

ST. JOSEPH ISLAND PLANNING BOARD MEETING

Monday, October 21, 2024

7:00 P.M.

Township of Jocelyn Municipal Office

3670 5th Side Rd. (Hwy. 548), St. Joseph Island, Ontario

AGENDA

Declarations of Pecuniary Interest:

Minutes of Previous Meeting:

Agenda Review/Additions:

Consent Applications:

Bibba Enterprises Ltd. – # 6/24
Re: Pt. Lot 3, Con. N, Jocelyn Twp.

Delegations:

None

Correspondence:

Township of St. Joseph
Re: Zoning By-law Amendments (2)

Algoma Public Health
Re: Fee Increase – Sewage System Program

Discussion/Reports/New Business:

Official Plan Part “B”

Payment of Accounts:

Adjourn:

ST. JOSEPH ISLAND PLANNING BOARD
NOTICE OF APPLICATION FOR CONSENT

TAKE NOTICE that the St. Joseph Island Planning Board has received a complete application for consent to sever land and will meet on Monday, October 21, 2024 at 7:00 p.m. at the Township of Jocelyn Municipal Office, 3670 5th Side Road (Hwy. 548), St. Joseph Island, Ontario to consider that application.

The subject application proposes to sever part of Lot 3, Concession N, in the Township of Jocelyn, into two parcels of about 5.5 hectares (14 acres) each. The parcel proposed to be severed is vacant bushland with frontage of about 111 metres (375 ft.) on Hilton Road. The parcel to be retained has a dwelling and garage located thereon and has road frontage of about 150 metres (495 ft).

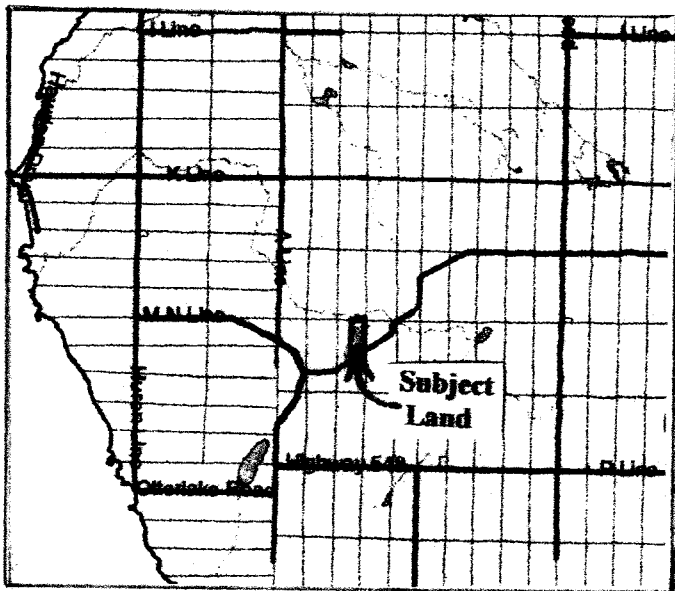
ADDITIONAL INFORMATION regarding the application is available for inspection by contacting the Secretary-Treasurer of the St. Joseph Island Planning Board at the address shown herein.

ANY PERSON may attend the meeting and/or make written or verbal representation either in support of or in opposition to the proposed consent. All persons wishing to attend and/or make verbal representation at the meeting are asked to contact the Secretary-Treasurer in advance of the meeting. If a person or public body that files an appeal of a decision of the St. Joseph Island Planning Board in respect of the proposed consent does not make written submission to the St. Joseph Island Planning Board before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

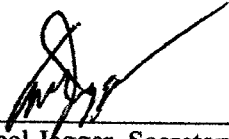
If you wish to be notified of the decision of the St. Joseph Island Planning Board in respect of the proposed consent, you must make a written request to:

St. Joseph Island Planning Board
c/o P.O. Box 290
Richards Landing, Ontario
P0R 1J0

KEY MAP



Dated at St. Joseph Island
this 12th day of September, 2024



Michael Jagger, Secretary-Treasurer
St. Joseph Island Planning Board

Telephone: (705) 542-4606
Email: sjiplanningboard@gmail.com

Consent Application # 7/24
Owner/Applicant: Bibba Enterprises Ltd.

