

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

PRESENT:

MAYOR:

COUNCILLORS:

CLERK-ADMINISTRATOR:

Kevin BURKE

Casimir BURNS; Harold CRABS; Merri-Ann HOBBS; Mike MERCIECA, Cheryl PHILLIPS

Anne WHALEN

Motion No: 2024-298

Moved By: C. PHILLIPS

Seconded By: M. HOBBS

WHEREAS there is a quorum of Council present and the time is 6:30 p.m.;

BE IT RESOLVED THAT this Regular Meeting be open for business;

AND THAT the minutes of the Regular meeting of August 28, 2024 be approved.

CARRIED

The Mayor called for the disclosure of pecuniary interest. None declared.

Agenda Addition

Motion No. 2024-299

Moved By: H. CRABS

Seconded By: M. MERCIECA

BE IT RESOLVED THAT the following be added to the regular agenda:

— A3- Invoices for Approval

CARRIED

ZBA File No. ZBA24-04

Motion No. 2024-300

Moved By: M. HOBBS

Seconded By: M. MERCIECA

WHEREAS Resolution No. 2024-268 was defeated;

AND WHEREAS additional information has been provided respecting Zoning Bylaw Amendment File No. ZBA24-04, as applied for by Paul & Malessa Durigon for property in Gough Township, Parcel 16592, 513C West Branch Road, Webbwood;

BE IT RESOLVED THAT due consideration of the proposed bylaw has been given and Council hereby concludes this application shall be approved.

CARRIED

Bylaw 2024-49 1st & 2nd Reading

Motion No. 2024-301

Moved By: C. PHILLIPS

Seconded By: M. MERCIECA

BE IT RESOLVED THAT Bylaw 2024-49 being a bylaw to amend the Comprehensive Zoning Bylaw 2003-15, as amended, for property located on West Branch Road as it relates to File ZBA24-04, be read a first and second time.

CARRIED

Bylaw 2024-49 3rd & Final Reading

Motion No. 2024-302

Moved By: M. HOBBS

Seconded By: H. CRABS

BE IT RESOLVED THAT Bylaw 2024-49 being a bylaw to amend the Comprehensive Zoning Bylaw 2003-15, as amended, for property located on West Branch Road as it relates to File ZBA24-04, be read a third and final time and passed in open council.

CARRIED

Draft Plan of Subdivision- OP24-01 & ZBA24-01

Motion No. 2024-303

Moved By: H. CRABS

Seconded By: C. BURNS

WHEREAS council has received applications for a plan of subdivision for the Old Webbwood Road Subdivision, and related Official Plan Amendment and Zoning By-law Amendment;

AND WHEREAS the Municipality can proceed to approve a Draft Plan of Subdivision, in accordance with the Delegation of Authority under Section 51(14) of the Planning Act;

AND WHEREAS Council is satisfied that the proposed development can proceed by Plan of Subdivision and that regard has been had to the matters under Section 51(24) of the Planning Act;

AND WHEREAS the Municipality can proceed to approve a Draft Plan of Subdivision subject to conditions for approval under Section 51(25) of the Planning Act;

AND WHEREAS the Planning Report prepared by the Township’s Planner J.L. Richards & Associates Limited, indicates that the proposed development is consistent with the Provincial Policy Statement and conforms to the Township’s Official Plan, subject to the conditions set out in Schedule “A” to the Planning Report;

AND WHEREAS a Public Meeting was held by the Council of the Township of Sables Spanish Rivers regarding the applications for Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment on June 12, 2024 in accordance with Sections 17(15)(d), 34(12)(a)(ii), and 51(20) of the Planning Act and O.Reg. 544/06;

AND WHEREAS Council had requested additional information from the Applicant based on concerns around water quality and quantity and natural features found on the property at the public meeting, which has been provided and addressed in the updated Planning Report and through recommended conditions of approval prepared by JLR.

THEREFORE IT BE RESOLVED THAT Council approves the Draft Approval for the Old Webbwood Road Plan of Subdivision subject to the Draft Conditions of Approval set out in Schedule “A” of the Planning Report.

AND THAT Council approve the amendment to the Official Plan for the Old Webbwood Road Subdivision as described in Planning Report to redesignate the subject lands from Rural to Resource Recreation District and allow for a nine (9) lot residential subdivision.

AND THAT Council approve the amendment to the Zoning By-law for the Old Webbwood Road Subdivision as described in Planning Report to rezone the subject lands from Rural (R) to Resource Recreation District Special Exception (RR-32) and implement a site-specific setback of 13 metres from the Top of Bank.

AND THAT the Mayor and Clerk be authorized to sign the Official Plan and Zoning By-law.

CARRIED

Bylaw
2024-32 &
2024-33
1st & 2nd
Reading

Motion No. 2024-304
Moved By: C. PHILLIPS
Seconded By: M. HOBBS
BE IT RESOLVED THAT the following Bylaws be read a first and second time:
— Bylaw 2024-32- Being a bylaw to adopt an amendment to the Official Plan
— Bylaw 2024-33- Being a bylaw to amend Zoning Bylaw 2003-15

CARRIED

Bylaw
2024-32 &
2024-33
3rd & Final
Reading

Motion No. 2024-305
Moved By: C. PHILLIPS
Seconded By: C. BURNS
BE IT RESOLVED THAT the following Bylaws be read a third and final time and passed in open council:
— Bylaw 2024-32- Being a bylaw to adopt an amendment to the Official Plan
— Bylaw 2024-33- Being a bylaw to amend Zoning Bylaw 2003-15

CARRIED

Consent
Agenda

Motion No. 2024-306
Moved By: C. PHILLIPS
Seconded By: M. HOBBS
BE IT RESOLVED THAT item A1 contained on the consent agenda be adopted.

DEFEATED

Cheque
Register

Motion No. 2024-307
Moved By: C. PHILLIPS
Seconded By: M. HOBBS
BE IT RESOLVED THAT the attached Cheque Register for the month of August 2024 totalling \$484,014.49 be approved as paid.

CARRIED

Council
Resignation-
Edith
Fairburn

Motion No. 2024-308
Moved By: C. PHILLIPS
Seconded By: C. BURNS
WHEREAS Edith Fairburn has provided written notification of her resignation from Council;
AND WHEREAS this seat is hereby declared vacant;
AND WHEREAS Section 263(1) of the Municipal Act 2001 provides for the filling of vacancies for the office of a member of Council;
BE IT RESOLVED THAT this position be advertised, with detailed written expressions of interest from qualified persons to be received until 12:00 p.m. on Friday, October 4, 2024.

M. Mercieca

Opposed

K. Burke

For

C. Burns

For

H. Crabs

For

M. Hobbs

For

C. Phillips

For

CARRIED

Fire Dept.
Report

Motion No. 2024-309
Moved By: M. HOBBS
Seconded By: C. PHILLIPS
BE IT RESOLVED THAT the Fire Department Report for the month of August 2024 be accepted.

CARRIED

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

Public Works Meeting Report	Motion No. 2024-310 Moved By: H. CRABS Seconded By: C. BURNS BE IT RESOLVED THAT the Public Works committee meeting report of September 4, 2024 be accepted. CARRIED
RFP- River Road Bank Stabilization	Motion No. 2024-311 Moved By: H. CRABS Seconded By: C. BURNS BE IT RESOLVED THAT Council accept the RFP submission from James Lathem Ltd. at a submitted price of \$40,122.00 plus applicable taxes for the River Road Embankment Stabilization project. CARRIED
RFP- Webbwood Fire Line	Motion No. 2024-312 Moved By: C. PHILLIPS Seconded By: C. BURNS BE IT RESOLVED THAT Council accept the tender submission from A. vanEgmond Construction (2005) Ltd. At a submitted price of \$338,990.00 plus applicable taxes for the Webbwood Fire Line project. CARRIED
Invoice- CIMCO Refrigeration	Motion No. 2024-313 Moved By: M. MERCIECA Seconded By: H. CRABS BE IT RESOLVED THAT Invoice 90935153 from CIMCO Refrigeration in the amount of \$59,890.00 for the supply and installation of a MS2600 dehumidifier at the Massey and District Community Centre be approved for payment. CARRIED
Invoice- Sittler Grinding	Motion No. 2024-314 Moved By: C. PHILLIPS Seconded By: M. MERICIECA BE IT RESOLVED THAT Invoice 156155 from Sittler Grinding Inc. in the amount of \$67,687.00 for grinding of bulk materials at the Tennyson and Chutes landfill sites be approved for payment. CARRIED
Closed Session	Motion No. 2024-315 Moved By: H. CRABS Seconded By: M. HOBBS BE IT RESOLVED THAT we move into closed session at 7:15 p.m., pursuant to Section 239(2) of the Municipal Act: to consider the following; - personal matters about identifiable individuals, including municipal or local board employees. CARRIED
Open Session	Motion No. 2024-316 Moved By: M. HOBBS Seconded By: C. PHILLIPS BE IT RESOLVED THAT this closed session be adjourned at 8:50 p.m., and the regular meeting resumed. CARRIED
Confirmatory Bylaw 2024-50	Motion No. 2024-317 Moved By: C. PHILLIPS Seconded By: M. MERCIECA BE IT RESOLVED THAT Bylaw 2024-50 being a bylaw to confirm the proceedings of the regular meeting of September 11, 2024 be read a first, second, third and final time and passed in open council. CARRIED
Adjourn	Motion No. 2024-318 Moved By: M. HOBBS Seconded By: H. CRABS BE IT RESOLVED THAT the time is 8:52 p.m. and this meeting be adjourned until the next regular meeting or call of the Chair. CARRIED

**PLANNING APPLICATION
STAFF REPORT**

File No(s):	Zoning Bylaw: ZBA-24-04
Owner(s)/Applicant(s):	Paul and Malessa Durigon
Date Rec'd by Twsp.	July 12, 2024
Date of Public Meeting:	August 28, 2024

Proposal:

The amendment being proposed is to allow for a site-specific reduced interior yard setback and increased percentage of lot coverage for an accessory building in the Resource Recreation zone. The attached application was received for property located at 513C West Branch Road, Webbwood. The applicant is proposing a reduced interior yard setback of 1.22m (4 ft) for a garage. All other proposed setbacks meet those established under the current zoning bylaw.

On the property there is currently a seasonal dwelling, shed and sauna. These structures total 944sq ft of lot coverage, the proposed garage is 1200 sq ft. The combined proposed lot coverage of 2,144 sq ft is over the 10% lot coverage permitted in the Resource Recreation zone as the applicant's lot size is 20, 473.2 sq ft or (0.47 acres. The 10% coverage would only allow for 2, 047.32 sq ft. Therefore, an increased lot coverage of 11% is being sought.

The applicant notes that to meet the currently established interior yard setback of 4m (13.1 ft) for an accessory building, the proposed garage would have to be placed into the property's driveway that involves steep topography, and therefore would impede their means of ingress/egress from the private road, West Branch Road.

Official Plan:

Section 4.10 Resource Recreation District

- Provides for seasonal residential uses.

Zoning Bylaw:

Section 5.6 Resource Recreation

- Seasonal residential uses are permitted.
- The established interior setback with shoreline frontage is 4m or 13.1 ft.

Circulation / Agency Consultation:

- Around & About – August 6, 2024
- Adjacent landowners; 120 metres
- applicable agencies including MMAH

Attachments

- ZBA Application
- Public Notice
- Letter of concern- Robert Martel

THE TOWNSHIP OF SABLES-SPANISH RIVERS

Application for a Zoning Bylaw Amendment Under Section 34 of the Planning Act

FOR OFFICE USE ONLY:

Date Complete Application Received: <u>July 12, 2024</u>	Fee Paid: <u>\$1,500</u>	Receipt No.: <u>55632</u>	Roll No. (if applicable): <u>5218-000-012-09400-0000</u>	File No.: <u>2024-01</u>
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INSTRUCTIONS TO APPLICANTS:

This application is to be used for all requests for approval for Zoning Bylaw amendments within the Township of Sables-Spanish Rivers. The application form requests information that will assist the Township and others in their planning evaluation of the proposal. To ensure the quickest and most complete review, this information shall be submitted at the time of application.

In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be deferred or refused.

Any measurements are to be in metric units. The applicable application fee must accompany the application. If the application is not complete and/or the fee not provided, the Township may return the application.

Please Print and Complete or Check Appropriate Box(es)

1. Applicant Information

- 1.1 Name of Owner(s). An owner's authorization is required in Section 10 & 11, if the applicant is not the owner.

Name of Owner(s) <u>PAUL + MALESSA DURIGON</u>	Home Tel. No. <u>705-669-9450</u>	Business Tel. No. <u>705-522-5795</u>
Mailing Address <u>2514 10A ST</u>	Postal Code <u>P3E 4X1</u>	E-Mail <u>Durigonida@bellnet.ca</u>

- 1.2 Applicant / Agent: Name of the person who is to be contacted about the application, if different than the owner.

(This may be a person or firm acting on behalf of the owner).

Name of Contact Person/Agent <u>MALESSA DURIGON</u>	Home Tel. No. <u>705-522-5795</u>	Business Tel. No. <u>705-698-5970</u>
Mailing Address <u>2514 10A Street</u>	Postal Code <u>P3E 4X1</u>	E-Mail <u>durigonida@bellnet.ca</u>

2. Location of Subject Land

2.1 Geographic Township <u>Gough</u>	Parcel No. <u>116592</u>	Lot/Section	Concession
Registered Plan No.	Lot(s) / Block(s)	Reference Plan No.	Part No.
Lot Area (m ² or ha) <u>0.47 Acres</u>	Frontage (m) <u>100 ft</u>	Depth (m) <u>200 ft</u>	Civic Address <u>513 C West Branch Rd</u>

- 2.2 Are there any mortgages, charges or other encumbrances in respect of the subject land?
Yes ☐ No ☒ If Yes, indicate the names and addresses of the holders.

- 2.3 If known, what was the date that the subject land was acquired by the current owner? 2009

3. Land Use

- 3.1 What is the current Official Plan designation of the subject land and how does this application conform to the Official Plan? (maps are available at the municipal office for verification) resource recreation
- 3.2 What is the current zoning of the subject land? (maps are available at the municipal office for verification) resource recreation
- 3.3 If known, what are the existing uses of the subject land, and how long have these uses continued? CAMP, 2009 since then.

3.4 Are there any buildings or structures on the subject land? YES
If yes and known, provide the following for each building or structure;

Type and Use of Bldg/Structure	Lot Line Setbacks (m)			Height (m)	Floor Area	Date Constructed
	Front	Rear	Sides			
existing camp	9.14 m	36.5 m	2.13 / 9.45 m	2.74 m	700 sq ft	1970
existing shed	10.3 m	17.0 m	2.13 / 18.2 m	2.41 m	100 sq ft	1980
existing sauna	15.2 m	21.9 m	15.2 / 18 m	2.74 m	144 sq ft	1980

3.5 What is the nature and extent of the proposed rezoning, and why is it being requested?

For a reduced SET BACK, To Build Garage

3.6 What are the proposed uses of the subject land?

still using as resource recreation for a camp.

3.7 Are there any buildings or structures proposed to be built on the subject land?

If yes, provide the following for each proposed building or structure;

Type and Use of Bldg/Structure	Lot Line Setbacks (m)			Height (m)	Floor Area
	Front	Rear	Sides		
Garage (30 ft x 40 ft) (9.14 m x 12.19 m)	29 m	12.19 m	1.80 m	5 m	4.88 m 1200 sq ft.

3.8 Has a gas station been located on the subject land or land adjacent to the subject land at any time? ☐ Yes ☒ No ☐ Unknown
Has petroleum or other fuel been stored on the subject land or land adjacent to the subject land? ☐ Yes ☒ No ☐ Unknown

3.9 Is there reason to believe the subject land may have been contaminated by former toxant uses on the site or adjacent sites (ie: transformers) ☐ Yes ☒ No ☐ Unknown

3.10 What information did you use to determine the answers to questions 3.8 and 3.9? Sable-Spanish Rivers office

3.11 Is the subject land within an area where there are pre-determined minimum and maximum density requirements or minimum and maximum height requirements? If yes, provide a statement of these requirements. NO

3.12 If the proposed amendment alters all or any part of the boundary of an area of settlement or implements a new area of settlement, indicate the details of the official plan or official plan amendment that deals with the matter.

not applicable

3.13 If the proposed amendment is to remove land from an area of employment, indicate the details of the official plan or official plan amendment that deals with the matter.

not applicable

3.14 If the subject land is within an area where zoning with conditions may apply, explain how the application conforms to the official plan policies relating to zoning with conditions.

