (ZBA 24-26HND- Michael and Monique 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 subject property is presently zoned Waterfront Residential (WR) under Zoning By-law 2014-01 of the Unincorporated Township of Hendrie.

The property is to maintain its Waterfront Residential zoning but will include a **special provision** to permit **short-term rental** use in the form of a **Dwelling Unit, Secondary**. This provision allows for the temporary accommodation of guests for short durations, typically under 30 days, within all or part of a dwelling or an accessory structure. A **Zoning Conformity Permit shall be required to reflect the zoning by-law amendment process**.

A **short-term rental** is defined as a commercial use that provides temporary accommodation for rent,

generally for periods of fewer than 30 days. Short-term rentals can be an important component of local tourism opportunities in the area, helping to support the local economy.

There is an existing short-term rental within the dwelling unit on the property, indicating that the property is already being used for this purpose.

**Lot size:** Approximately **0.26 hectares** (about 26,000 square feet).

**Waterfront frontage:** Approximately **48.78 meters** (about 160 feet), which means the property has significant access to the waterfront, potentially enhancing its appeal for short-term rental use.

The property contains a **single-family detached unit** and a **detached garage**.

#### **OFFICIAL PLAN:**

Lands designated “Waterfront” shall be used primarily for water-oriented single detached dwellings and water-oriented recreational and tourist commercial uses. Publicly owned open space uses are also permitted.

One primary dwelling, one sleeping cabin and one boat house are permitted on each residential lot, subject to the Zoning By-law, and any required Land Use Permit, Lease or Patent from the Province. Other accessory structures may be permitted in accordance with the Zoning By-law. The specific siting of structures shall be in accordance with the Zoning By-law.

Sudbury East New Official Plan which was adopted by the Board in 2023 (not approved by Province yet) supports the new policies on Short Term Rentals.

**2.6 Short Term Rentals** Short term rentals are all or part of a dwelling unit or an accessory structure that is used to provide temporary sleeping accommodation for a rental period that is generally less than 30 days. This excludes bed and breakfasts and motels/hotels. Short term rentals are a commercial use and can support tourism opportunities in the planning area by providing a wider selection of accommodations, allowing a visitor to live like a local, and can make travel more affordable.

Each local municipality will address short term rentals in their Zoning By-laws, including determination of Zones where such uses are permitted and provisions to regulate placement and other site-specific features.

Local municipalities may regulate short term rentals through other tools such as Site Plan Control and Licensing By-laws under the Municipal Act.

#### **ZONING:**

##### **6.42 SECONDARY DWELLING UNITS**

(a) Secondary dwelling units shall be permitted in all **single detached dwellings**, semi-detached dwellings, and street townhouse dwellings, as well as accessory buildings to such dwellings, in all residential zones. **The single detached dwelling was constructed in 2010 – Zoning Conformity**

**Permit issued on April 8<sup>th</sup>, 2009.**

(b) Where a secondary dwelling unit is located on a lot, no garden suite or rooming house shall be permitted. **A Site Visit was conducted to confirm that no garden suite or rooming house was on-site.**

(c) All secondary dwelling units shall meet the provisions of the Ontario Building Code, as amended, and obtain necessary Building Permits. **The owners will be required to obtain a Zoning Conformity Permit from the Sudbury East Planning Board regarding the secondary dwelling.**

(d) A maximum of one secondary dwelling unit shall be permitted on a lot. **Site Visit confirmed only one secondary unit on property.**

(e) A secondary dwelling unit shall have a gross floor area not exceeding 40% of the gross floor area of the principal dwelling unit or 90 square metres, whichever is lesser. **The secondary unit is approximately 185.80 square meters in gross floor area. The existing gross floor area exceeds 90 square metres; therefore, the proposed by-law is to also recognize an existing gross floor area of 185.80 square metres for the secondary unit.**

(f) Notwithstanding anything to the contrary in this Bylaw, the required parking for the secondary dwelling unit may be provided through a tandem or stacked arrangement, provided that the parking space meets all yard provisions of the zone. **Based on the Site Visit and pictures, the proposal conforms to section 6.35 Parking.**

(g) An additional driveway shall only be permitted on corner lots in Residential One (R1) zoned lots not serviced by municipal water and sewerage systems, as well as Rural (RU) zoned lots. **Not applicable to the current Site.**

(h) Where an additional driveway is permitted, it shall be located in the interior side yard of a permitted corner lot, setback a maximum of 1.0 metres from the interior side lot line, and meet all corner visibility triangle requirements of this By-law. **Not applicable to the current Site.**

(i) A secondary dwelling unit shall have separate access from the principal dwelling unit. Access shall be provided at the front of the building, or through a minimum 1.2-metre-wide unobstructed walkway from the front of the lot to the side or rear of the building. **Access is provided from the front of the existing structure.**

(j) No person shall create a secondary dwelling unit without adequate municipal water and sewerage systems, as determined by the Sudbury East Planning Board, or adequate private water and sewerage systems that are approved by the applicable approval authority, as determined in consultation with the Sudbury East Planning Board. **Class 4 Ecoflow ST-650 Biofilter was approved by the Sudbury District Health Unit on September 9<sup>th</sup>, 2009.**

#### **AGENCY COMMENTS:**

**No comments or concerns had been received from other Agencies.**

The application for ZBA is consistent with the 2024 Provincial Planning Statement, conforms with

the Official Plan for the Sudbury East Planning Area and meets the intent of the zoning by-law for the unincorporated townships, therefore can be supported from a planning perspective.