LOT 3, CONCESSION 'M'

66' ROAD ALLOWANCE BETWEEN CONS. 'M' & 'N' (NOT OPEN)

N 57° 33' 30" E

1326.30' (DEED-N57°40'20"E-1314.32'±)

S88 BC (MTC) (WIT)

590.54'

± 350'

735.76'

NW Corner Lot 3, Con. 'N'

NE Corner Lot 3, Con. 'N'

N 38° 00' 45" W 33.00'

1927.55'

963.42'

964.13'

± 1,928'

N 32° 28' W

← ADJACENT LANDS →

BUSHLAND

(DEED-N32°28'28"W-1400.85'±)

963.13'

1463.38'

BUSH

LOT 3 INST.

CONCESSION 'N' T-215876

LOT 4 CON 'I'

BUSH

← TO BE RETAINED →

± 14 AC.

← TO BE SEVERED →

± 14 AC.

PART 1 AREA = 28.675 ACS.

PART 2 AREA = 28.381 ACRES

500.25'

N 32° 00' 45" W

BUSHLAND



→ 160.00' →
TON ROAD 1497.05' (DEED, M)
1454.77'
No T-150341 RURAL RESIDENTIAL

N 32° 28' W 78.38'

Planning Report

To: St. Joseph Island Planning Board

From: Amanda Richardson, Assistant Secretary-Treasurer

Date: October 9, 2024

Re: Consent Application # 7/24 – Bibba Ent. – Part Lot 3, Con N 1R-5811 Pt.2 -942 Hilton Road (Jocelyn Township)

Background:

This application proposes to divide a 11 hectare (28 ac.) rural residential parcel on Hilton Road in the Township of Jocelyn into two parcels. The subject property is located in the Rural land use designation and is located in zone RU in the municipality's zoning by-law.

The parcel proposed to be severed consists of approximately 5.7 hectares (14 ac.) of vacant land with road frontage of about 111 metres (365 ft.) and is mostly bushland. The parcel proposed to be retained consists of approximately 5.7 hectares (14 ac.) of mostly wooded land with road frontage of about 150 metres (495 ft.) and contains a house and garage.

A portion of the subject property near the road has been cleared. The portion proposed to be severed is intended for future residential development.

Notice of this application has been circulated in accordance with the provisions of the Planning Act. To date, no objections or other comments have been received.

Planning Rationale:

Section B 6.4.1 of the Official Plan provides that “a maximum of two new lots may be created from a lot in the Rural designation for residential purposes” subject to the following criteria:

- a. The severed lot will not remove good agricultural land from production;
- b. Both the severed and retained lots are no smaller than 2.0 hectares and have a minimum frontage of 150 metres on an improved year-round maintained public road;
- c. The severed lot maintains a minimum distance of 300 metres from an existing barn or feedlot and meets the minimum distance requirements of the Minimum Distance Separation 1 Formulae;
- d. Compliance with the criteria set out in Section D4 (General Consent Policies) of the Official Plan.
- e. Does not create more than two new lots from the original retained parcel as it existed on the date the Official Plan was approved; and
- f. A maximum of 50 new lots are created in the Rural designation in each incremental five-year planning period following approval of the Official Plan.

Section D4.2 outlines the general criteria under which new lots may be created by consent, and the proposed severance meets all of the applicable requirements of that section and Section B 6.4.1.

The lot proposed to be severed does not meet the minimum set out in the Official Plan for frontage requirements, however, The municipality's zoning by-law establishes a minimum lot size of 0.81 hectares (2 ac.) with at least 61 metres (200 ft.) of road frontage as well as a minimum depth of 61 metres (200 ft.). Both the severed and retained portions of the subject property meet these minimum requirements.

Both the proposed new lot and the lot to be retained meet the use, minimum size and location requirements outlined in the Official Plan and the municipality's zoning by-law.

Options:


Approve the application as submitted without conditions, approve the application with conditions, defer the application or refuse the application.