3.15 Is the proposed amendment consistent with the policy statements issued under subsection 3(1) of the Planning Act?

YES

4. Servicing Information

4.1 Access (check appropriate space(s))	Provincial Highway	
	Municipal Road - year-round maintenance	
	Municipal Road - seasonal maintenance	
	Other Public Road (specify)	
	Right-of-Way	
	Water	

4.1.1 If access to the subject land is by private road, or right-of-way, state who owns the land or road, who is responsible for its maintenance and what type of agreement is in effect. Interfor

4.1.2 If access to the subject land is by water only, please state the parking and docking facilities used, or to be used, and the approximate distance of these facilities from the subject land and the nearest public road.

not applicable

4.2 Water Supply (check appropriate space)	Publicly owned/operated piped water system	
	Privately owned/operated individual well	
	Privately owned/operated communal well	
	Lake or other water body	✓
	Other means	
4.3 Sewage Disposal (check appropriate space)	Publicly owned/operated sanitary sewage system	
	Privately owned/operated individual septic system	
	Privately owned/operated communal septic system	
	Privy	
	Other means <u>Composting Toilet</u>	✓

4.3.1 Will the requested amendment permit development on a privately owned and operated individual or communal septic system with more than 45000 litres of effluent being produced per day as a result of the development being completed?
Yes ☐ No ☒
If yes, the following reports shall be required; i) a servicing options report, ii) a hydrogeological report.

4.4 Storm Drainage (check if applicable)	Sewers	
	Ditches	
	Swales	
	Other means	

5. Adjacent Land Uses

5.1 What are the present land uses of properties adjacent to the subject land?

to the north	<u>crown land</u>	to the east	<u>resident</u>
to the south	<u>water</u>	to the west	<u>seasonal dwelling</u>

6. History of the Subject Land

6.1 If known, has the subject land ever been the subject of an application for a site-specific zoning bylaw/zoning bylaw amendment or a Minister's Zoning Order (if so, indicate Ontario Regulation number of that order).
don't think so.

6.2 Is the subject land the subject of an application for approval of a plan of subdivision or a consent under the Planning Act?
☐ Yes ☒ No ☐ Unknown If Yes, and if known, provide the Ministry's application file number and the status of the application.

7. Sketch

7.1 This application must be accompanied by a sketch showing the following, in metric units:

- the boundaries and dimensions of the subject land
- the location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines
- the approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks
- the current uses on land that is adjacent to the subject land
- the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
- the location of the parking and docking facilities to be used, if access to the subject land is by water only
- the location and nature of any easement affecting the subject land.

8. Public Consultation Strategy

The applicant must submit a "proposed strategy for consulting with the public with respect to this application request." Please indicate what steps will be taken or have been taken to consult with the neighbourhood.

We talked to neighbours on east and west sides.
Letter attached

9. Other Information

Is there any other information that you think may be useful for the review of this application? If so, explain below or attach on a separate page. paper attached.

10. Affidavit or Sworn Declaration of Applicant(s)

10.1 Affidavit or Sworn Declaration for the Information set out in this Application

I/we Malessa Durigon of the City of Greater Sudbury
in the district of Sudbury make oath and say (or solemnly declare) that the
information contained in this application is true and that the information contained in the documents that accompany
this application are true.

Sworn (or declared) before me
at the Township of Sabes-Spanish Rivers
in the District of Sudbury
this 12 day of July 2024

A. St. Michel
Commissioner of Oaths

Malessa Durigon
applicant

AMANDA ST. MICHEL
COMMISSIONER OF OATHS

11. Consent of the Applicant / Owner(s) of the Land

11.1 Complete the consent of the owner(s) concerning personal information set out below.

Consent of the Applicant / Owner(s) to the Use and Disclosure of Personal Information

I/we, Malessa Durigon, am/are the applicant / owner(s) of the land that is the
subject of this application for a zoning bylaw amendment and for the purposes of the Freedom of Information and
Protection of Privacy Act, I/we authorize and consent to the use by or the disclosure to any person or public body
of any personal information that is collected under the authority of the Planning Act for the purposes of processing
this application.

July 12/24
date

Malessa Durigon
signature of Applicant / Owner

signature of Applicant / Owner

12 Authorization for Agent

12.1 If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner(s) that the
applicant is authorized to make the application must be attached to this application, or the authorization set out below must be
completed.

Authorization of Owner(s) for Agent to Make the Application

I/we, _____, am/are the owner(s) of the land that is the subject
of this application for a zoning bylaw amendment and I/we authorize _____
to make this application on my/our behalf.

signature of Owner

date

signature of Owner

#9. Permission to build closer to the lot line.

We are requesting a reduced set back for our garage. Zoning by-law states a new building erected must be 13ft(4m) from the lot line.

We are building a 30ft X 40ft garage. If we build our garage 13ft(4m) at the east lot line our garage will be right in the middle of the driveway. We have pictures attached that show where the garage would be depicted by the 4 red posts in the driveway.

The garage would impede on the driveway. As shown in the pictures, we have a steep hill for our driveway. It would be very dangerous for vehicles coming down the driveway during icy conditions in the winter time. The vehicles would run right into the building.

We are therefore, asking for 4ft(1.2m) from the east lot line to start building our garage. As stated before we are building a 30ft X 40ft garage. The garage if started at 4ft(1.2m) from the east lot line would be nestled out of the way of the driveway and would not impede on the driveway.

Your understanding is greatly appreciated.

Thank you

To our neighbours to the east and west of Paul and Malessa Durigon at 513C West Branch Road

We are building a garage, 30 ft X 40ft, on the east side of our lot.

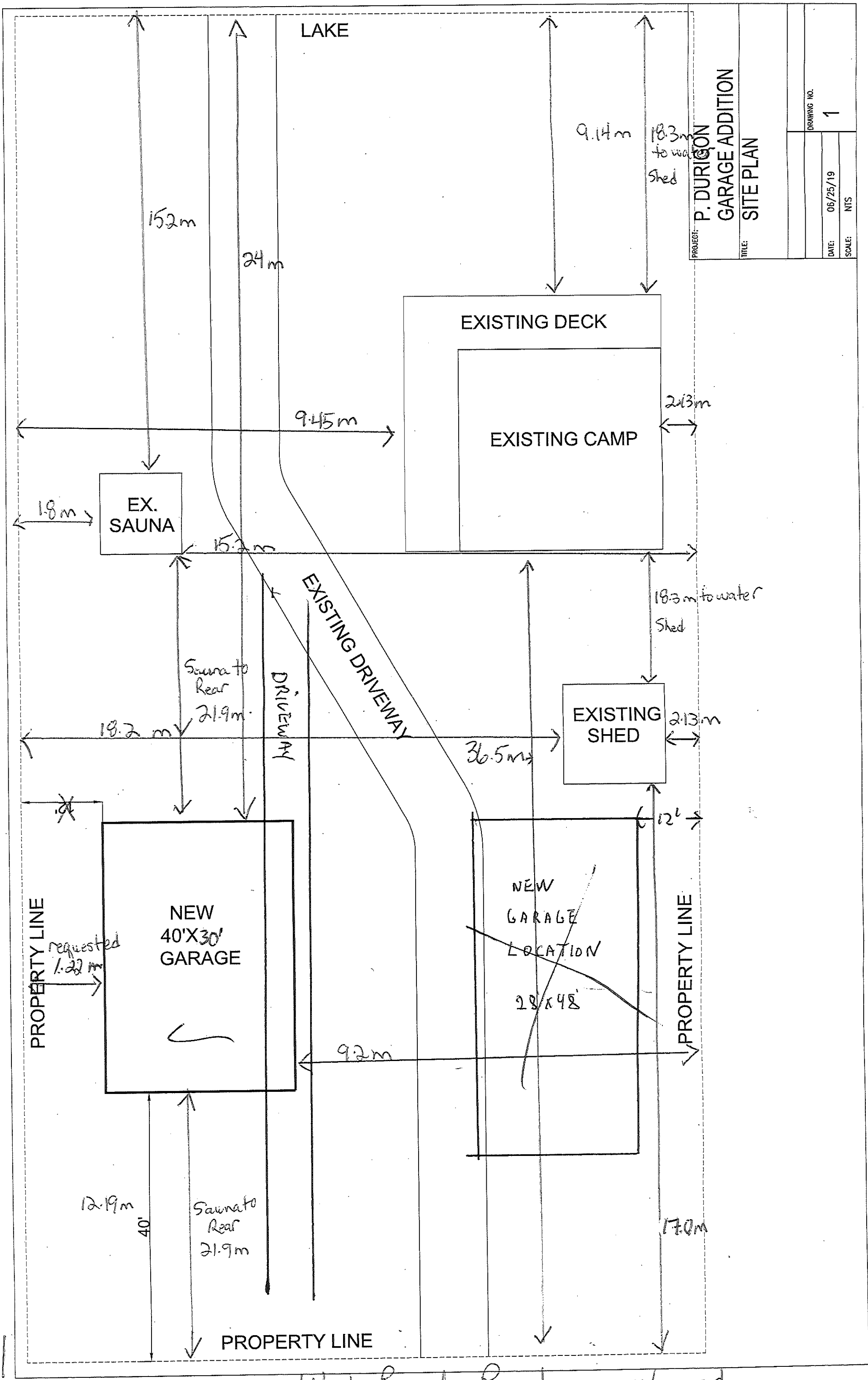
We are requesting a reduced set back from 13ft to 4ft to start building our garage. If we don't get the reduced set back to start building at 4ft(~~1-2m~~) from the east lot line, our garage will be right in the middle of our driveway. Due to our steep hill, and icy conditions in the winter, vehicles will run right into the building.

Thank you.

Your understanding is greatly appreciated.

Paul and Malessa Durigon





PROJECT: P. DURIGON

GARAGE ADDITION

SITE PLAN

DRAWING NO.

1

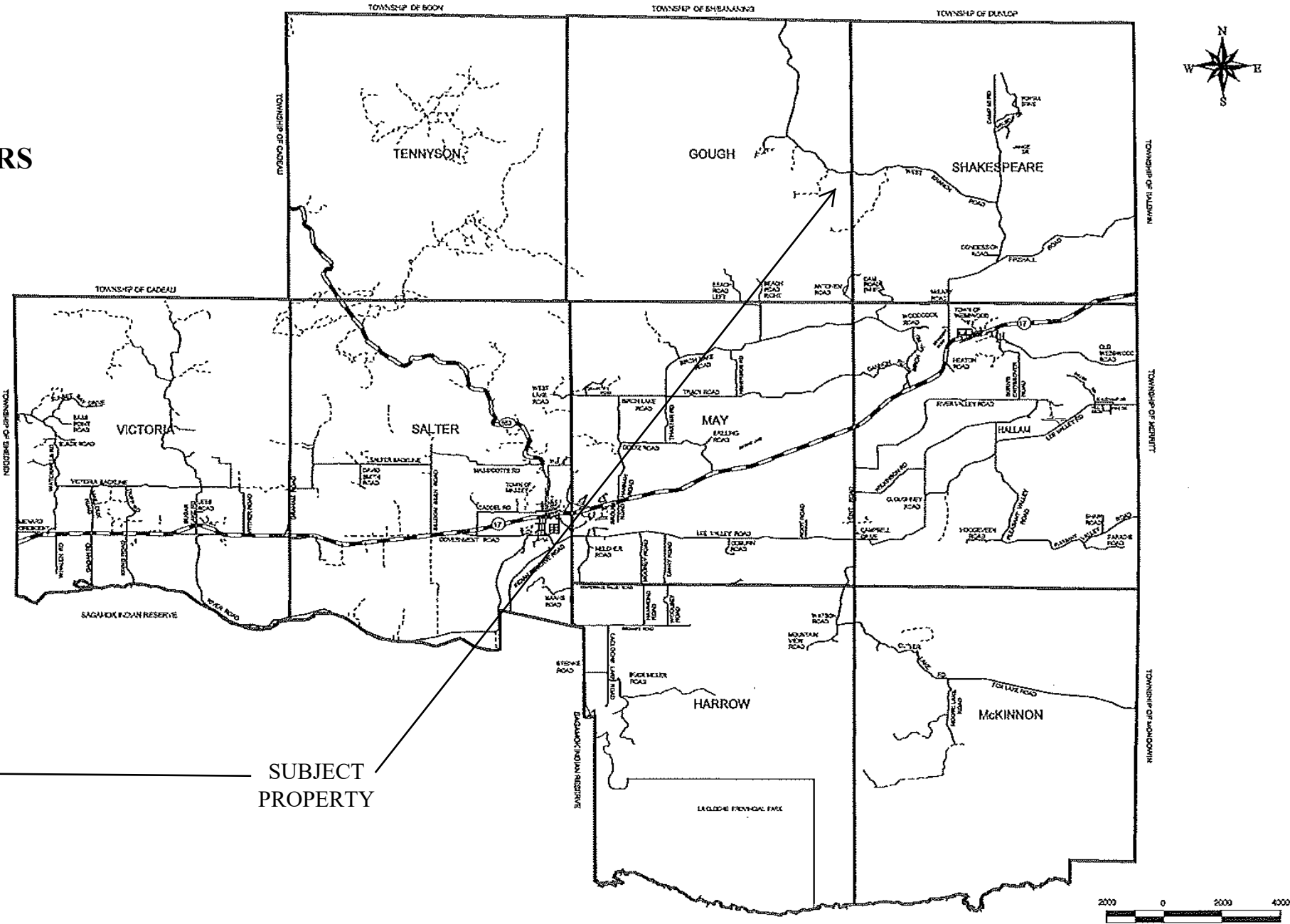
DATE: 06/25/19

SCALE: NTS



TOWNSHIP OF SABLES-SPANISH RIVERS

ZONING BYLAW AMENDMENT FILE NO. ZBA-24-04
GOUGH TWP; DURIGON



SUBJECT
PROPERTY



TOWNSHIP OF SABLES-SPANISH RIVERS

NOTICE OF A PUBLIC MEETING Concerning Proposed Zoning Bylaw Amendment

TAKE NOTICE that the Council of the Township of Sables-Spanish Rivers will hold a public meeting on Wednesday, August 28th, 2024, at 6:30 pm, in Council Chambers, to consider a proposed application for an amendment to the Comprehensive Zoning Bylaw 2020-41 under Section 34 of the Planning Act, RSO 1990 as amended.

File No. ZBA-24-04 Purpose and Effect: To allow for a reduced interior yard setback and increased percentage of lot coverage for an accessory building in the Resource Recreation zone. The property subject to this amendment is described as Gough Township, Parcel 16592, SRL JDD 351. The land in subject application is not subject to any other Planning Act application.

If you wish to be notified of the decision of the Township of Sables-Spanish Rivers on the proposed zoning by-law amendment, you must make a written request to the Township.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed By-law Amendment.

If a person or public body would otherwise have an ability to appeal the decision of the Township of Sables-Spanish Rivers to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township before the by-law is passed, the person or public body is not entitled to appeal the decision

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township before the proposed By law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

ADDITIONAL INFORMATION related to the proposed amendments is available at the municipal office at 11 Birch Lake Road, Massey during regular office hours.

DATED at the Township of Sables-Spanish Rivers this 6th day of August, 2024.

Anne Whalen
Clerk-Administrator

Please Note: you are receiving this notice as you are a property owner within a 120 metre radius of the subject property. Planning Act O. Reg 545/06 S.5(4)

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2024-49

Being a Bylaw to amend Zoning Bylaw 2003-15,
the Comprehensive Zoning Bylaw for
the Township of Sables-Spanish Rivers

WHEREAS authority is granted under Section 34 of the Planning Act, 1990, R.S.O., as amended;

AND WHEREAS Council deems it appropriate to rezone to allow for a reduced interior yard setback and increased percentage of lot coverage for an accessory building in the Resource Recreation Zone;

THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. The land subject to this bylaw is described as *Gough Township, Parcel 16592, SRL JDD 351, West Branch Road* as shown on the attached sketch - Schedule 'A' to this Bylaw:
2. By-law No. 2003-15, as amended, is hereby amended as follows:
 - (a) Section 5.6.4 is amended by adding the following after subsection 54:

55. RR-55: Gough Township, Parcel 16592, SRL JDD 351, West Branch Road
(By-law 2024-49)

- (b) Section 6 is amended by adding the following at the end of the table:

By-law #	Zone	Uses Permitted	Uses Prohibited	Provisions
2024-49	RR-55			- Notwithstanding the provisions of Section 5.6.2, the interior yard setback for an accessory building (garage) shall not be less than 2.13 meters, and the maximum lot coverage percentage not exceed 11%.

