

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, October 13, 2022 at 5:30 p.m.
Municipality of French River
Virtual Meeting**

MEMBERS PRESENT VIRTUALLY: Dave Viau, Rob Campbell, Ned Whynott, Jackie Lafleur, Paul Branconnier, John Dimitrijevic

MEMBERS PRESENT:

MEMBERS ABSENT: Renee Germain, Rachelle Pigeau, Carol Lemmon,
Renee Carriere

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

PUBLIC PRESENT VIRTUALLY:

1. MEETING CALLED TO ORDER

The Chair called the meeting to order at 5:31 p.m.

2. ADOPTION OF THE AGENDA

Resolution: 22-067

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of October 13th, 2022 be adopted as distributed.

MOVED BY: Dave Viau

SECONDED BY: Rob Campbell

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

4. ADOPTION OF MINUTES

a) Sudbury East Planning Board – Regular meeting of September 08th, 2022 be adopted as distributed.

Resolution: 22-068

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of September 08th, 2022 be adopted as distributed.

MOVED BY: Rob Campbell
SECONDED BY: Jackie Lafleur

Carried

5. PRESENTATION/DELEGATION

6. CONSENTS

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 September 28th, 2022, being over fourteen (14) days prior to this evenings meeting (B/26-27/22/MW – Rene and Candace Lefrancois). 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/26-27/22/MW – Rene and Candace Lefrancois

The Director of Planning summarized the application.

The subject lands are located on Tex's and Ratter Lake Road, which is a publicly assumed road that is maintained year-round by the Municipality of Markstay-Warren. The property is approximately 40.46 hectares in lot area.

The proposed severed Lot A is to be approximately 2.59 hectares in lot area with approximately 123.0m on Ratter Lake Road and contains an accessory structure (detached garage).

The proposed severed Lot B is to be approximately 19.43 hectares in lot area with approximately 405.0m on Tex's Road and is presently vacant.

The proposed retained lands are to be approximately 14.75 hectares in lot area with a lot frontage of approximately 494.0m on Tex's Road and 417.0 m on Ratter Lake Road and contains a single family home:

The zoning by-law amendment is regarding Lot A, specifically, section 6.2.2 (a), 7.6 and 7.22 of the Zoning by-2014-27.

OP: Section 4.5.1 provides for instances when consents may be granted, including criteria for the creation of a new building lot:

The proposed severed and retained lots are of 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 and capacity for hauled sewage. With respect to Sudbury District Health Unit (site suitability for a septic system), the applicants have received approval (letter dated July 20th, 2022) from SDHU. 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. The Public works Superintendent for Markstay-Warren advised the Planning Board by email that the proposed entrance on Tex's Road can be supported. Also, it was confirmed that Ratter Lake Road and Tex's Road are maintained year-round by the municipality. The application, as proposed, generally conforms to the intent and the policies of the Official Plan.

With respect to zoning.

Proposed Zoning: Severed Lot A - Residential Rural (RR) Zone with Special Provision
Severed Lot B - Rural (RU) Zone - Same as above
Retained Lot - Rural (RU) Zone - Same as above.

The 'Rural (RU)' zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100 metres. The proposed Lot B and the 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 is to be approximately 2.59 hectares in lot area with approximately 123.0m on Ratter Lake Road and contains an accessory structure (detached garage). The zoning by-law amendment is regarding Lot A, specifically, section 6.2.2 (a), 7.6 and 7.22 of the Zoning by-2014-27 which will regulate an accessory building (an existing detached garage shall be permitted to be erected prior to that of the principal building (single detached dwelling).

Agency Comments:

Chief Administrative Officer – no comment received.

Chief Building Official: no comment received.

Public Works Superintendent: no comment received.

Fire Department: no comment received.

Bell Canada has no comments or concerns regarding this circulation.

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

The application for consent is consistent with the 2020 Provincial Policy Statement, conforms with the 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.

There were no question from the board members.

Resolution: 22-069

BE IT RESOLVED THAT Consent Application B/26-27/22/MW submitted by Rene and Candace Lefrancois be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

SECONDED BY: Jackie Lafleur

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 Ontario Land Tribunal.

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

b) B/28/22/MW – Amy Furtado

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent which proposes to create one rural lot. The proposed lot to be severed is to be approximately 8.64 hectares in area with a road frontage of 182.88 metres and is presently vacant. The proposed lot to be retained is to be approximately 46.46 hectares in area with a road frontage of 232.86 metres and contains a single-family home, detached garage, and Type II Barn.

