

**SUDBURY EAST PLANNING BOARD
MINUTES
Thursday, June 08, 2023 at 5:30 p.m.
Virtual Meeting/ Municipal Office of French River**

MEMEBERS PRESENT

VIRTUALLY: Renee Germain, Paul Branconnier

MEMBERS PRESENT: Josh Lachance, Bob Prevost, Carol Lemmon, Dave Viau

MEMBERS ABSENT: Mary Bradbury, David Froats, Thomas Leslie, Rachelle Poirier

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

PUBLIC PRESENT

VIRTUALLY: None

1. MEETING CALLED TO ORDER

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

2. ADOPTION OF THE AGENDA

Resolution: 23-052

BE IT RESOLVED THAT the agenda for the Sudbury East Planning Board regular meeting of June 08th, 2023 be adopted as distributed.

MOVED BY: Carol Lemmon

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 of May 11, 2023 be adopted as distributed.

Resolution: 23-053

BE IT RESOLVED THAT the minutes of the Sudbury East Planning Board's regular meeting of May 11, 2023 be adopted as distributed.

MOVED BY: Josh Lachance

SECONDED BY: Dave Viau

Carried

5. PRESENTATION/DELEGATION

6. ZONING BY-LAW AMENDMENTS

a) ZBA 23-07BRW – Andre Lemelin and Jenny Lavallee

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 May 19, 2023, being over twenty (20) days prior to this evening's meeting (ZBA 22-07BRW- Andre Lemelin and Jenny Lavallee). 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 zoning by-law amendment which proposes to maintain the current Residential Rural (RR) zoning on the property, however, a special provision is to be implemented, to permit an interior side yard setback of 1.5 metres whereas 6.0 metres is required for any dwelling unit under the RR Zone. The owner has limited access to the dwelling unit, therefore is proposing to encroach into the side yard setback to construct an attached garage to the existing dwelling unit.

With respect to zoning:

The proposed amending Zoning By-law will establish provisions to Section 7.6.2 zone requirements for the dwelling unit under the Residential Rural (RR) Zone.

By-law 14-01 for the Unorganized Township of Secord, Section 7.6.2 (b) ii. The minimum interior side yard for any dwelling unit under the Residential Rural (RR) is 6.0 metres. The proposal is to permit an interior side yard setback of 1.5 metres whereas 6.0 metres is required for any dwelling unit under the RR Zone. The owner has limited access to the dwelling unit, therefore is proposing to encroach into the side yard setback to construct an attached garage to the existing dwelling unit.

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

Agency Comments:

No comments received.

The application for ZBA is consistent with the 2020 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from a planning perspective.

Resolution: 23-054

BE IT RESOLVED THAT By-law Number 23-04 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 23-07BRW, submitted by Andre Lemelin and Jenny Lavallee be read a first and second time this 08th day of June, 2023.

MOVED BY: Carol Lemmon

SECONDED BY: Dave Viau

Carried

Resolution: 23-055

BE IT RESOLVED THAT By-law Number 23-04 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 23-07BRW submitted by Andre Lemelin and Jenny Lavallee be read a third and final time this 08th day of June, 2023.

MOVED BY: Paul Branconnier

SECONDED BY: Josh Lachance

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 May 18, 2023 and May 25, 2023, being over fourteen (14) days prior to this evenings meeting (B/29/23/SC – Guy Daoust, B/30/23/FR- Rejean Quesnel). 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/29/23/FR – Guy Daoust

The Director of Planning summarized the application.

The Sudbury East Planning Board has received applications for consent which proposes to create one residential rural lot from the subject lands having road frontage on Napran Road and Chamberlin Road in the Municipality of St. Charles. The proposed severed lot will have a lot area of 2.01 hectares and a lot frontage of 120.0 metres on Chamberlin Road and is presently vacant; while the proposed retained lot will have a lot area of 23.69 hectares and a lot frontage of 625.40 metres on Napran Road and presently contains a single detached dwelling.

With respect to the OP,

The Sudbury and District Health Unit provided comments stating that the proposed severed and retained lots are capable of development for installation of a septic tank and leaching bed system. Adequate access is provided on Chamberlain Road for the proposed severed lot. Also, the proponent provided adequate sewage and water servicing letters.

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 lot to be retained will continue to meet those requirements. However, the lot to be severed will have an area of 0.80 hectares which is below the minimum lot area requirement of the RU Zone. The severed lot was rezoned to the 'Residential Rural (RR)' in 2020 because it was a condition of approval of file B/16/20/SC which subsequently lapsed. The RR zones require a minimum lot area of 0.8 hectares and a minimum lot frontage of 60.0 metres. The proposed severed lot will continue to meet the requirements of the RR Zone once the severed lot is rezoned.

With Respect to agency comments:

Chief Administrative Officer/Clerk/Treasurer for Municipality of St. Charles: Property subject to municipal drains and is subject to reapportionment. Reapportionment was calculated in 2020 with original application. Fee remains outstanding plus interest. Please advise application to contact the Clerk to pay fees associated with Section 65 Reapportionment.