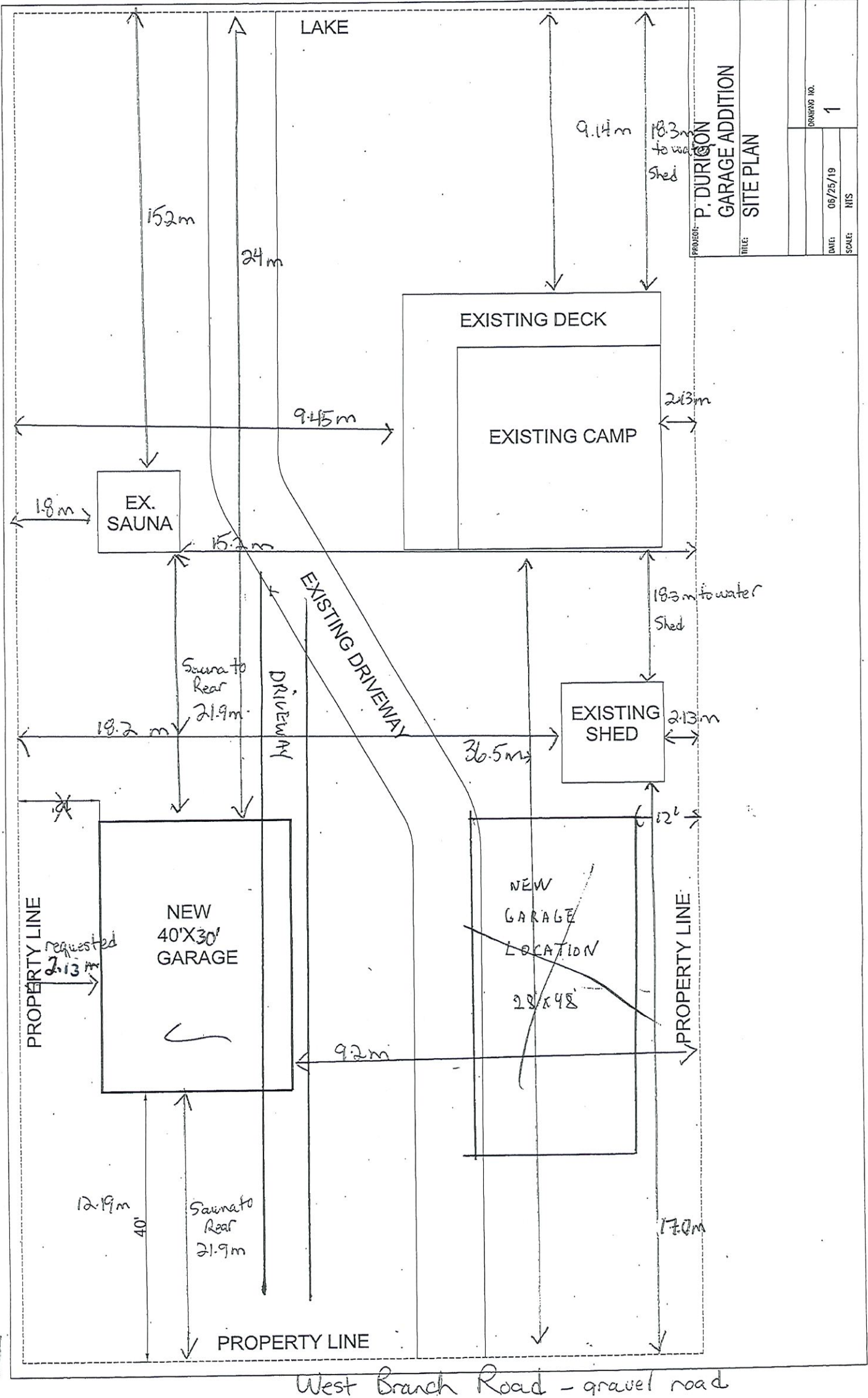
3. That this bylaw shall take effect subject to the requirements of the *Planning Act*.

READ A FIRST AND SECOND TIME THIS 11TH DAY OF SEPTEMBER, 2024

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 11TH DAY OF SEPTEMBER, 2024.


MAYOR – K. BURKE


CLERK – A. WHALEN



Accounts Payable Cheque Register Report - Payroll & AP-1009588

For The Date Range From 8/01/24 To 8/31/24

For All Vendors And For Outstanding, Cleared, Voided Cheques - Computer Generated, Hand Written, eCheque

Cheque # / eCheque ID	Type	Date	Vendor	Name	Amount	Status
26563	C	8/09/24	1	Jocelyn Bax <i>Summer Day Camp Refund</i>	\$30.00	O
26564	C	8/09/24	255	Levitt-Safety	\$1,050.83	O
26565	C	8/09/24	38	Minister of Finance - Policing	\$61,930.00	O
26566	C	8/09/24	734	Poirier's Clover Farm	\$86.52	O
26567	C	8/09/24	84	Public Health Sudbury & Districts	\$15,286.55	O
26568	C	8/09/24	315	Staples Business Advantage	\$659.13	O
26569	C	8/09/24	683	STINSON EQUIPMENT LIMITED	\$3,591.80	O
26570	C	8/09/24	1	TEBAKS EMERGENCY TRAINING INC. <i>FD First Aid Training</i>	\$1,130.00	O
26571	C	8/12/24	531	Twsp of Sables-Spanish Rivers - Petty Cash - <i>Fishing Tournaments Donations</i>	\$250.00	O
26572	C	8/27/24	35	Massey Home Hardware	\$1,010.72	O
26573	C	8/27/24	199	Minister of Finance	\$44,440.00	O
26574	C	8/27/24	51	Sonnenburg Rona Building Centre	\$528.79	O
26575	C	8/27/24	315	Staples Business Advantage	\$1,707.45	O
26576	C	8/29/24	724	Cassandra Goodchild - <i>Employee Appreciation</i>	\$500.00	O
26577	C	8/29/24	886	Francois Mailloux - <i>Employee Appreciation</i>	\$500.00	O
5828	E	8/09/24	24	Garnet's Rental	\$77.36	O
5829	E	8/09/24	26	Huron Central Railway M2142	\$1,097.00	O
5830	E	8/09/24	29	Janeway PharmaChoice	\$26.30	O
5831	E	8/09/24	36	Massey Wholesale	\$380.62	O
5832	E	8/09/24	37	McDougall Energy	\$1,596.68	O
5833	E	8/09/24	42	Northern Uniform Service	\$29.03	O
5834	E	8/09/24	47	Purolator Courier	\$42.68	O
5835	E	8/09/24	49	GFL Environmental Inc.	\$29,700.88	O
5836	E	8/09/24	65	NAPA Espanola	\$175.08	O
5837	E	8/09/24	66	USTI Canada Inc.	\$2.35	O
5838	E	8/09/24	79	Northern Communications	\$915.81	O
5839	E	8/09/24	81	O.J. Graphix Inc.	\$203.40	O
5840	E	8/09/24	85	Manitoulin-Sudbury DSSAB	\$61,082.33	O
5841	E	8/09/24	105	Weaver Simmons LLP	\$1,362.78	O
5842	E	8/09/24	113	Culligan	\$72.44	O
5843	E	8/09/24	124	Wat Supplies	\$677.55	O
5844	E	8/09/24	140	Medline Canada, Corporation	\$605.53	O
5845	E	8/09/24	163	Fire Marshal's Public Fire Safety Council	\$5,421.74	O
5846	E	8/09/24	193	Ontario Clean Water Agency	\$757.94	O
5847	E	8/09/24	213	EXP Services Inc.	\$163.85	O

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Cheque # / eCheque ID	Type	Date	Vendor	Name	Amount	Status
5848	E	8/09/24	241	Odenback's Outdoor Contracting	\$3,429.60	O
5849	E	8/09/24	262	Trail Side Sports	\$286.09	O
5850	E	8/09/24	288	Massey Agricultural Society	\$1,000.00	O
5851	E	8/09/24	432	Testmark Laboratories Ltd.	\$90.40	O
5852	E	8/09/24	460	M & G Fencing	\$3,063.71	O
5853	E	8/09/24	544	N-two Medical Inc.	\$28.19	O
5854	E	8/09/24	557	K. Smart Associates Limited	\$1,106.72	O
5855	E	8/09/24	619	Phoenix Emergency Management Logic	\$3,390.00	O
5856	E	8/09/24	620	PINCHIN Ltd.	\$4,289.03	O
5857	E	8/09/24	630	CIMCO Refrigeration	\$904.00	O
5858	E	8/09/24	705	RICOH	\$280.66	O
5859	E	8/09/24	724	Cassandra Goodchild - reimburse for purchase of	\$83.43	O
5860	E	8/09/24	728	TMI - replace hand pump for gas alert monitor.	\$18,080.00	O
5861	E	8/09/24	730	Brandt Tractor Ltd.	\$5,961.98	O
5862	E	8/09/24	739	2612831 Ontario Inc.	\$1,325.21	O
5863	E	8/09/24	750	Steves Plumbing and Heating	\$739.01	O
5864	E	8/09/24	778	ECS Cares	\$335.61	O
5865	E	8/09/24	810	Goldstream Publishing Inc. - Angler's Atlas - Fishing Tackle	\$5,650.00	O
5866	E	8/09/24	837	Local Authority Services	\$708.85	O
5867	E	8/09/24	840	Larissa Toulouse - bartender	\$115.85	O
5868	E	8/09/24	885	Lisette Sonnenburg - Clinic Janitor - June 2 days	\$65.22	O
5869	E	8/27/24	730	Brandt Tractor Ltd.	\$886.94	O
5870	E	8/27/24	62	Town of Espanola	\$6,458.72	O
5871	E	8/27/24	24	Garnet's Rental	\$102.24	O
5872	E	8/27/24	752	J.L. Richards & Associates Limited	\$5,133.12	O
5873	E	8/27/24	846	Jeff Lapierre - cell phone and prescription dispensing for	\$170.00	O
5874	E	8/27/24	314	Jet Ice	\$1,848.89	O
5875	E	8/27/24	190	Jim's Portable Toilets & Septic Service	\$452.00	O
5876	E	8/27/24	169	Kresin Engineering	\$24,142.41	O
5877	E	8/27/24	885	Lisette Sonnenburg	\$750.00	O
5878	E	8/27/24	555	Lynda Goodchild	\$791.00	O
5879	E	8/27/24	37	McDougall Energy	\$6,916.21	O
5880	E	8/27/24	253	McQuarrie Motors	\$1,069.18	O
5881	E	8/27/24	176	Morris Sanftenberg Construction	\$18,565.11	O
5882	E	8/27/24	65	NAPA Espanola	\$1,057.64	O

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Cheque # / eCheque ID	Type	Date	Vendor	Name	Amount	Status
5883	E	8/27/24	42	Northern Uniform Service	\$30.61	O
5884	E	8/27/24	86	Sun Life Assurance Company	\$10,746.99	O
5885	E	8/27/24	587	TELUS Health Solutions	\$1,661.10	O
Bell Canada	E	8/01/24	10	Bell Canada	\$151.59	O
Bell Canada	E	8/09/24	10	Bell Canada	\$808.02	O
Bell Canada	E	8/27/24	10	Bell Canada	\$200.01	O
Bell Mobility	E	8/09/24	11	Bell Mobility	\$110.31	O
Brandt Tractor Ltd.	E	8/15/24	730	Brandt Tractor Ltd.	\$2,800.86	O
EASTLINK	E	8/09/24	520	EASTLINK	\$45.35	O
EASTLINK	E	8/27/24	520	EASTLINK	\$740.93	O
Hydro One	E	8/09/24	71	Hydro One	\$864.63	O
Hydro One	E	8/27/24	71	Hydro One	\$262.82	O
Minister of Finance - EHT	E	8/08/24	6	Minister of Finance - EHT	\$3,785.23	O
OMERS	E	8/08/24	552	OMERS	\$25,314.66	O
Ontario Clean Water Agency	E	8/12/24	193	Ontario Clean Water Agency	\$18,132.42	O
Postage By Phone	E	8/09/24	5	Postage By Phone	\$4,520.00	O
Receiver General	E	8/08/24	4	Receiver General	\$26,633.75	O
Receiver General	E	8/22/24	4	Receiver General	\$16,020.59	O
Royal Bank - GFS Service Centre	E	8/08/24	52	Royal Bank - GFS Service Centre	\$400.50	O
Shell Canada	E	8/01/24	103	Shell Canada	\$3,947.41	O
VISA - Anne Whalen	E	8/06/24	829	VISA - Anne Whalen for	\$12.00	O
VISA - Lori Johnston	E	8/06/24	876	VISA - Lori Johnston Amazon.com order 1/26/24 - LCBO	\$527.06	O
VISA - Marla Toulouse	E	8/06/24	732	VISA - Marla Toulouse - recording	\$31.06	O
Visa - Ruth Clare	E	8/06/24	774	Visa - Ruth Clare - recording - Amazon office supplies	\$517.95	O
WSIB	E	8/08/24	551	WSIB	\$9,378.48	O

Cleared \$0.00

Outstanding \$484,014.49

Void \$0.00

Township of Sables-Spanish Rivers

COUNCIL REPORT



COUNCIL MEETING: September 11, 2024
AGENDA GROUP: A
DEPARTMENT: General Government
AUTHOR: Anne Whalen
SUBJECT: Council Vacancy

BACKGROUND:

Attached is a letter of resignation from Councillor Edie Fairburn effective August 28, 2024. Resignations fall under the Municipal Act as follows:

- 262 (1)** If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant;
- 263 (1)** If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,
- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
 - (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*. 2001, c. 25, s. 263 (1).

The vacancy shall be filled by Council within 60 days of the declaration by appointing a person who has consented to accept the office if appointed:

- 263 (5)** The following rules apply to filling vacancies:
- 1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,
 - i. appoint a person to fill the vacancy under subsection (1) or (4), or
 - ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection (1).

With the last two vacancies which occurred mid-term, Council advertised for interested persons to submit an application to fill the vacancy for the remainder of the term.

RELATED POLICY:

n/a

STRATEGIC PLAN:

Goal 5- Effective Municipal Governance and Operations

Strategic Direction- Focus on enhanced communication with residents and promote transparency of municipal operations.

Action Item- n/a

BUDGET IMPLICATION:

None

RECOMMENDATION(S)/OPTIONS:

WHEREAS Edith Fairburn has provided written notification of her resignation from Council;

AND WHEREAS this seat is hereby declared vacant;

AND WHEREAS Section 263(1) of the Municipal Act 2001 provides for the filling of vacancies for the office of a member of Council;

BE IT RESOLVED THAT this position be advertised, with detailed written expressions of interest from qualified persons to be received until 12:00 p.m. on Friday, October 4, 2024.

ATTACHMENTS:

Letter of Resignation – Edith Fairburn

August 27, 2024

To Anne Whalen and SSR Council Members

Re: Letter of Resignation

I am writing you to inform you of my decision to resign from my position on the SSR Council, effective midnight August 28, 2024. It has been an honour to serve on the council and represent our community and its residents.

I would like to express my gratitude for the opportunities and experiences I've had while serving on the council. It has been a privilege to work along side dedicated individuals committed to improving the quality of life for those living in our municipality.

I feel that I am not able to devote enough of myself to the position, and being on council does require a large commitment. I greatly admire each member of council for their ability to balance work, children, a personal life, as well as all the other responsibilities that come with life.

Thank you for your understanding, and I wish the entire council continued success in their efforts to better serve our community.

Sincerely,

Edie Fairburn

Township of Sables-Spanish Rivers

Memo

To: Clerk, Council
From: Blair Ramsay, Fire Chief
Date: September 6th, 2024
Re: Monthly Fire Department Committee Report – August 2024

2024 Monthly Fire Call Out Summary:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Fire Alarm	-		-	-	1	3	2	-	-	-	-	-
Smoke/CO/Haz Mat	1	3	-	-	-	-	1	-	-	-	-	-
EMS Assist/Rescue	2	3	1	1	2	-	4	5	-	-	-	-
Structure/Vehicle	1	-	-	-	-	2	1	1	-	-	-	-
Fires												
Chimney Fires	-	-	-	1	-	-	-	-	-	-	-	-
Brush Fires	-	-	-	2	2	-	1	1	-	-	-	-
MVA / MVC	1	2	-	-	-	1	3	2	-	-	-	-
Hydro Line / Pole	-	-	-	3	-	-	-	-	-	-	-	-
Burn Complaints	-	-	1	2	3	3	3	1	-			-
Inspections	-	-	-	-	-	4	-	1	-	-	-	-
Mutual Aid	-	-	-	-	2	1	-	1	-	-	-	-
Aid Spanish FD	-	-	-	-	-	-	-	-	-			-
Total	5	8	2	9	10	14	15	12	0	0	0	0

Calls for Service:

- SSRFD attended 12 calls for service in August 2024. Three of the 5 medical calls were at the Massey Fair. The team assisted EMS and the on duty St Johns Ambulance.

Training:

- Weekly training is taking a break for July and August. Station 2 completed some work cleaning the hall and preparing to moving bunker gear out of the garage and into the back room.
- The Training Department and I met in August prepared a training plan for September, and October.

Pub Ed/Public Education, Recruiting and Fundraising Committee (PERF)

- PERF Team members of the Fire Team lead by PIO Goodchild and Captain Goodchild attended the Massey Fair. The team worked extremely hard at the fair. One of the teams stayed until 10pm at the mud bogs. The team interacted with hundreds of people at the pub ed booth giving away almost all of our pub ed material. The team participated in the mud bogs (assisting with water for the pits, stand by for extrication), crash derby (standby for extrication), pub ed booth, touch a truck as well as assisting with medical calls.
- SSRFD is going to have a meeting with the fair board to discuss some scheduling issues that occurred over the weekend and specific tasking for the fire team that was not discussed prior to the fair. The mud bogs and crash derby task was not communicated to the team that we would be needed. It was learned later that the fair required a fire truck to be on site while the mud bogs and crash derby was taking place. FPO Recollet and POI Goodchild reached out the fair on many occasions to determine our role outside of manning our pub ed booth. If a call for service came in we would have had to leave the fair halting the mud bogs that has many entries.