Member Lemmon commented how a portion of the road is maintained by Burwash Township. The Director of Planning agreed and also added the remainder is a private road.

Member Bradbury questioned if Short Term Rentals were permitted in the current zoning. The Director of Planning responded that it is not which is reason behind the rezoning application being presented.

**Resolution: 25-003**

**BE IT RESOLVED THAT** By-law Number 25-01 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 24-26HND, submitted by Michael and Monique Tessier be read a first and second time this 13<sup>th</sup> day of February, 2025.

**MOVED BY: Carol Lemmon**

**SECONDED BY: Dave Froats**

**Carried**

**Resolution: 25-004**

**BE IT RESOLVED THAT** By-law Number 25-01 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 24-26HND submitted by Michael and Monique Tessier be read a third and final time this 13<sup>th</sup> day of February, 2025.

**MOVED BY: Mary Bradbury**

**SECONDED BY: Paul Branconnier**

**Carried**

## **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 14<sup>th</sup>, 2025, being over fourteen (14) days prior to this

evenings meeting (B/30/24/SC- Angela Martin and B/31-33/24/MW – Laurant and Suzanne Carriere). 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/30/24/SC – Angela Martin**

The Director of Planning summarized the application.

The lands are located on the west side of Osprey Court, north of Musky Island Road. Abutting land uses consist primarily of waterfront residential lots, a waterfront commercial tourist lot, and larger rural lots adjacent to the West Arm of Lake Nipissing.

The Sudbury East Planning Board has received an application to create one (1) Waterfront Residential lot on Osprey Court. The proposed severed lot is to be approximately 1.29 hectares in lot area with a lot frontage of approximately 91.44 metres and contains a single-family home with attached garage (year 2008) and shed (year 2000). The proposed retained lot is to be approximately 33.49 hectares in lot area with a lot frontage of approximately 250.56 metres and contains a cottage (year 1990).

**OFFICIAL PLAN:**

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:

In this case, proposed severed and retained lots meet the requirements of the 'Waterfront Residential (WR)' Zoning. Adequate access for the proposed lots to be severed and retained parcel of land are to be accessed from Osprey Court which is maintained year-round by the Municipality of St. Charles. The Director of Operations commented, stating no issues with approving a driveway access permit for both the proposed severed and retained lots - email from October 23<sup>rd</sup>, 2024.. Minimum Distance Separation (MDS) is not applicable in this instance, as there are no farming-related activities on the site or in the area. With respect to Sudbury District Health Unit (site suitability for a septic system), comments were received on March 24<sup>th</sup>, 2024, 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.

**ZONING:**

Current Zoning: **Waterfront Residential (WR) Zone**

Proposed Zoning: Same as above.

The 'Waterfront Residential (WR)' Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 meters. Both the severed and retained will continue to meet the requirements of the WR Zone.

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:**

Clerk/ Treasurer for the Municipality of St. Charles: Ensure the road allowances on Musky Island Road and Osprey Court are transferred to the Municipality, if not already done.

Chief Building Official: no issues.

Public Works Superintendent: emails from October 23<sup>rd</sup>, 2024. No concerns, there are several acceptable access locations off of municipality-maintained road for a final entrance to the retained lands. The severe lot already has an existing entryway,

Parks and Recreation Department: not applicable.

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 2024 Provincial Planning 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 Branconnier questioned if a third party owned the portion of the road and not the municipality would this become an issue. The Director of Planning stated that if that was the case then the third party would have to transfer the portion of the road over to the municipality. He also stated that situations like those are extremely rare and unlikely.

Member Viau asked what road did the property have frontage on? The Director of Planning explained that the property has frontage Osprey Road.

**Resolution: 25-005**

**BE IT RESOLVED THAT** Consent Application B/30/24/SC submitted by Angela Martin be recommended for approval as per the report prepared by the Director of Planning.

**MOVED BY:** Paul Branconnier

**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/31-33/24/MW – Laurant and Suzanne Carriere**

The Director of Planning summarized the application.

The Sudbury East Planning Board has received applications for severance and zoning by-law amendment which proposes to create three (3) rural lots from the Site and to rezone the proposed severed Lot 1 from 'Rural (RU)' to 'Special Rural (RU)' to recognize the ecological site assessment recommendation.

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

The proposed severed Lot 1 is to be approximately 5.0 hectares in lot area with approximately 212.20 metres on North Road and is presently vacant.