Chief Building Official: Open building permit 11-061 on retained portion.

Public Works Superintendent: no concerns.

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

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, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Member Lachance asked if the response from Union Gas was a general answer we received regularly from Union Gas. The Director of Planning assured him it is.

Resolution: 23-056

BE IT RESOLVED THAT Consent Application B/29/23/SC submitted by Guy Daoust recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Dave Viau

SECONDED BY: Renee Germain

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/30/23/FR – Rejean Quesnel

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 one residential rural lot from the subject lands on Forest Hill Road in the Municipality of French River, and to rezone such lot (proposed severed lot) from 'Rural (RU)' to 'Residential Rural (RR)' to recognize the intended use of the lot. The proposed lot to be severed and rezoned is approximately 2.07 hectares in lot area with a lot frontage of approximately 205.0 metres and is presently vacant. The proposed lot to be retained is to be approximately 20.03 hectares in lot area with a lot frontage of approximately 400.0 metres and contains a dwelling unit with an existing field bed.

History – File Number B/34/08/FR:

In 2008, the Planning Board approved a severance for one Rural lot. The proposed severed lot was approximately 8.0 hectares in lot area with a lot frontage of approximately 365.7 metres; the proposed retained lands were approximately 22.2 hectares in lot area with a lot frontage of approximately 579.1 metres.

With respect to the OP:

In this case, the proposed severed lot conforms to the requirements of the 'Residential Rural (RR)' Zoning. The proposed retained lot will continue to conform to the requirements of the 'Rural (RU)' Zoning. Adequate access for the proposed lots to be severed and retained are to be accessed from Forest Hill Road which is publicly assumed and maintained year-round roads by the Municipality of French River (February 1st, 2023 – letter). The Manager of Public works stated that an entrance at the proposed location on Forest Hill Road has adequate line of sight and poses no concerns. 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 instance, as there are no farming-related activities in the area. With respect to servicing, the agent has provided previous comments obtained from the Sudbury and District Health Unit that are supportive – April 25th, 2023. Appropriate documentation with respect to availability of sewage hauling services and probability of potable water has been provided.

With respect to zoning:

Proposed Zoning: Residential Rural (RR) – 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 to be retained will continue to conform to the above noted 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; the proposed severed is to comply with the 0.8 hectares and the minimum lot frontages of 60.0 metres.

With Respect to 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. However, the Consent Application will be subject to Conditions relating to Municipal Drains, Parkland Dedication, and possibility of road transfers.

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.

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

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

The application for consent is consistent with the 2020 Provincial Policy Statement, complies with the Official Plan for the Sudbury East Planning Area, therefore can be supported from planning perspective.

Resolution: 23-057

BE IT RESOLVED THAT Consent Application B/30/23/FR submitted by Rejean Quesnel be recommended for approval as per the report prepared by the Director of Planning.

MOVED BY: Josh Lachance

SECONDED BY: Dave Viau

Carried

8. BUSINESS ARISING FROM PREVIOUS MINUTES

- Caisse Alliance (Banking)- SEPB Report

The Director of Planning presented a Staff Report to the members regarding the Surplus which was previously directed by the board at SEPB April 13th 2023 meeting and had support from KPMG who was present virtually at the April 13th 2023 meeting.

Member Branconnier recommended that the board postpone item 8 on the agenda until the next SEPB meeting in order to be able to have his municipality review the report.

Member Germain questioned if Caisse Alliance and Caisse Populaire were on the same. Chair Prevost reassured her they are.

Member Lachance asked if we were confident in the amount chosen (\$100,00.00) in the report. Staff replied that they were confident that it was the appropriate amount for this time being and that a review in 6 months to a year would be appropriate.

Member Branconnier spoke his concerns regarding the matter by stating that this was not a financial institute and that staff nor members were accountants and that only planning related issues should be dealt by the board not financial.

Chair Prevost stated he thought the recommendation from the Director of planning was a great idea and that he didn't see why a decision could not be made as he stated every member is elected to make these decisions.

Member Germain states she also feels that she is not comfortable with making financial decisions.

Member Lemmon states that she feels this is a great recommendation and agrees with Chair Prevost that a decision should be made and doesn't see why the board wouldn't vote.

Member Branconnier continued to state that the Sudbury East Planning Board was not a financial institution and that staff and members were not accountants. He repeated that members should only be making planning related decisions and that all financial decisions should be brought back to each municipal treasurer. He then proceeded to remove himself from the meeting virtually.

Member Lachance proceeded to attempt to contact member Branconnier via his personal cell phone with no response.

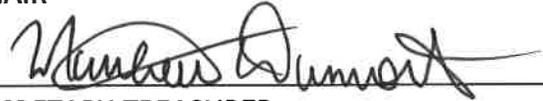
Due to the fact that the SEPB meeting no longer had quorum, members and staff awaited the 30

minute time frame as per the procedural by law.

At 6:40 pm Chair Prevost called the meeting an end.



CHAIR



SECRETARY-TREASURER