Station Report:

- Station 1 – A/Chief and Capt have been assigned to change the current key lock to a punch code lock at the request of the Walford Hall Committee. This has not yet been completed.
- Station 2 – Bunker gear area is almost complete.
- Station 4 – Exhaust system is in place and operating. The permit has been signed off and is now closed. There have been some electrical issues with tanker #440 that are being addressed.
- Station 5 – Using Station 5 for Storage.

Administration:

- Completed a grant proposal for the Fire Protection Grant for bunker gear. The proposal will be submitted in September.
- I had meetings with Comm Truck Emergency vehicles regarding the purchase of a new Pumper. as well as a meeting with the Officer group and training team preparing for the September training session to start. The goal this year is to get all members signed off on FF1 skills.
- I met with Gib Medbve regarding the SSRFD review.
- I attended 3 training sessions in August. The sessions focussed on fire inspections, ventilation at fire scenes and a series on leadership.

Human Resources:

- Currently there are 33 active firefighters including officers.
- A review is taking place of the fire dept at councils request.

Fire Inspection/Complaints

- There was an inspection completed at the Massey Fair Grounds as well as all of the vendors that attended to ensure they were compliant.

REQUEST FOR COUNCIL:

- No requests at this time.

Township of Sables-Spanish Rivers

PUBLIC WORKS COMMITTEE ***Roads/Water/Waste Management***

AGENDA / REPORT

Wednesday, September 4th, 2024, at 6:30 p.m.
in Council Chambers

Members Present - Chair: Harold Crabs; Co-Chair: Casimir Burns; Committee Members: Kevin Burke;
Staff Present - Dave Moncion, Supervisor of Public Works; Sean McGhee, Coordinator of Infrastructure
Absent - Cameron Hobden; Thoma Crabs,

Meeting Called to Order by the Chair at 18:32

A. ROADS

- Webbwood Winter Control RFP
 - *Discussion was held by committee regarding a two-year extension clause. It was unanimously agreed that the extension clause be incorporated into the RFP.*
 - *The response time required for Contractor in the contract was increased from 30 minutes to 1 hour. It was felt that this is a reasonable response time and does not jeopardize the operational status of the road.*
 - *The evaluation matrix proposed for review of bid submissions was reviewed and endorsed by the Committee.*
- Webbwood Fire Control Watermain – Tender outcome if available from WSP
 - *Committee was informed of the extension to closing date of the Tender from August 23rd, 2024 to September 6th, 2024.*
- Old Webbwood Road Culvert
 - *Update given on proposed start of September 5th for the installation.*
- Paving Projects – Update on anticipated timeline.
 - *Tentative start date of September 16th based on communication with Beamish Construction.*
- Firehall Road Prime and Chip
 - *Discussion was held by the Committee regarding the late nature of this project and expressed concern regarding the ability of the material to properly set up and bond before the frost arrives. There was further concern regarding the moisture content of the road leading up to treatment.*
 - *The road will be reprofiled Monday, September 9th, 2024 with the prime and chip application to be completed the following day.*
 - *Committee noted that if the project was not completed this week, it should be cancelled.*
- Firehall Road Access
 - *It was noted by Committee that the road is marked as seasonally maintained by Baldwin Township and is marked as “Closed” on the Sables-Spanish Rivers*

side. The Committee noted that maintenance on this road should not be at the expense of the rate payers.

B. EQUIPMENT

- The Committee members noted that the Trackless MT7 was now on site and were advised that the tandem truck order had been placed.*
- Councilor Crabs asked about status of the Webbwood MT and mentioned for the benefit of staff that current snow removal practices were often resulting in damage to property in Webbwood. He suggested that the frequency of snow removal in Webbwood be increased.*

C. WATER/WASTEWATER

- New Contract Pending – Current operational contract expires 31 December, 2024
 - General discussion regarding the OCWA contract took place. Committee and Council will monitor the excluded services component of the new draft contract once it is presented.*
 - Committee members asked when the new draft contract would be presented as they want appropriate time for Staff, Committee and Council to review. Staff to contact OCWA to ask for an estimated time.*

D. WASTE MANAGEMENT

- Update on Landfill Grinding Operations
 - The Committee discussed concerns regarding landfill capacity. Staff is in the process of reviewing 2024 Landfill report from Pinchin*
 - Committee requested that fees associated with the disposal of mattresses be reviewed and amended to an appropriate amount.*
 - The Committee requested staff to investigate measures to ensure that the Tennyson Landfill site be used by residents only.*

E. CEMETERIES

- Nothing to Report

F. BUILDING MAINTENANCE

- Medical Clinic - Update on Green and Inclusive Buildings Communities Project Status
 - Foundation Insulation and sealing tender status*
 - Discussion surrounding back entrance to facility*
 - The Committee was presented with the concept of removal of the unused back entrance to the building and were in support of the project in principle. Staff will work with WSP to determine options under the Project.*

G. OTHER:

- No other business reviewed.*

Next Meeting: Wednesday, October 2nd, 2024, @ 6:30pm

- Meeting adjourned by the Chair at 20:45 -

Township of Sables-Spanish Rivers

COUNCIL REPORT



COUNCIL MEETING: September 11th, 2024
AGENDA GROUP: C
DEPARTMENT: Public Works
AUTHOR: S. McGhee, Coordinator of Infrastructure
SUBJECT: River Road Embankment Stabilization – RFP Outcome

BACKGROUND:

A significant bank slip was identified on the shoreline of the Spanish River located northeast of 1525 River Road. The degree of erosion has increased steadily to the point that by the Spring of 2024, the erosion was within 24 feet of the edge of River Road. Since that time, the bank has degraded further with the edge of the slip approximately 12 feet from the travelled edge of the road.

Failure to implement measures to stop the erosion by stabilizing the site will likely compromise River Road.

As the stabilization of the bank has the potential to impact the waterway, a MNRF work permit is required which was applied for in late 2023. The MNRF required an Erosion Control and Stabilization Plan which was provided with the assistance of Kresin Engineering. After reviewing the plan and project, the MNRF agreed to approve an extension of timeline to allow work adjacent to the shoreline up to September 20th. The Work Permit is pending.

A Request for Proposal (RFP) involving the stabilization of the existing soil by sloping of bank and placement of oversized rock at the base of the slip was developed. Once the profile is repaired and the base rock is placed, rip rap is to be placed on the entire slope to stabilize the bank. This approach has successfully stabilized the bank at several locations along River Road.

The RFP was developed with a clause requiring a site visit to ensure that all potential bidders were aware of the limitations of the site and the potential risks. Bid quantities were based on estimates developed by Kresin Engineering with site measurements acquired while on location in late August.

All respondents were evaluated using the following criteria:

- Ability to Meet All Specifications and Requirements (Mandatory)
- Qualifications and Experience
- Compliance with the RFP process
- Proposal/Quotation Price
- Site Visit Completed
- Ability to Meet the Project Timeline (Mandatory)

RFP Submissions were received from:

- James Latham Construction Ltd.
- Denis Gratton Construction Ltd.

RELATED POLICY:

This RFP was developed in accordance with the Township of Sables-Spanish Rivers Procurement Policy.

STRATEGIC PLAN:

This purchase aligns with **Goal No. 3 - Infrastructure** by supporting the following initiatives:

- **Strategic Direction No. 1** (Strive to maintain roads, sidewalks, culverts, and bridges in good condition);

BUDGET IMPLICATION:

There is a total of \$57,500.⁰⁰ approved in the 2024 Budget for this project. This includes the cost for the project as well as engineering.

RECOMMENDATION(S) / OPTIONS:

Submissions were reviewed and evaluated members of staff using the criteria indicated above resulting in the following:

1. James Lathem Ltd. – Bid Price (exclusive of taxes) of \$40,122.⁰⁰
2. Denis Gratton Construction Ltd. – Bid Price (exclusive of taxes) of \$62,140.⁰⁰

After review of all RFP submissions the following recommendation is being brought forward by staff:

BE IT RESOLVED THAT Council accept the RFP submission from James Lathem Ltd. at a submitted price of \$40,122.⁰⁰ plus applicable taxes.

ATTACHMENTS:

- RFP Summary
- RFP Submission – James Lathem Ltd
- RFP Submission – Denis Gratton Construction Ltd.

RFP SUMMARY – River Road Embankment Stabilization
September 6, 2024

Contractor	Item 1. Supply, Haul, and Place Base Rock (\$/m³)	Item 2. Supply, Haul, and Place Base Rock (\$/m³)	Item 3. Supply of heavy equipment proposed (w/ operator - \$/hr)	Item 4. Mobilize / Demobilize	Other	Total
DENIS GRATTON CONSTRUCTION LTD.	\$350.00	\$65.00	\$290.00	\$4000.00		\$70,218.20 <i>Includes HST</i>
JAMES LATHEN LTD.	\$45.20	\$60.50	\$160.00	\$4600.00		\$45,337.86 <i>Includes HST</i>

RFPs were to be submitted by 11:00 a.m. on September 6, 2024; and the above summary was compiled for Council’s information.


Amanda St. Michel – Deputy Clerk


Ruth Clare - Treasurer

Date: **September 6, 2024 – Revision 1**

To: Anne Whalen, Clerk-Administrator, Township of Sables-Spanish Rivers

From: Connor Joy, Planner

CC:

Subject: Old Webbwood Subdivision – Official Plan Amendment, Zoning By-law Amendment & Draft Plan of Subdivision

JLR No.: 28964-000.1 (04)

PROPERTY DESCRIPTION

The subject lands are legally described as: PIN 734130448, PT LOT 1 CON 5 HALLAM SAVE AND EXCEPT PART 1 ON 53R-18983 TOWNSHIP OF SABLES-SPANISH RIVERS. The lands are approximately 16 hectares and generally forested. The property is municipally known as 382 Old Webbwood Road.

APPLICATIONS

The applicants have submitted three applications for the subject lands: an Official Plan Amendment (OPA); Zoning By-law Amendment (ZBA); and Draft Plan of Subdivision (DPS).

The OPA will redesignate the subject lands from Rural to Resource Recreation District, as the lands are within 300m of water body, the Spanish River. The OPA will also allow for a nine (9) lot residential subdivision.

The ZBA will rezone the subject lands from Rural to Resource Recreation to implement the new Official Plan designation and permit residential dwellings on the new lots. A site-specific setback of 13 metres from the Top of Bank of the lands which steeply slope to Spanish River will be included to protect development and the Spanish River

Lastly, the DPS will divide the property into nine (9) lots to permit one residential dwelling per lot, to be serviced with private individual septic systems and wells, each with a minimum lot area of 1 hectare and approximately 80m of road frontage along Old Webbwood Road.

RECOMMENDATION

The applications are recommended for approval, subject to the conditions of draft approval for the plan of subdivision outline as Schedule A of this report.

1.0 BACKGROUND

The Township of Sables-Spanish Rivers (Township) has requested J.L. Richards & Associates Limited's (JLR) professional opinion regarding applications for an Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision for the subject property.

A public meeting for the applications was held on June 12th, 2024. At the meeting, Council received six (6) oral submissions from members of the public on three main topics: water quality/quantity, the Spanish River, and soil conditions. Based on these comments, Council deferred their decision to received further information on the above topics to make an informed decision.

In addition to these matters, concerns related to the proposed zoning and potential use of site plan control were also items Council requested further consideration on. This was to ensure the Spanish River and the natural environment is preserved as close as possible to its natural state. The use of Site Plan Control has been included as a recommendation as part of the revised Zoning By-law Amendment.

This report is revised as of September 11, 2024, and provides further information on the above topics and revised Zoning By-law Amendment.

1.1 Subject Lands Location & Context

The subject lands are legally described as: PIN 734130448, PT LOT 1 CON 5 HALLAM SAVE AND EXCEPT PART 1 ON 53R-18983 TOWNSHIP OF SABLES-SPANISH RIVERS. The lands have an area of approximately 16 hectares and are generally forested, with a few small clearings. The property is on a gradual slope towards the Spanish River with a significant slope located approximately 30 metres adjacent to the river.

The subject lands abut the Township's border on the eastern side with the Town of Espanola, with the Spanish River is found along the south side of the property. To the north of the site is the Old Webbwood Road, a year-round maintained, open municipal road. A rural residential dwelling is located immediately adjacent to the west of the site.

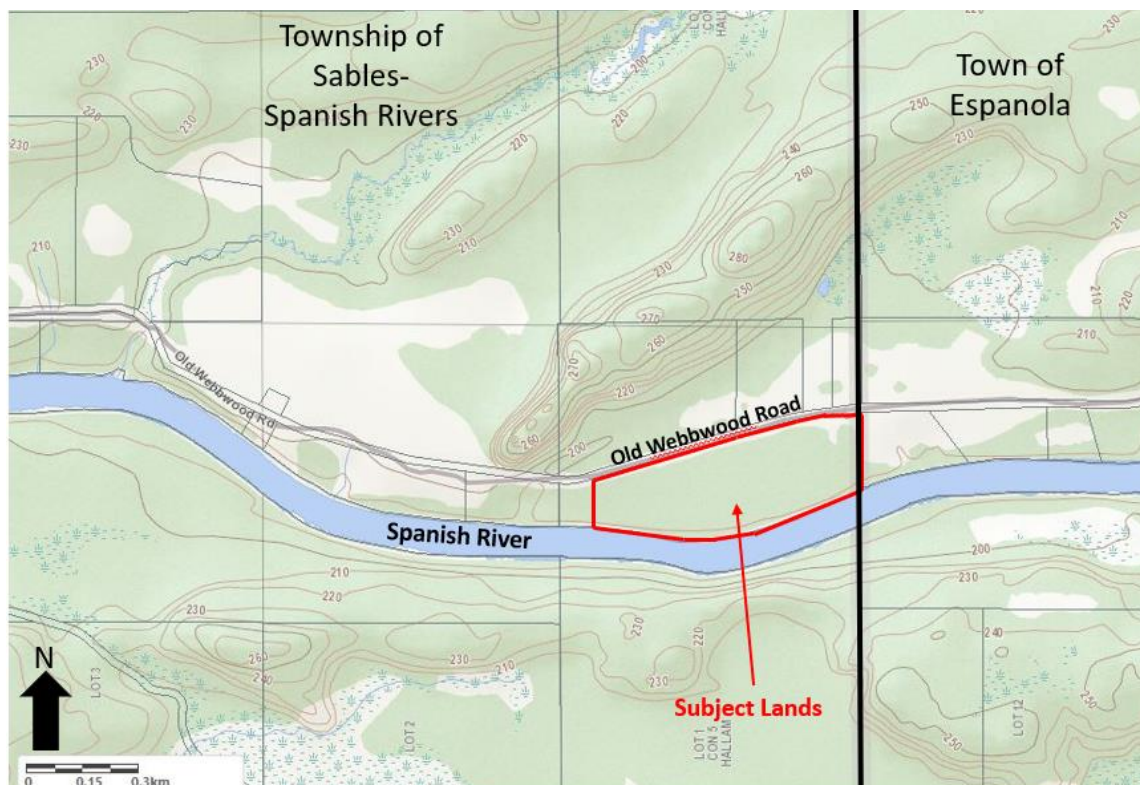


Figure 1: Context Area of the proposed subdivision

The surrounding area can be characterized as rural, forested lands, with very low density rural residential dwellings dispersed along Old Webbwood Road. The subject lands are located about halfway between the settlement areas of Webbwood and Espanola.