OP:

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:

In this case, proposed severed 'Lot 1' and retained parcel meet the requirements of the 'Rural (RU)' Zoning. Adequate access for the proposed lots to be severed and retained parcel of land are to be accessed from Nipissing Road which is maintained year-round by the Municipality of Markstay-Warren. Minimum Distance Separation (MDS) was conducted within 1000 metres of the proposed lot to identify any active livestock operations. It was identified that there are three existing barns within the survey area but there are no current active livestock operations, therefore MDS 1 was not applicable and not calculated. With respect to Sudbury District Health Unit (site suitability for a septic system), comments were received (July 20th, 2022) 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.

With respect to zoning.

The Rural (RU) Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 metres. The proposed 'lot 1' exceeds the minimum requirements for lot frontage and lot area under the RU Zone and are intended to be used for residential uses. Also, the proposed retained lands will conform to the minimum requirements of the RU Zone.

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

Agency Comments:

The Municipality of Markstay-Warren has no objection to the proposed severance.

Bell Canada: has no comments or concerns regarding this application.

Hydro One has no concerns with respect to the proposed application.

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

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 the Zoning By-law for the Municipality of French River, therefore can be supported from planning perspective.

There were no question from the board members.

Resolution: 22-070

BE IT RESOLVED THAT Consent Application B/28/22/MW submitted by Amy Furtado be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Paul Branconnier

SECONDED BY: John Dimitrijevic

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 Ontario Land Tribunal.

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

c) B/29/22/MW – Daniel and Sherry Tremblay

The Director of Planning summarized the application.

The Sudbury East Planning Board has received an application for consent to separate two parcels of land (Parcel 1235 and Parcel 7131) which have merged on title due to the pattern of ownership (Roll # 5208-000-004-515-00 & 5208-000-004-516-00).

OP:

Lands designated "Rural" are to be used primarily for agriculture, farm related and secondary uses as well as resource-based activities, such as forestry, mining and aggregate operations, and other industrial uses that are not appropriate in settlement areas, as well as limited residential developments, where appropriate.

Section 4.5 of the Plan contains policies pertaining to Consents. Subsection 1, outlines criteria where consents are generally limited to:

- a) New lots that represent minor infilling;
- b) The mortgaging of land beyond 21 years;
- c) Lot boundary adjustments;
- d) Facilitating the disposal of a second legal dwelling;
- e) Separating existing legal uses;
- f) Providing a retirement residence on non-prime agricultural lands for a farmer who worked on the subject farm much of their adult life;
- g) Separating lots that have merged on title; and,**
- h) Easements or right-of-ways.

Michel Law Office provide the Planning Board a legal opinion stating that PIN 73484-0143 (Parcel 7131) and PIN73484-0411 (Parcel 1235) merged on title.

With respect to zoning.

The RU Zone requires a minimum lot area of 5.0 hectares and a minimum lot frontage of 100.0 meters. Both the proposed severed and retained lots will continue to meet these requirements.

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

Agency Comments:

MW Director of Operations: August 30th, 2022, satisfied that the owners met all the requirements for this application.

Union Gas: does have service lines running within the area which may or may not be affected by the proposed severance.

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 the Zoning By-law for the Municipality of French River, therefore can be supported from planning perspective.

There were no question from the board members.

Resolution: 22-071

BE IT RESOLVED THAT Consent Application B/29/22/MW submitted by Daniel and Sherry Tremblay be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Rob Campbell
SECONDED BY: Jackie Lafleur

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 Ontario Land Tribunal.

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

7. **BUSINESS ARISING FROM PREVIOUS MINUTES**
8. **NEW BUSINESS**
9. **NOTICES OF MOTION RECEIVED BY THE SECRETARY-TREASURER PRIOR TO THE CLOSING OF THE MEETING**
10. **PAYMENT OF VOUCHERS**

a) August 2022 and September 2022

Resolution 22-072

BE IT RESOLVED THAT the statement of disbursements for the month of August 2022 in the amount of \$ 10,709.67 and September 2022 in the amount of \$9,839.03 to be distributed and is hereby approved for payment.

MOVED BY: Jackie Lafleur
SECONDED BY: John Dimitrijevic

Carried

11. ADJOURNMENT


Resolution: 22-073

BE IT RESOLVED THAT the Meeting be adjourned at 6:00 P.M.


AND THAT the next regular meeting be held on November 10th, 2022 at 5:30 P.M. at the Municipality office in French River, Virtually or in person.

MOVED BY: Rob Campbell
SECONDED BY: Jackie Lafleur

Carried.



CHAIR



SECRETARY-TREASURER