The proposed severed Lot 2 is to be approximately 5.06 hectares in lot area with approximately 226.48 metres on North Road and is presently vacant.

The proposed severed Lot 3 is to be approximately 5.06 hectares in lot area with approximately 206.32 metres on North Road and is presently vacant.

The proposed retained lands are to be approximately 44.76 hectares in lot area with a lot frontage of approximately over 100 metres on North Road and contains a single-family home and workshop.

**OFFICIAL PLAN:**

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:

The proposed severed and retained lots are adequate for their respective proposed zones (rural and rural special) and it is anticipated that the proposed rural uses 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 and capacity for hauled sewage. With respect to Sudbury District Health Unit (site suitability for a septic system), the applicants received approval from SDHU. The Manager of Public Work stated that each of the 4 sites have suitable visibility to either side of the proposed driveway location.

With respect to section 3.5, Natural Heritage, it is the goal of the Planning area to protect significant and sensitive features and functions. Environmental Ecosystems completed a wetland boundary identification and survey to address the concerns regarding existing wetlands across the site. The findings in the report determined that the potential for impacts to Natural Heritage features is low in this developable area. Recommendation for the wetlands is to maintain a 30 metres setback in naturalized area. Environmental ecosystem expects no negative impact to the natural heritage features and their ecological function.



**ZONING:**

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

Proposed Zoning: Same as above Except for Proposed Severed Lot 1.  
Proposed Severed Lot 1 – Special Rural Zone – Special provision 44

The Rural (RU) Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres.

The proposed severed Lot 1 is to be approximately 5.0 hectares in lot area with approximately 212.20 metres on North Road and is presently vacant.

The proposed severed Lot 2 is to be approximately 5.06 hectares in lot area with approximately 226.48 metres on North Road and is presently vacant.

The proposed severed Lot 3 is to be approximately 5.06 hectares in lot area with approximately 206.32 metres on North Road and is presently vacant.

The proposed retained lands are to be approximately 44.76 hectares in lot area with a lot frontage of approximately over 100 metres on North Road and contains a single-family home and workshop.

The zoning by-law amendment is to rezone proposed severed lot 1 from 'Rural (RU)' to 'Rural Special (RU)' to recognize the wetland delineation recommendation in the report.

**AGENCY COMMENTS:**

Manager of Public Works: Each of the 4 sites have suitable visibility to either side of the proposed driveway location

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

Chief Building Official: Has no issues. There is an open permit on the main house, but it is progressing correctly.

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 questioned if the new buyers of the proposed severances will have a hard time to obtain a building permit. The Director of Planning explains that obtaining a building permit will be an easy process and that owners will just have to avoid the wetlands as per the rezoning by-law which are near the back of the proposed severed properties.

**Resolution: 25-006**

**BE IT RESOLVED THAT** Consent Application B/31-33/24/MW submitted by Laurant and Suzanne Carriere be recommended for approval as per the report prepared by the Director of Planning.

**Moved BY:** Rachelle Poirier

**SECONDED BY:** Carol Lemmon

**Carried**

**8. BUSINESS ARISING FROM PREVIOUS MINUTES**

**a) Office Lease Agreement**

Member Branconnier asked if the lease could be amended to include a section pertaining to an early lease termination. All Members agreed to have the agreement amended and that the agreement may be signed once amendment has been completed.

**Resolution 25-007**

**BE IT RESOLVED THAT** the Sudbury East Planning Board accept the proposed Lease Agreement presented by the Municipality of Markstay-Warren for office space located at 39 Lafontaine Street, Warren Ontario, Unit #2 dates February 13<sup>th</sup>, 2025 for the term ending December 31, 2031. Amend to agreement to include an early termination clause of 6 months notice.

**Moved BY:** Paul Branconnier

**SECONDED BY:** Dave Froats

**9. NEW BUSINESS**

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

**11. PAYMENT OF VOUCHERS**

**a) December 2024, January 2025**

**Resolution 25-008**

**BE IT RESOLVED THAT** the statement of disbursements for the month of December 2024 in the amount of \$38,889.35 and for the month of January 2025 in the amount of \$20, 905.8 to be distributed and is hereby approved for payment.

**Moved BY:** Dave Viau

**SECONDED BY:** Carol Lemmon

**Carried**

**12. ADJOURNMENT**

**Resolution: 25-0009**

**BE IT RESOLVED THAT** the Meeting be adjourned at 6:34 P.M.

**AND THAT** the next regular meeting be held on March 13<sup>th</sup>, 2024 at 5:30 p.m. at the Municipality of French River Municipal Office Virtually and in person.

**MOVED BY:** Mary Bradbury

**SECONDED BY:** Paul Branconnier

**Carried.**

A handwritten signature in black ink, appearing to read "Paul D. R.", written above a horizontal line.

CHAIR

A handwritten signature in black ink, appearing to read "Maurice D. Smith", written above a horizontal line.

SECRETARY-TREASURER