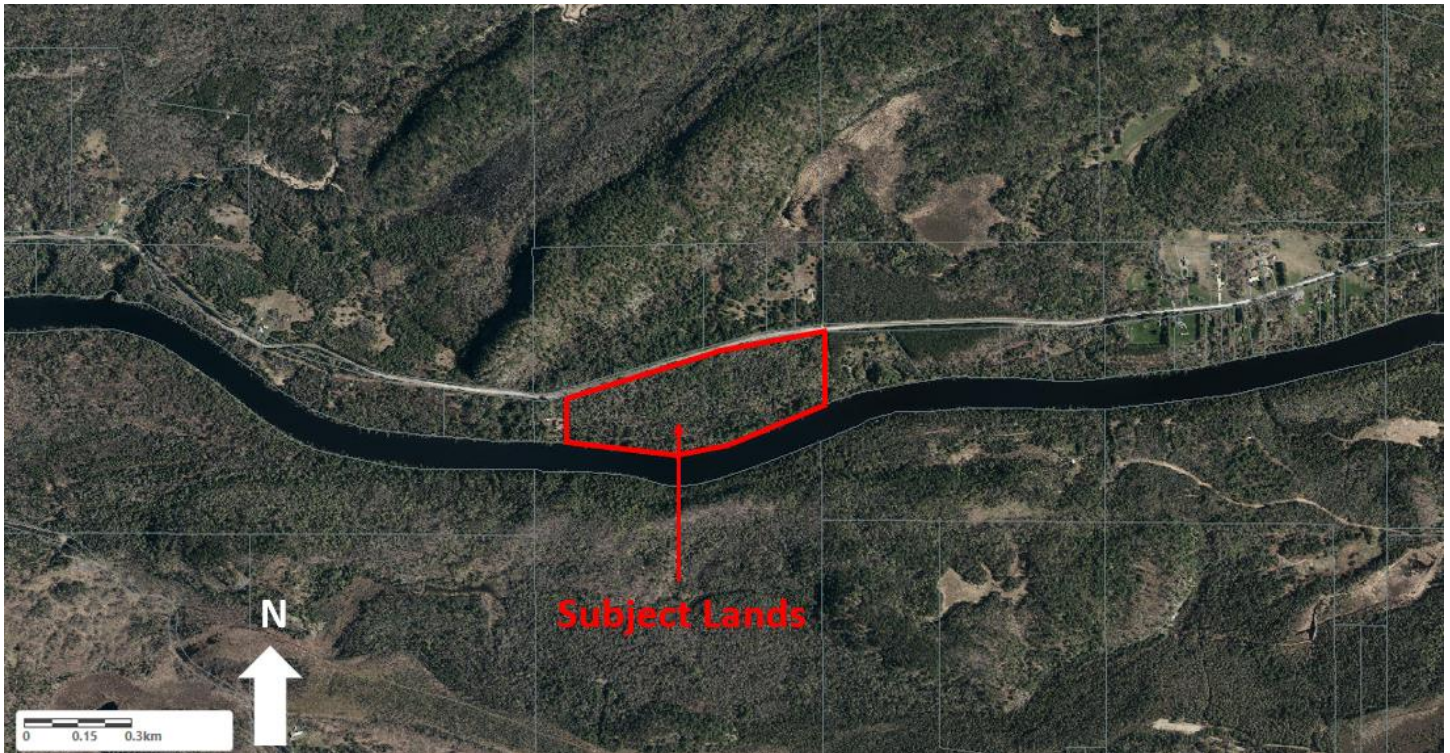


Figure 2: Satellite Imagery of Subject Lands and surrounding area.

1.2 Applications

The applicant has submitted three applications for the subject lands: an Official Plan Amendment (OPA); Zoning By-law Amendment (ZBA); and Draft Plan of Subdivision (DPS).

The OPA will redesignate the subject lands from Rural to Resource Recreation District, as the lands are within 300m of water body, the Spanish River. The OPA will also allow for a nine (9) lot residential subdivision.

The ZBA will rezone the subject lands from Rural to Resource Recreation to implement the new Official Plan designation and permit residential dwellings on the new lots. Several site-specific exceptions have been included in the rezoning to protect the natural environment, including the use of Site Plan Control. The permitted uses in the RR Zone have also been reduced to permit only a single detached or seasonal dwelling and accessory uses. The list of complete exceptions can be found in Section 3.4 of this report.

Lastly, the DPS will divide the property into nine (9) lots to permit one residential dwelling per lot, to be serviced with private individual septic systems and wells, each with a minimum lot area of 1 hectare and minimum road frontage of 80 metres from Old Webbwood Road.

The application was deemed complete on March 11, 2024. A public meeting was held on June 12, 2024.

The following reports were provided to support the applications:

- Geotechnical Investigation and Design Report and Slope Stability Analysis, prepared by EXP Services Inc., dated October 3rd, 2023.
- Hydrogeological Report, prepared by EXP Services Inc., dated October 6th, 2023.
- Servicing Options Statement, prepared by EXP Services Inc., dated October 6th, 2023.
- Environmental Impact Statement, prepared by Blue Heron Environmental, dated November 2023.
- Technical Memorandum - Future Development Recommendations and Best Management Practices prepared by Blue Heron Environmental, dated October 6th, 2023.
- Stage 1 and Stage 2 Archaeological Assessment, prepared by Woodland Heritage Northwest, dated June 16, 2023
- Draft Plan of Subdivision, prepared by Tulloch Geomatics Inc, dated January 24th, 2024.

After the public meeting on June 12th, 2024, additional information from the applicant was provided related to the water quality and quantity, including a memo from EXP and well records from MECP.

1.3 Proposed Development

The proposed development is for a nine-lot (9) rural residential subdivision development along the Spanish River. Each of the lots have at least +/-80 metres of frontage along Old Webbwood Road and range in area from 1.25ha to 2.14ha. Figure 3 shows the proposed Draft Plan of Subdivision.

The proposed subdivision will be serviced by private individual wells and septic systems. Design specifics will follow the submitted studies and be reviewed at the time of building permit. Existing hydro lines along Old Webbwood Road will provide electricity to the subject lands. With the location of the proposed development, parkland dedication will be provided via Cash-In-Lieu.

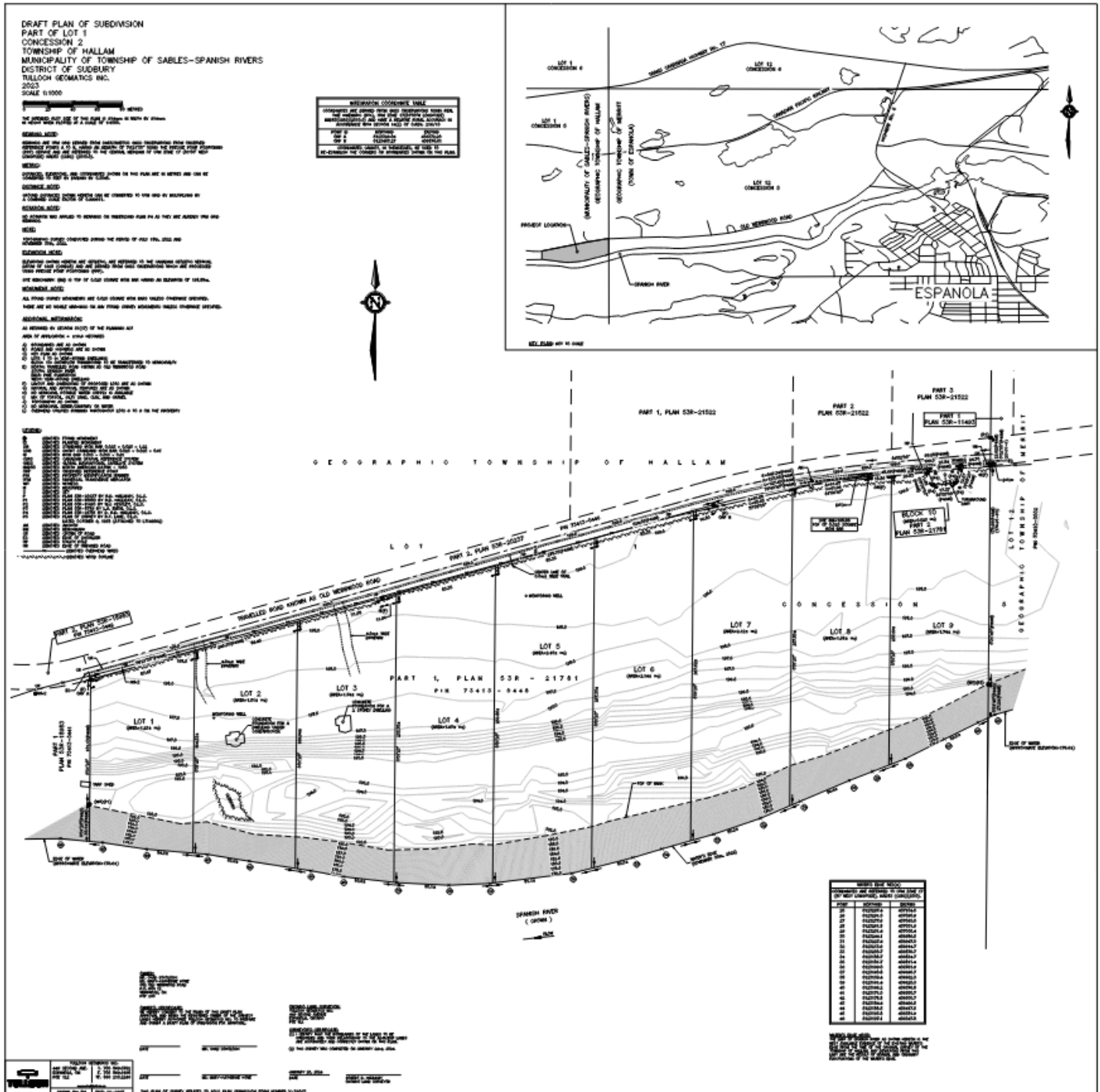


Figure 3: Proposed Draft Plan of Subdivision

2.0 SUBDIVISION CONSIDERATIONS

2.1 Lot Fabric

The proposed lot fabric of the Plan of Subdivision represents the standard rural lot size, of a minimum of 1.0 ha and frontage of +/-80m. The shape and orientation of the lots ensure each lot has frontage and direct access to Old Webbwood Road

and frontage on the Spanish River. The lots also ensure easy access for construction and services while maintaining the rural character of the area.

2.2 Natural and Cultural Features

The applicant's Environmental Impact Study (EIS) provides that the subject lands are in Georgian Bay Ecoregion 5E. As per the EIS, the subject lands are comprised of a single canopy layer with a canopy cover greater or equal to 75%. The dominating canopy species are White Pine, Red Pine Jack Pine, Red Maple, and Red Oak averaging 15 centimetres (cm) to 20 cm diameter at breast height (DBH). The trees ranged from 13 m to 16 m in height.

The subject lands also have the possibility for significant wildlife habitat. As part of the EIS, no targeted surveys were undertaken to confirm the presence of wildlife habitat. The following wildlife were confirmed present in the study are during the site visit: Monarch, Bald Eagle, Canada Warbler, Eastern Wood-pewee, Evening Grosbeak, Golden-winged Warbler, and Rusty Blackbird. Other potential species include Mink, Otter, Marten, Eastern Wolf, Marten, Fisher, Deer, Blanding Turtle's, and a variety of other amphibians and fish.

Since Blanding's Turtle and Black Ash were confirmed on the site the EIS recommends an Information Gathering Form (IGF) should be completed and submitted to MECP prior to the initiation of project activities to enable MECP to determine whether permitting under the ESA is required.

The EIS provides a list of the species and their potential to be located on the subject lands. In addition, mitigation measures and recommendations to address any potential species have been included in the submission package. Of note, further study through targeted surveys is required prior to residential development. As such, targeted surveys will be required as a condition of draft approval. The mitigation measures already proposed and any additional measures as a result of targeted surveys will be included in the subdivision agreement and registration to ensure they are adhered too.

The Stage 1 and Stage 2 Archaeological Assessment for the proposed development was undertaken in accordance with the requirements of the Ontario Heritage Act, the Standards and Guidelines for Consulting Archaeologists and the Township's Official Plan. Using evidence from background historic research, physical property inspection, location of known or registered archaeological sites, previous archaeological assessments, and indicators of archaeological potential, the Stage 1 report indicated areas where Stage 2 shovel testing should take place. Recommendations from the Stage 2 report indicated that no further archaeological assessment is required for the proposed development.

2.3 Servicing

The Servicing Options Study evaluated the potential for servicing the subject lands on full municipal services, communal services, and individual services. As the subject property is located in the rural area and proposed for residential dwellings on large lots, it is recommended that the Site be serviced by individual sewage systems and individual water supplies from groundwater within aquifers beneath the Site. The Options Study specifically recommends that water supplies be obtained from the bedrock aquifer, due to the apparent higher water quality and lower potential for hydraulic connectivity to the Spanish River. The additional memo from EXP and well records from MECP confirm the presence of sufficient water quality and quantity. These well records confirmed the construction of two deep wells into gravel and cased in steel or similar material to mitigate any pollutants.

As such, the proposed Draft Conditions have been revised to ensure deep water bedrock wells are used for potable water. Specific requirements to confirm water quality and quantity have also been included to ensure the water supply meets the Ontario Drinking Water Standards as a potable source.

Both the individual wells on each property and the sewage systems will need to be in compliance with the Ministry of Environment, Conservation and Parks (MECP) and the Building Code. This, along with other requirements outlined in the report will be included as draft conditions in both the subdivision agreement and registration to ensure they are adhered to.

2.4 Access

Access to the proposed lots will be from the existing Township road, Old Webbwood Road. The road is maintained year-round and will provide access to each of the lots for both vehicles and other services (hydro, garbage, etc.). No new public roads are proposed as part of the subdivision.

Each proposed lot also has access to the Spanish River on the south side. Any access via water and structures along the Spanish River will need to comply with the Zoning By-law.

2.5 Parkland Dedication

Cash-in-lieu will be required as part of the subdivision approval and registration. The Township does not have a parkland dedication by-law and therefore Section 51.1.(1) of the Planning Act will be used to calculate the payment at 5% of the land value. The determination of the required amount of cash will be based on the value of the land as of the day before the approval of the draft plan of subdivision, as outlined in Section 51.1(4) of the Planning Act.

3.0 ANALYSIS

This section of the report will review the proposed development within the context of the legislative framework, including the Planning Act R.S.O 1990, Provincial Policy Statement 2020, and the Township's Official Plan and Zoning By-law.

3.1 Planning Act, R.S.O 1990

The *Planning Act* prescribes matters of Provincial Interest and establishes the ground rules for land use planning in Ontario which includes policies, regulations, and procedures related to Official Plan Amendments, Zoning By-law Amendments, and Plans of Subdivision.

JLR is satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment are appropriate with regards to Sections 2, 3, and 22 of the Planning Act.

JLR has reviewed the proposed development and is satisfied that the proposed development can proceed by Plan of Subdivision and that regard has been had to the matters under Section 51(24) of the *Planning Act*.

3.2 Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement 2020 (PPS) is issued under Section 3 of the Planning Act and is intended to guide municipalities in making planning decisions. The Planning Act requires that municipal decisions in respect to the exercise of any authority that affects a planning matter "*shall be consistent with*" the PPS.

The subject lands are located in the rural area of the Township. Section 1.1.5 of the PPS 2020 refers to Rural Lands in Municipalities.

- 1.1.5.2 On rural lands located in municipalities, permitted uses are:*
c) residential development, including lot creation, that is locally appropriate;

The proposed plan of subdivision is located on rural lands, which is appropriate for residential development. The lots are sufficient size for rural use and match other existing residential development located on Old Webbwood Road and along the Spanish River.

- 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*

The proposed development is compatible with the rural landscape and will be serviced by individual on-site private water and sewage services. This form of servicing is supported by the Servicing Options Report prepared by EXP. Draft Conditions specifying the type (deep water well, bedrock construction, with steel casing) and other measures as required to ensure the water supply meets the Ontario Drinking Water Standards for potable water have been outlined.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

The Plan of Subdivision is appropriate for the infrastructure which is available and avoids the need for unjustified and uneconomical expansion of infrastructure. Each residential lot will be serviced by private services. Each of the proposed lots has frontage on an existing Township Road, Old Webbwood Road, which is maintained year round by the Township and currently has hydro services as well.

Section 1.6.6. of the PPS deals with Sewage, Water and Stormwater. Policy 1.6.6.4 states the following

Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

The Servicing Options report recommends individual private services to be used, as it is not feasible to use either municipal or communal services.

Section 2.1 of the PPS deals with Natural Heritage.

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

As outlined in the EIS, there are several environmental features to be considered as part of the proposed development. The EIS identified the potential for habitat of endangered and threatened species, fish habitat, and natural heritage systems on the subject lands. The EIS includes recommendations for protection of that habitat. The current permitting approach to Species At Risk in Ontario allows for authorization of an activity by the Province, as long as an overall benefit is provided to the species in Ontario. As such, even though some species have been confirmed as present, and further surveys are required for others, a permitting approach may be taken to be consistent with the policies of the PPS.

Development will be set back a minimum of approximately 43m from the Spanish River, based on the slope being +/-30m from the shoreline to top of bank and a 13m setback from the top of bank as recommended by the Geotechnical investigation. This effectively implements the EIS recommended setbacks for construction activities. In addition, the EIS has recommended clearing and construction activities should be avoided during sensitive time periods, generally between April 1st and August 31st. Targeted surveys for species at risk and potential wildlife habitat will be included in the subdivision conditions for draft approval. As discussed with the applicant, these surveys will be required to be completed prior to final registration and any permitting approval with the MECP, if required.

Section 2.6 of the PPS deals with Cultural Heritage and Archaeology. The following policies are applicable to the subject lands:

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

The Stage 1 Archaeological Report recommended that a Stage 2 Assessment be completed, which included on-site shovel test pits. Based on the Stage 2 Assessment, no further archaeologist assessment is required for the proposed plan of subdivision.

Section 3 of the PPS promotes public health and safety to reduce the potential for risks from natural or human-made hazards. The proposed development does not conflict with Section 3 of the PPS.

Based on our review, through the implementation of the recommendations provided in the technical studies, the proposed development is consistent with the relevant policies of the PPS 2020.

3.3 Township of Sables-Spanish Rivers Official Plan, 2020

The subject lands are designated “Rural” in the Township’s Official Plan Schedule ‘A1’. The proposed amendments are outlined below:

3.3.1 Proposed Amendments

The requested amendments for the subject lands are required based on the following policies in Official Plan:

4.9. Rural Area – Residential Uses

4.9.1. Permitted Uses

Note: Rural residential uses do not include residential uses adjacent to i.e. within 300 m [984.2 ft.] of a water body. Such development is governed by policies in Section 4.10 - Resource Recreation District designation.

4.9.2. Planning Principles

G. Lands in the Rural Area which are adjacent (i.e. within 300 m [984.2 ft.]) to an inland lake and the Spanish River (outside of the Massey urban settlement area) are not intended to be intensively developed (e.g. consents or a plan of subdivision or a major commercial use) without an amendment to this Plan in accordance with the provisions of Section 4.10 - Resource Recreation District.

As the subject lands are adjacent to the Spanish River and to be developed via a Plan of Subdivision, an amendment to policy 4.9.2 is required to permit the subdivision application of nine (9) rural residential lots.

3.3.2 Policy Review

The following is a review of the applicable policies to the proposed development.

Section 3.0 of the OP provides general development policies for all development throughout the Township. Section 3.7 of the OP outlines policies for Plans of Subdivision. Policy 3.7.1 states the following:

Land development shall generally take place by plan of subdivision in the urban settlement areas (Massey, Webbwood, and Walford) and for waterfront residential development where more than four lots/units are proposed. Development by plan of subdivision may be used for large lot residential development in the Rural Area. Consents shall otherwise be the method of land division.

The application proposes waterfront development of more than four lots and large lots in the rural area, more than 1 ha as outlined in the OP. The proposed plan of subdivision is the proper method of land division and promotes good land use planning principles related to lot creation.

Policy 3.7.2 provides further criteria upon which plans of subdivision should be reviewed. The following outlines the key policies:

2. The draft plan of subdivision shall illustrate all the requirements of Section 51 (17) of the Planning Act.

The submitted draft plan of subdivision prepared by Tulloch Geomatics Inc. dated January 25th, 2024, contains the required information from Section 51 (17) of the *Planning Act*.

3. The proposed use of the lands to be subdivided shall be a use permitted in the underlying land use designation

5. The lot(s) to be developed (and any lands to be retained) must meet the requirements of the zoning by-law, e.g.: Lot size for buildings, accessory uses, Lot size for sewage disposal systems Parking, snow storage, Lot frontage and depth, Setbacks from roads, water bodies, wetlands, Sufficient land area to allow development where constraints exist such as topography, soils (organic), rock, slope, wetland.

The subject lands are zoned “Rural” in the Township’s Zoning By-law and per Schedule ‘A1’. This zone permits residential uses, such as single detached dwellings. The proposed Zoning By-law Amendment associated with the Plan of Subdivision has accounted for the requirements of the Zoning By-law. Further discussion on the Township’s Zoning By-law is found in Section 3.4 of this memo.

7. The application shall be supported by studies or other information which may be required to determine whether the application will comply with the policies of this Plan, or to justify the reduction of required setbacks.

As part of a complete application, several additional studies were required including an EIS, Geotechnical Report, Hydrogeological Report, Servicing Options Statement, and Archeological Assessment. The outcomes and recommendations of these reports will be implemented as appropriate in the draft conditions.

8. The application should be supported with information or a certificate of approval or evidence to verify suitability of the lot(s) for sewage disposal. This may include approval for a connection to municipal water services or municipal sewage services, where available, an individual on-site sewage or water service or a private communal sewage or water service, or a hydrogeological study.

9. The application should be supported with information to verify suitability of the water supply (quantity and quality).

A Servicing Options Statement and Hydrogeological Report were prepared by EXP and support the use of individual on-site septic systems and wells and confirm the quantity and quality of water. The included Draft Conditions, Schedule A, outlines the construction of a deep water bedrock of well is required to ensure proper drinking water is available for each individual lot. Further discussion of the proposed servicing is found below under Section 3.12 of the OP.

10. The lot(s) shall have frontage on and direct access to a year-round maintained public road.

Each of the proposed lots has frontage on and direct access to a year-round maintained public road, that being Old Webbwood Road, as identified in Schedule A1 of the OP.

13. Where the potential for archaeological resources or lands containing archaeological resources has been identified or development or site alteration is proposed on adjacent lands to a protected heritage property, an archaeological or heritage impact assessment shall be required. The applicant shall consult with the municipality, and where archaeology is concerned, the Ministry of Tourism, Culture and Sport (see Section 3.15, Cultural Heritage and Archaeological Resources).

As part of a complete application, an Archaeological Report was required as per policy 3.15 of the Official Plan, which requires properties that are within 300m of a waterbody, including the Spanish River, to have an archaeological assessment. A Stage 1 and Stage 2 assessment were completed with no archaeological resources being found, and the report was submitted to the Ministry of Tourism, Culture and Sport for their review and records.

20. Ensure that the design of rural non-farm residential development is appropriate for the site and surrounding area and creates a minimal impact on the natural environment.

The proposed subdivision is appropriate for the site and surrounding area as the area is similarly characterized as rural with some residential development with large lots. Other rural residential uses are located in the area along Old Webbwood

Road. The subject lands are adjacent to the Spanish River but further development of the lands will be required to have appropriate setbacks to protect the natural environment and from the steep slope. Recommendations from the EIS and the engineering reports will be included as draft conditions to ensure proper development and minimal impact on the natural environment.

27. Conditions may be imposed by Council in the granting of consents and the approval of subdivisions and condominiums.

Schedule A of this report outlines the proposed draft conditions that must be fulfilled prior to approval of the subdivision.

Among the conditions noted above, and further referred to in Section 6.21 of the OP, Council may require the conveyance of 5% of the lands for residential development or the cash-in-lieu equivalent for park or other public recreational purposes. Given the location of the lands, a 5% cash-in-lieu equivalent is recommended and will be included in the conditions of approval to support existing or further recreational infrastructure in the Township.

Section 3.8 requires that “Where a lot fronts on both a water body and a street, the lot line abutting the water body and the lot line abutting the road must meet both the minimum lot frontage requirements.” All lots have frontage on Old Webbwood Road and the Spanish River. Some of the lot frontages on Old Webbwood Road may be slightly under 80m. Given the overall property dimensions, these can be revised as part of the submission of the final plan to comply with this policy and the requirement for an 80m frontage.

It is our opinion that the proposed application for a plan of subdivision conforms to the general development policies of the Official Plan.

Section 3.12 of the Township’s OP provides policies for water supply and sewage disposal. Section 3.12.3 provides for specific policies related to on-site sewage and water services. Policy 3.12.3.1 states the following:

Lands throughout the Planning Area outside of service areas within settlement areas may be serviced by individual on-site sewage services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The plan of subdivision will be serviced by individual on-site sewage services. As outlined in the servicing options report prepared by EXP, the proposed lots are recommended to be serviced by private services. The subject lands are not close to existing municipal services or a settlement area, where municipal services are located. Communal servicing would be difficult to construction and more complex with respect to ownership and maintenance and is not recommended.

Adjacent properties are serviced by private wells and septic, which is further supported by the Hydrogeological Report prepared by EXP as existing groundwater sources are present. Based on information provided by EXP and discussions with the applicant, no negative impacts are expected, and the subject lands are located sufficiently away from the urban area and therefore no municipal services are present. Specific draft conditions have been included to ensure potable water via a deep water well and other measures to ensure the water supply meets the Ontario Drinking Water Standards.

Furthermore, policy 3.12.3.1 states the following:

For plans of subdivision on privately owned and operated individual or communal septic systems, where more than five lots or units are proposed, a servicing options report and a hydrogeological report in accordance with Ministry of the Environment, Conservation and Parks D-5 Guidelines will be required.

As discussed above, a servicing options report and a hydrogeological report were required as part of a complete application for the subject lands. Both reports support the use of individual on-site septic and water to service the plan of subdivision. Therefore, the proposed servicing options conform to policies outlined in section 3.12 of the Official Plan. Implementation of the reports’ recommendations in the subdivision agreement to ensure proper servicing will be included as a condition of draft approval.

Section 3.13 provides policies and outlines the Township's approach to stormwater management. While reports were not required as part of a complete application, submission of a stormwater management plan to address drainage, erosion, and sediment control will be required as a condition of approval.

Section 3.15 of the Official Plan provides policies around Cultural Heritage and Archaeological Resources. Policy 3.15.2.7 states the following:

Archaeological potential areas within the Township will be determined through provincial screening criteria or through criteria developed by a licensed archaeologist and can include properties along shorelines within 300 m [984 ft.] of primary lakes and rivers (e.g. Spanish River).

As the applications are located on land within 300m of the Spanish River, an Archaeological Assessment was required. The initial Stage 1 desktop assessment completed by Woodland Heritage Northwest warranted further on-site assessment through a Stage 2 review that concluded that no further assessment is required for the proposed plan of subdivision. The proposal conforms to the policies outlined in Section 3.15 of the Official Plan related to cultural heritage.

Section 3.16 of the OP describes policies related to Flood Plains and other development constraints. The policies under 3.16.1 state the following:

1. *The following are recognized as representing the flooding hazard in the Planning Area where flood plain elevations have been established:*
 - B. *Spanish River: flood plain elevation (regulatory flood) is 177.3m*
6. *Measuring Setbacks:*
 - A. *The required 30 m [98.4 ft.] setback on Agnew Lake and the Spanish River shall be measured from the limit of the flood elevation set out in Section 3.16.2.1. The flood elevation contour should be established on a property by a qualified Ontario Land Surveyor.*
 - C. *Other hazardous sites may include lands which if developed, may create a risk to property damage, loss of life and social disruption (e.g. steep slopes, lands subject to slumping or subsidence). Hazardous sites may be unstable, poorly drained or have any other physical condition or impairment which can lead to the deterioration of man-made structures thereon. Development on or adjacent to such lands may be considered where it is clearly demonstrated to Council through engineering or other studies, that the hazard can be overcome, that no new hazard is created or existing hazards are not aggravated and no adverse impacts will result.*

The edge of the water limit and its approximate elevation, 176.6m, has been provided on the submitted draft plan of subdivision. Based on the topographic information and photos included in the submitted reports, the lands are very steep adjacent to the Spanish River. The lands drop off 16m in height towards the river over approximately 30m horizontally from the top of the slope. The slope starts around an elevation between 192m – 194m. The length of the slope (+/-30m) effectively provides the required setback from the flood elevation, and given the change in elevation over the 30m, flooding is not a concern regarding the proposed development as compared to the steep slope. As part of the Geotechnical Report prepared by EXP, a slope stability analysis was performed and recommended a minimum setback of 13.0 metres, as per the Ministry of Natural Resources and Forestry (MNRF) Technical Guide, be implemented from the existing top of bank.

The proposal conforms to the policies related to flood plains and the steep slopes.

Section 3.22 of the Official Plan provides policies regarding Natural Heritage Features located within the Township. These features are outlined on the land use schedules that form part of the Official Plan. The subject lands do not have any features identified on these schedules. However, policy 3.22.2.1 provides an evaluation process to determine if an EIS is required. The proposed development meets two of the four triggers: creation of 3 or more lots and a change in land use requiring a Planning Act approval.

An EIS was prepared by Blue Heron which included a Species at Risk review, site investigation, and an assessment of impacts. An addendum regarding the recommendations based on the findings of EIS was included. Generally speaking, the policies under Section 3.22.3 outline that no development and site alteration shall be permitted in areas that could be considered to have significant wildlife, fish habitat, endangered species and threatened species unless it has been demonstrated through an impact assessment that there will be no negative impacts. The current permitting approach to

Species At Risk in Ontario allows for authorization of an activity by the Province, as long as an overall benefit is provided to the species in Ontario. As such, even though some species have been confirmed as present, and further surveys are required for others, a permitting approach may be taken to conform with the policies.

The submitted EIS indicated the potential for occurrence for Habitat of Endangered and Threatened Wildlife, Fish Habitat, and Significant Wildlife Habitat as “High”. The table below provides a summary of the EIS’ recommendations. The targeted surveys and an Information Gathering Form will be required as a condition of draft approval. The proposed zoning by-law amendment will implement the recommended setbacks and timing windows. It is recommended that a copy of the EIS and recommendations be provided to future lot owners and included in the Subdivision Agreement.

Occurrence	Recommendations
<i>Endangered and Threatened Wildlife</i>	<ul style="list-style-type: none"> - The desktop screening should be revised prior to construction to consider newly listed species and changes to species designations under the ESA. - Targeted surveys are recommended to confirm the presence of the following protected SAR (i.e., designated as endangered and threatened under the ESA), assessed as having either moderate or high occurrence potential in the Study Area: <ul style="list-style-type: none"> - Birds (Bank Swallow and Red-headed Woodpecker); and - Bats (Northern Long-eared Myotis, Little Brown Myotis, Eastern Small-footed Myotis; and Tri-coloured Bat. - Since Blanding’s Turtle and Black Ash have been confirmed present, an Information Gathering Form (IGF) should be completed by a qualified professional and submitted to the Ministry of the Environment, Conservation and Parks (MECP) prior to the initiation of Project activities. - Clearing and other construction activities should be avoided during sensitive timing periods: <ul style="list-style-type: none"> - SAR bats – no clearing should take place between May 1st and August 31st; - Breeding birds – no clearing should take place between April 1st and August 31st, and - Blanding’s Turtles – no activity should take place between May 1st and June 30th. - Developments must be sited to avoid impacting confirmed SAR habitat; and - Large-diameter trees (i.e., >25 centimetres [cm] diameter at breast height [dbh]) should be left in place, to the extent feasible.
<i>Fish Habitat</i>	<ul style="list-style-type: none"> - Standards, guidelines, and best management practices for lakes and ponds and associated shoreline forest should include those provided in the Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales (Ministry of Natural Resources 2010 ii), such as: <ul style="list-style-type: none"> - There should be no contamination from deleterious substances (e.g., storage fuels, machine maintenance liquids, and oils) within 30 metres (m) of the high-water mark, - Within 15 m of the high-water mark, no use of heavy machinery should be permitted to prevent rutting, compaction and mineral soil exposure; - Trees should be felled away from the high-water mark within 3m. Trees accidentally felled into the water should be left where they fall and excessive removal or damage of sapling trees (<10 cm dbh) should be prohibited; - Silt fencing should be erected 30 m from the high-water mark to control sediment from entering the water and impacting potential fish habitat; - Mitigation measures recommended to protect fish and fish habitat should include those provided in the Fish and Fish Habitat Policy Statement (Fisheries and Oceans Canada 2019 iii), such as: <ul style="list-style-type: none"> - All grading related to development shall be directed away from the water to prevent the flow of storm water runoff into the Spanish River; and - Vehicles working on the Site should be equipped with spill kits to prevent the release of deleterious substances into the water.

<p><i>Significant Wildlife Habitat</i></p>	<ul style="list-style-type: none"> - Developments should be sited to avoid impacting significant natural heritage features to the extent feasible. However, habitat to support the Species of Conservation Concern identified through the EIS (Blue Heron 2023) is not limited in the area and the removal of limited amounts of the available habitat is not expected to have a negative impact on the survival of the local populations; - Clearing and other construction activities should avoid sensitive timing periods, as listed above.
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The proposed development conforms to the policies under Section 3.22 through the recommendations outlined and draft conditions, as supported through the EIS.

Section 4.10 of the Official Plan provides policies for lands that are designated as Resource Recreation District. As the subject lands are being redesignated to this designation, these policies have been reviewed to ensure the proposed development will conform to them.

The Resource Recreation District designation is used for development along inland lakes and water bodies, including the Spanish River. This designation is to protect these water bodies and the natural environment to prevent further deterioration of the water quality, while allowing for limited waterfront development, including residential uses.

The permitted uses in the Resource Recreation District designation include seasonal and limited residential and recreational commercial. The proposed development of a nine-lot residential subdivision would be permitted.

New lots should be a minimum size of 1 hectare and have a minimum frontage of 80m. The lots proposed in the draft plan of subdivision generally conform to these lot requirements.

Sewage systems are required to be setback at least 30m from the shoreline of a watercourse. The proposed 13-metre setback from the top of bank (in addition to +/- 30 m setback from shoreline to top of bank) will ensure the proposed sewage systems are not built too close to the Spanish River.

Policy 4.10.10 requires that applications for plans of subdivision include an impact report to review the impact of the proposed use on water quality. The hydrogeological study indicates that due to the high flow rate of the Spanish River and the limited effluent discharge rate, phosphorus loading from the Site would have negligible impacts on the receptor body.

Policy 4.10.11 outlines the requirements for a natural vegetation buffer along lands adjacent to watercourses. This buffer is to be 15m or 30m from the shoreline depending on the sensitivity of the natural environmental and vulnerable water features. As outlined in the EIS, there is the high potential for Fish Habitat, along with Endangered and Threatened Wildlife, and Significant Wildlife Habitat. A 30m vegetative buffer from the shoreline of 30m will be implemented in the Zoning By-law Amendment to ensure conformity and will also permit the EIS recommendations to implemented.

Based on our review, the proposed development conforms to the general development policies under Section 3.0 and the Resource Recreation District under Section 4.10 of the Official Plan. Through the implementation of the recommendations provided in the technical studies and subject to the approval of the requested Official Plan Amendment, the proposed development otherwise conforms to the OP.

3.4 Township of Sables-Spanish Rivers Zoning By-law, 2020

The subject lands are currently zoned as “Rural” in the Township’s Zoning By-law and on Schedule A1 of By-law 2003-15. The proposed Zoning By-law Amendment is to rezone the lands from “Rural” (R) to “Resource Recreation” (RR). This zone will align with the new Official Plan designation of Resource Recreation District and is intended to be used for multiple lot development adjacent to waterbodies.

The following tables outlines the permitted uses in the Resource Recreation Zone.

Campground (see Section 5.6.3)	Accessory Uses, Buildings and Structures (see also Section 4.1
Dwelling - Seasonal	Accessory Dwelling

Dwelling - Single Detached	Accessory Dwelling Unit
Golf Course	Camp (see also Section 4.4)
Marina	Garden Suite where permitted under a temporary use by-law amendment (see Section 4.13)
Mobile Home	Home Based Business (see Section 4.15)
Parking Lot - Commercial	Marine Facility
Public Service Use (see Section 4.34)	Parking Area
Public Utility (see Section 4.34)	Shoreline Structure (see Section 5.6.3)
Recreational Commercial Establishment	Any other uses, buildings and structures which are accessory to the list of permitted uses
Restaurant	
Tourist Establishment	
Tourist Outfitters Establishment	

Table 1: RR Zone Provisions – Permitted Uses

As the proposed subdivision is intended for residential use in the form of seasonal and/or single detached dwellings, these uses will be included in the ZBA as permitted uses. All other uses will not be permitted as part of the rezoning. Accessory structures will be permitted but limited to land-based structures, such as detached garage, shed, deck, gazabo, pergola, or similar structure. No shoreline structures are permitted on each lot to minimize any impacts to the Spanish River.

Additionally, restrictions on additional dwelling units and secondary dwellings shall apply on the subject lands to maintain the rural character of the area.

The following table outlines the zone provisions for the Resource Recreation Zone.

Provision	Requirement	Proposed	Compliance
Minimum Lot Area	1 ha	1.25 ha	✓
Minimum Lot Frontage	80m	+/-80m	To be confirmed or revised on Draft Plan
Minimum Lot Depth	50m	130m	✓

Table 2: RR Zone Provisions – Lot Metrics

The proposed lots on the Draft Plan of Subdivision appear to generally conform to the above provisions. Some of the lots have frontages on the arc of Old Webbwood road and may be slightly under 80m. Given the overall property dimensions, these can be revised as part of the final plan to comply with the ZBL. The table below outlines the additional provisions in the RR zone that each proposed dwelling on the lot will be required to comply with, which will be examined at the time of Site Plan.

Provision	Requirement	Proposed	Compliance
Minimum Front Yard Setback (Shoreline)	30m	To be confirmed at the time of Site Plan	
Minimum Front Yard Setback (Old Webbwood Road)	15m		
Minimum Interior Side Yard Setback	4m		
Maximum Building Height	11m		
Maximum Lot Coverage	10%		
Maximum number of Dwelling Units per lot	1		
Seasonal/Single Detached Dwelling Parking Requirements	1 space per dwelling		

Table 3 Additional RR Zone Provisions – Buildings and Structures

Section 4.20 of the By-law outlines special setbacks for a variety of land uses within the Township, including Section 4.20.6 for water bodies. The provisions under Section 4.20.6 sets out that the minimum setback from the shoreline for a habitable structure (dwelling) or a non-residential building shall be 30m. This 30-metre setback shall also apply for sewage disposal system of each of the proposed dwellings.

In this case, the zoning by-law defines “shoreline” as follows:

Means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

As previously discussed, the lands immediately adjacent to the Spanish River are very steep, as outlined in the geotechnical report and slope stability analysis. The report recommends a minimum setback of 13.0 metres be implemented from the existing top of bank, as per the MNRF Technical Guide. This setback will be included as a special exception in the zoning by-law.

As well, a 30m vegetation buffer shall be maintained from the shoreline level along the Spanish River, from the edge of the water, as noted on the Draft Plan of Subdivision. This will protect the shoreline and the existing natural environmental. Based on the location of top of bank approximately 30m from the shoreline, this will create a total of 43.0 metre setback from the shoreline.

Site Plan Control shall apply to each lot as permitted by the Township's Site Plan Control By-law. This will regulate the development on the lot and ensure both the principal use and any accessory function on each lot along with the required private services function on each lot. Furthermore, this will ensure proper setbacks from the existing natural environment found on the subject lands, including maintaining vegetation where possible, limiting any impacts on the shoreline.

Any vegetation removal or construction activity shall be limited based on recommendations from the EIS and will be included as part of the special exceptions for the Zoning By-law Amendment. No vegetation removal or clearing shall be permitted during the migratory breeding period between April 1 and August 31 of any calendar year. No construction activity shall take place between May 1 and June 30 of any calendar year.

Based on our review of the Township's Zoning By-law, as amended, it is our opinion the proposed lots in the plan of subdivision comply with the Resource Recreation Zone as proposed in the amendment. A special exception zone will be used to implement the site-specific exception related to the proposed setbacks from top of bank

4.0 PUBLIC COMMENTS

A Public Meeting will be held with respect to these applications on June 12, 2024. Prior to the public meeting one (1) written comment was received. At the public meeting, Council received six (6) oral submissions from members of the public on three main topics: water quality/quantity, the Spanish River and soil conditions. Based on these comments, Council deferred their decision to received further information on the above topics to make an informed decision. This report addresses these topics along with updates to the Zoning By-law Amendment and special exceptions.

In making a decision on the applications, it is incumbent upon Council to take into consideration any public comments received, either written or oral comments.

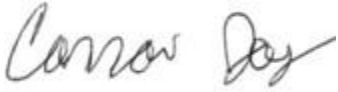
5.0 RECOMMENDATION

The proposed Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications are consistent with relevant provincial land use policies and otherwise conform to the Township of Sables-Spanish Rivers' Official Plan, subject to the recommended conditions of draft approval. As such, we recommend that Council of the Township of Sables-Spanish Rivers grant draft approval to the subdivision, subject to the conditions provided in the attachment, and approve the Official Plan Amendment and Zoning By-law Amendment.

Should you have any questions regarding the above, or if additional information is required, please contact the undersigned.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Connor Joy
Planner

Reviewed by:



Sarah Vereault, RPP, MCIP
Associate, Senior Planner

CJ:sv

Attach: Schedule "A" Conditions of Draft Approval

Schedule A

Draft Plan of Subdivision Draft Conditions

Schedule “A” Conditions of Draft Approval

Applicant: Chad Sokoloski and Mary Katherine Howe
Municipality: Township of Sables-Spanish Rivers
Location: Part of Lot 1 Concession 5 Township of
Hallam, Township of Sables-Spanish Rivers, District
of Sudbury

Date of Decision: September 11 2024
Date of Lapsing: September 11 2027

The Township of Sables-Spanish Rivers conditions and amendments to the final plan approval for registration of this plan of subdivision are as follows:

No.	Condition
1.	<p>That this approval applies to the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024, to show a total of:</p> <ul style="list-style-type: none">- Nine (9) residential lots
2.	<p>Prior to final approval for registration, the Township shall be satisfied that the proposed Plan of Subdivision conforms to the Official Plan and complies with the Zoning By-law for the subject lands as outlined with the requirements of the <i>Planning Act</i>.</p> <p>In particular, the final plan shall demonstrate that all lot frontages on the Spanish River and Old Webbwood Road are a minimum of 80 m.</p>
3.	<p>That the approved Official Plan Amendment redesignate the subject lands from “Rural” to “Resource Recreation District”.</p>
4.	<p>That the approved Zoning By-law Amendment rezone the subject lands from “Rural” (R) to “Resource Recreation Special Exception Fifty-Six (RR-56) and include the following site-specific exceptions to be applied to each new lot on the subject lands</p> <ul style="list-style-type: none">• Implement a 13-metre setback from the top of bank as outlined in the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024.• Restrict the permitted uses to residential dwellings and land-based accessory structures• Limit vegetation removal and construction activity to certain timing windows• Implement site plan control
5.	<p>That the Official Plan Amendment and Zoning By-law Amendment be adopted and approved with all levels of appeals exhausted prior to registration.</p>
6.	<p>The Applicant shall include a copy of the Zoning requirements with the Purchase and Sale Agreement of each lot.</p>
7.	<p>That the Applicant shall provide a copy of the Environmental Impact Study, Geotechnical Report, and Hydrogeological Report, with the sale of each lot, and any other studies upon request.</p>

Schedule "A" Conditions of Draft Approval

Applicant: Chad Sokoloski and Mary Katherine Howe
Municipality: Township of Sables-Spanish Rivers
Location: Part of Lot 1 Concession 5 Township of
Hallam, Township of Sables-Spanish Rivers, District
of Sudbury

Date of Decision: September 11 2024
Date of Lapsing: September 11 2027

8. That the recommendations outlined in the document prepared by Blue Heron Environmental "Future Development Recommendations and Best Management Practices" and dated October 6, 2023, be included in the Subdivision Agreement as appropriate, registered on title for each lot and be implemented to the satisfaction of the Clerk of the Township.
9. Prior to any site alteration or construction on the subject lands, the owner shall demonstrate to the satisfaction of the Township that all requirements set out by the MECP under the Endangered Species Act have been satisfied including completion of targeted surveys, an Information Gathering Form, and permitting or implementation of mitigation measures.
10. That the recommendations outlined in the Geotechnical Report prepared by EXP regarding foundation construction, construction weather conditions, and construction quality be included in the Subdivision Agreement and review at the time of Building Permit for the construction of any future residential dwellings.
11. That it be demonstrated each lot can be appropriately serviced by an individual private septic system in compliance with MECP Guidelines as outlined in the Servicing Options Statement and Hydrogeological Report prepared by EXP and dated October 6th, 2023. This shall include a minimum of 15m clearance distance from all other structures and property lines.
12. That each lot be serviced by a deep-water bedrock well, being cased for a minimum of 20 feet or 6m into the bedrock and tested prior for water quality to determine any required treatment systems in compliance with the Ontario Drinking Water Standards (ODWS).

The Applicant agrees to include a restrictive covenant as part of the Purchase and Sale Agreement be registered on title of each lot to ensure the proper well, as described above, is implement on each lot.
13. That a Stormwater Management Plan in accordance with the principles outlined Section 3.13 of the Township's Official Plan that addresses drainage, erosion, and sediment control and measures be completed by a qualified individual to the satisfaction of the Township. Measures from this plan will be implemented through Site Plan Control.
14. That Cash-in-Lieu of parkland be paid in the amount of 5% of the value of the subject lands as outlined in Section 51.1 of the *Planning Act*.
15. That the Township of Sables-Spanish Rivers is advised in writing by Bell Canada and Hydro One that easement documents to facilitate the provisioning of services and access to existing infrastructure have been executed by the applicant. The

Schedule "A" Conditions of Draft Approval

Applicant: Chad Sokoloski and Mary Katherine Howe
Municipality: Township of Sables-Spanish Rivers
Location: Part of Lot 1 Concession 5 Township of
Hallam, Township of Sables-Spanish Rivers, District
of Sudbury

Date of Decision: September 11 2024

Date of Lapsing: September 11 2027

applicant shall undertake to complete the registration of the documents subsequent to the registration of the Plan of Subdivision and the legal Reference Plan describing the easements.

16. That the Applicant grant any easements as required by utility companies.
17. That the civic address numbering for each lot be submitted for review and approval to the Township to ensure compliance with the Township's database system.
18. That the Applicant confirm the proposed method of garbage pick-up for the new nine (9) lots and that it be to the satisfaction of the Clerk of the Township.
19. That the applicant agrees that all required surveying and survey monuments shall be undertaken for all lots and easements by a qualified Ontario Land Surveyor and shall be completed, as required, prior to final approval.
20. That the Applicant agrees to submit the required number of copies of the proposed Final Plan of Subdivision including copies of reference plans and other instruments for all easements to the Clerk of the Township of Sables-Spanish Rivers for their review and approval.
21. That the Applicant agrees, prior to final approval, to enter into a Subdivision Agreement, to be registered on title, to satisfy all requirements, financial, servicing and otherwise, with the Township of Sables-Spanish Rivers.
22. That the Applicant agrees, as part of final approval and registration of the Plan, to include the Subdivision Agreement as part of the Purchase and Sale Agreement for each lot, to ensure that all prospective purchasers are aware of any additional requirements outlined as part of the Subdivision Agreement.
23. The Applicant acknowledges and agrees that an Inhibiting Order will be placed upon the subdivision lands, which the Inhibiting Order will be lifted by the Municipality after the following:
 - a) Registration of all relevant agreements and easements has been completed, including but not limited to those noted in these Draft Conditions; and
 - b) Applicant's execution of the Subdivision Agreement.
24. That draft plan approval for this subdivision is for a period of three years. The Applicant shall apply for any extension at least 60 days prior to the lapsing date.
25. That the Applicant(s) shall remit the finalization fee as a deposit of \$20,000 in the form of a certified cheque or money order, as a deposit to cover all planning fees to the Township of Sables-Spanish Rivers prior to final approval.

Schedule "A" Conditions of Draft Approval

Applicant: Chad Sokoloski and Mary Katherine Howe
Municipality: Township of Sables-Spanish Rivers
Location: Part of Lot 1 Concession 5 Township of
Hallam, Township of Sables-Spanish Rivers, District
of Sudbury

Date of Decision: September 11 2024
Date of Lapsing: September 11 2027

26. The Owner shall pay any outstanding taxes owing to the Township of Sables-Spanish Rivers prior to registration.

NOTES TO DRAFT APPROVAL

1. It is the Applicant's responsibility to fulfill the conditions of draft approval and ensure that the required clearance letters are forwarded by the appropriate agencies to the Clerk of the Township of Sables-Spanish Rivers
2. It is understood that the conditions for final approval does not absolve the Applicant or any resident of responsibility for compliance with the requirements of the zoning by-law and the requirement to enter into Site Plan Control under Section 41 of the *Planning Act*.
3. At any time prior to final approval of this plan for registration, the Township may, in accordance with Section 51 (44) of the *Planning Act*, amend, delete or add to the conditions and this may include the need for amended or new studies.
4. All measurements in subdivision final plans must be presented in metric units.

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BY-LAW NO. 2024-32

The Council of the Corporation of the Township of Sables-Spanish Rivers in accordance with the provisions of Section 17 of the *Planning Act*, hereby enacts as follows:

1. Amendment NO. 02 to the Township of Sables-Spanish Rivers Official Plan, consisting of the attached text and map, is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 11TH DAY OF SEPTEMBER, 2024.

READ A THIRD TIME AND FINALLY PASSED THIS 11TH DAY OF SEPTEMBER, 2024.


MAYOR – K. BURKE


CLERK – A. WHALEN

**AMENDMENT NO. 02 TO THE
TOWNSHIP OF SABLES-SPANISH RIVERS OFFICIAL PLAN**

PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam,
Township of Sables-Spanish Rivers, District of Sudbury.

Prepared for:

TOWNSHIP OF SABLES-SPANISH RIVERS
11 Birch Lake Road
Massey, ON, P0P 1P0

September 2024


J.L. RICHARDS & ASSOCIATES LIMITED
Consulting Engineers • Architects • Planners
314 Countryside Drive
Sudbury, Ontario
P3E 6G2

JLR 28964 (04)


TOWNSHIP OF SABLES-SPANISH RIVERS
OFFICIAL PLAN

AMENDMENT NO. 02

This amendment was adopted by the Corporation of the Township of Sables-Spanish Rivers by By-law No. 2024-32 in accordance with Sections 17 and 22 of the *Planning Act*, on the 11 day of September 2024.



Kevin Burke
Mayor



Anne Whalen
Clerk-Administrator

This is the Original of Amendment NO. 02 of the Township of Sables-Spanish Rivers
Official Plan

Anne Whalen
Clerk-Administrator

PART A - THE PREAMBLE gives an explanation of the purpose and basis for the amendment, as well as the lands affected, but does not constitute part of this Amendment.

PURPOSE

The purpose of the proposed Official Plan Amendment NO. 02 is to redesignate the subject lands from Rural to Resource Recreation District. The Amendment will allow for a nine (9) lot residential subdivision to be located along the Spanish River.

LOCATION

PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury.

BASIS

The proposed OPA would redesignate the subject lands from Rural to Resource Recreation District and allow for a nine (9) lot residential subdivision to be located along the Spanish River.

PART B - THE AMENDMENT consisting of the following text and attached schedule to Official Plan Amendment NO. 02 constitutes Amendment No. 02 to the Township of Sables-Spanish Rivers Official Plan.

The Details of the Amendment

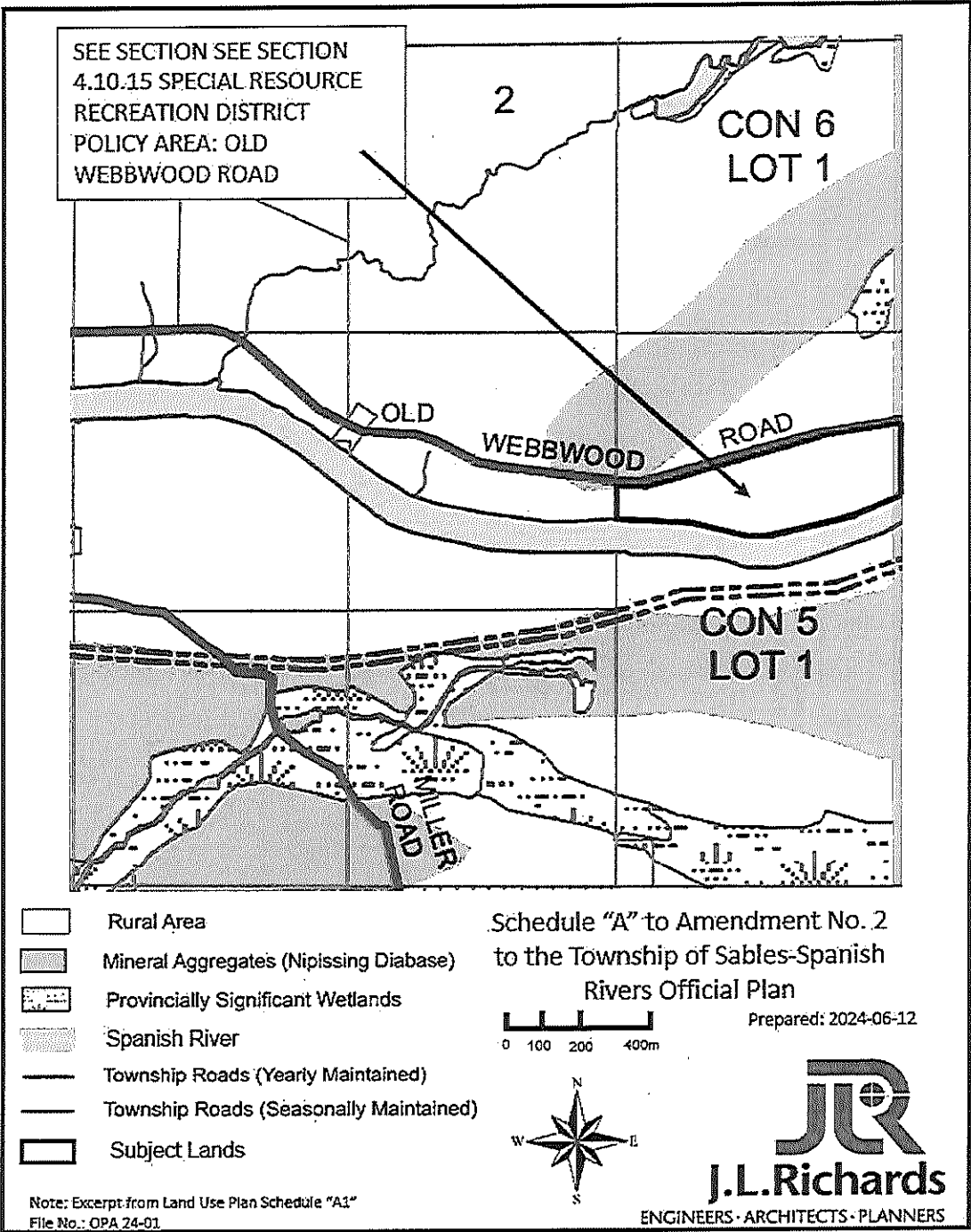
The Township of Sables-Spanish Rivers Official Plan is hereby amended as follows:

1. That the following text be inserted immediately following Section 4.10.14.

4.10.15 Special Resource Recreation District Policy Area: Old Webbwood Road, Lot 1, Concession 5, Geographic Township of Hallam

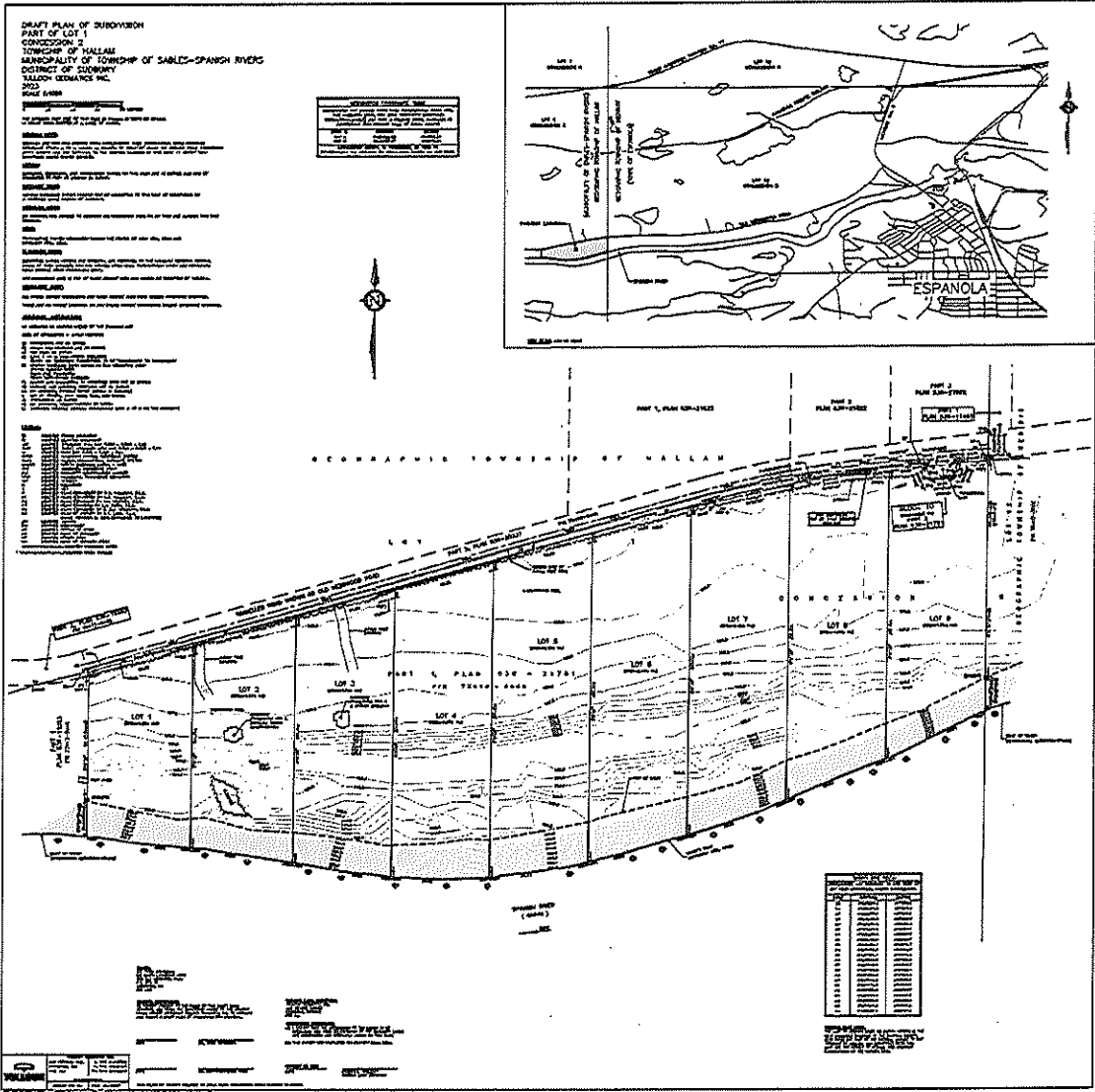
382 Old Webbwood Road; PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury
 - a) Notwithstanding any other policies herein, the lands described as PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury and identified on Schedule A, are designated as Resource Recreation District.
 - b) On the lands described as: 382 Old Webbwood Road; PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury, a nine (9) lot residential subdivision is permitted as outlined in Schedule A below.
2. Schedule "A1": Land Use Plan is hereby amended by redesignating the subject lands to "Special Resource Recreation District". Those lands are shown as "See Section 4.10.15. SPECIAL RESOURCE RECREATION DISTRICT POLICY AREA: OLD WEBBWOOD ROAD on Schedule A" to this amendment.

Schedule A



PART C - THE APPENDICES, which are attached hereto, do not constitute a part of this amendment. These appendices include the public involvement associated with this Amendment.

Appendix A – Draft Plan of Subdivision



Appendix B – Public Notice and Comments

To Be Received as part of Circulation and Public Meeting

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

By-law No. 2024-33

Being a By-law to amend By-law No. 2003-15

WHEREAS By-law No. 2003-15 regulates the use of land and the use and erection of buildings and structures within the Township of Sables-Spanish-Rivers

AND WHEREAS the Council of the Corporation of the Township of Sables-Spanish-Rivers deems it advisable to amend By-law No. 2003-15 as hereinafter set forth;

NOW THEREFORE the Council of the Corporation of the Township of Sables-Spanish-Rivers enacts as follows:

- 1. The area affected by this By-law is indicated on Schedule 'A' attached hereto and forming part of this By-law.
- 2. By-law No. 2003-15 is hereby amended as follows:
 - i. Schedule 'A1' of By-law 2003-15 is hereby amended in accordance with Schedule 'A' attached hereto;
- 3. Section 5.6.4 is hereby amended by inserting the following below Section 5.6.4.31

32. RR-56: PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam, Township of Sables-Spanish Rivers, District of Sudbury. (By-law 2024-33)

- 4. Section 6 is hereby amended by inserting the following row into the table:

By-law #	Zone	Uses Permitted	Uses Prohibited	Provisions
2024-33	RR-56	Dwelling – Seasonal Dwelling – Single Detached Accessory Buildings and Structures limited to a detached garage, shed, deck, gazabo, pergola or similar structure	All uses in the RR Zone other than those listed in the “Uses Permitted” column in this table.	Notwithstanding any other provision in the By-law, on the lands zoned as RR-56, the following provisions shall apply: 1. A 13-metre setback is required from the top of bank as outlined in the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024. 2. No vegetation removal or clearing shall be permitted during the migratory breeding period between April 1 and August 31 of any calendar year. 3. No construction activity shall take place between May 1 and June 30 of any calendar year. 4. Only one dwelling unit per lot is permitted. 5. No shoreline structures are permitted. 6. Accessory Structures are limited to those in the third column and all other provisions of the zoning by-law apply. 7. A vegetation buffer of 30m shall be maintained from the edge of the water (elevation 176.6m) along the Spanish River to the top of bank (elevation 1940.0m), as noted on the Draft Plan of Subdivision prepared by Tulloch Geomatics Inc, Robert D. Halliday, Ontario Land Surveyors dated January 25, 2024, 8. Site Plan Control shall apply

5. This By-law shall come into full force and effect in accordance with the *Planning Act*, R.S.O. 1990.

READ A FIRST AND SECOND TIME THIS 11TH DAY OF SEPTEMBER 2024.

READ A THIRD TIME AND FINALLY PASSED THIS 11TH DAY OF SEPTEMBER 2024.


MAYOR – K. BURKE


CLERK – A. WHALEN

**ZONING BY-LAW AMENDMENT
TOWNSHIP OF SABLES-SPANISH RIVERS ZONING BY-LAW**

PIN 73413-0448; Part of Lot 1, Concession 5, Geographic Township of Hallam,
Township of Sables-Spanish Rivers, District of Sudbury

Prepared for:

TOWNSHIP OF SABLES-SPANISH RIVERS
11 Birch Lake Road
Massey, ON P0P 1P0

September 2024

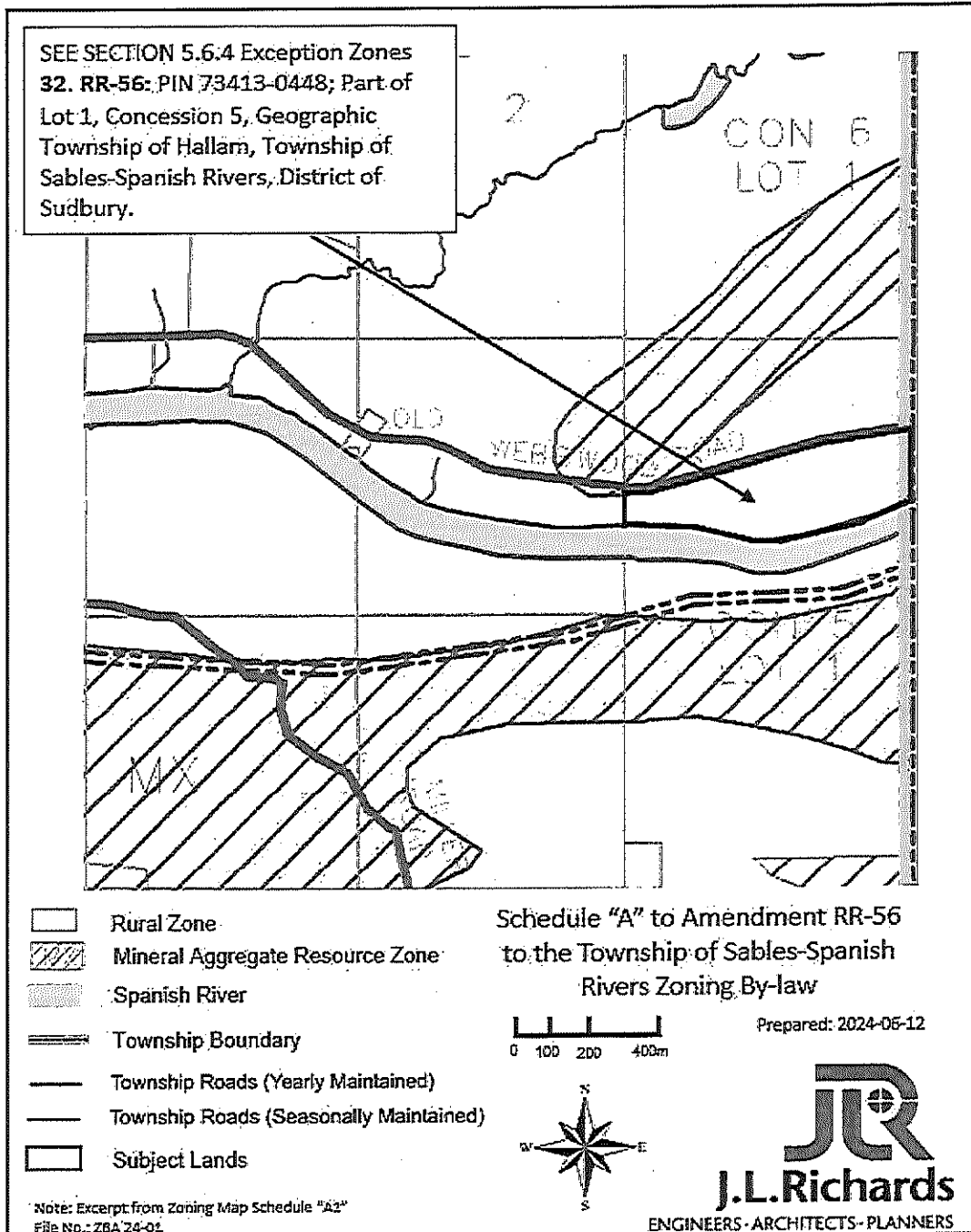
J. L. RICHARDS & ASSOCIATES LIMITED
Consulting Engineers, Architects & Planners
314 Countryside Drive
Sudbury, Ontario
P3E 6G2

JLR 28964 (04)

EXPLANATORY NOTE

This Zoning By-law amendment is to rezone the subject land from Rural (R) to Resource Recreation Special Exception Thirty-Two (RR-32) to permit residential dwellings on new lots in a Plan of Subdivision. The site specific exception will implement a 13 metre setback from the top of the bank as recommended in the Geotechnical Investigation and outlined on the Draft Plan of Subdivision.

Schedule A to Bylaw 2024-33



THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2024-50

Being a Bylaw to confirm the proceedings of the regular
Council Meeting held on September 11, 2024.

WHEREAS Section 5(3) of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that a municipal council shall exercise its powers by by-law, except where otherwise provided; and

WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual bylaw or resolution of Council;

NOW THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. THAT the actions of the Council of The Township of Sables-Spanish Rivers, at its meeting of Wednesday, September 11, 2024 with respect to each motion, resolution, direction and other action passed and taken by the Council at its said meeting is, except where such resolutions or directions were passed in Closed Session, is hereby adopted, ratified and confirmed.
2. THAT the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and to execute all documents as may be necessary and directed, and to affix the Corporate Seal to all such documents as required.

READ A FIRST AND SECOND TIME THIS 11th DAY OF SEPTEMBER, 2024.

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL
THIS 11th DAY OF SEPTEMBER, 2024.



MAYOR - K. BURKE



CLERK - A. WHALEN