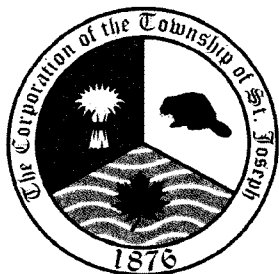
Recommendation:

That Application No. 7/24 by Bibba Enterprises be provisionally approved subject to the following conditions:

1. This approval shall apply to the severance of one new lot from Part Lot 3, Con N Plan 1R-5811 Pt.2, Township of Jocelyn, with an area of at least 5.7 hectares (approximately 14 acres) and frontage of about 111 metres (365 ft.) on Hilton Road.
2. Prior to the deeds for this transaction being stamped:
 - i. A Reference Plan prepared by an Ontario Land Surveyor of the subject lands, shall have been delivered to the St. Joseph Island Planning Board;
 - ii. All property taxes levied against the subject properties shall be paid in full;
 - iii. The applicant shall convey 5% of the subject lands to the municipality, if requested, for park purposes. Alternatively, the municipality may require cash in lieu of all or a portion of such conveyance.
3. The subject transaction shall be completed within two years of the date of notice of this approval.

Respectfully submitted by:


Amanda Richardson
Asst. Secretary-Treasurer



THE CORPORATION OF THE TOWNSHIP OF ST. JOSEPH

P.O. Box 187 - Richards Landing, Ontario P0R 1J0

PH: (705) 246-2625 E: clerkadmin@sjtwp.ca

NOTICE OF THE PASSING: ZONING BY-LAW AMENDMENT 2024-05

Applicant: Cooper
Subject Property: ST JOSEPH CON C LOT 9PT RP 1R6767 PART 3 (1468 C Line Road)
File Number: ZBA 2024-05
Date of Decision: August 14, 2024
Date of Notice: August 20, 2024
Last Day to Appeal: September 9, 2024

The Council of the Corporation of The Township of St. Joseph passed By-law **2024-35** on **August 14, 2024**, to amend the Township's Zoning By-law, as amended, under section 34 of the *Planning Act*. Council received written and oral submissions regarding the said By-law for which the effect was both duly considered and formed part of the deliberations of Council. Notice shall be given to any prescribed person or public body who has the right to appeal these by-laws. If you choose not to appeal these by-laws, no further action is necessary.

Purpose and Effect

The purpose of the Zoning By-Law Amendment **2024-35** was to amend the municipality's Zoning By-law to facilitate the placement of a sleeping cabin on the subject property:

1. Section 4.21.1 (Setbacks from Shoreline) to reduce the minimum setback from the established high-water mark from 30 metres (100 feet) to 20 metres (66 feet), and
2. Section 4.1.2.1 – Permit an accessory structure in the front yard.

Appeal Process

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

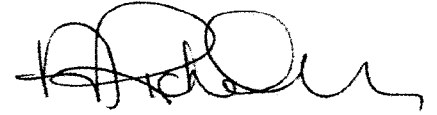
If you intend to appeal this zoning by-law, a Notice of Appeal must be filed with the Clerk Administrator, Corporation of the Township of St Joseph, no later than 20 days from the date of this Notice for each by-law and shall include:

1. The reasons for the appeal and the specific part of the proposed Zoning By-law amendments to which the appeal applies.
2. A completed A1 Appellant Form. This form is to be completed by the appellant for appeals relating to the Zoning By-law amendment and is available on the Ontario Land Tribunal website.
3. A fee in the amount of \$400.00, pursuant to the Ontario Land Tribunal Act, 2021, S.O. 2021, payable by certified cheque or money order to the Minister of Finance.

The last day for filing a Notice of Appeal is **September 9, 2024**. A true copy of By-law **2024-35** is available for review at the municipal administration office.

An explanation of the purpose and effect of the by-law, a description of the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies, is shown on the reverse. The complete by-law is available for inspection at the Township office during regular office hours.

Dated at The Township of St. Joseph, August 20, 2024.



Amanda Richardson, Clerk Administrator
The Corporation of The Township of St. Joseph

Explanation

By-law No. 2024-35 applies only to the lands specified as ST JOSEPH CON C LOT 9PT RP 1R6767 PART 3, also known as 1468 C Line Road; and amends the municipality's comprehensive zoning by-law (By-law No. 2011-34) as follows:

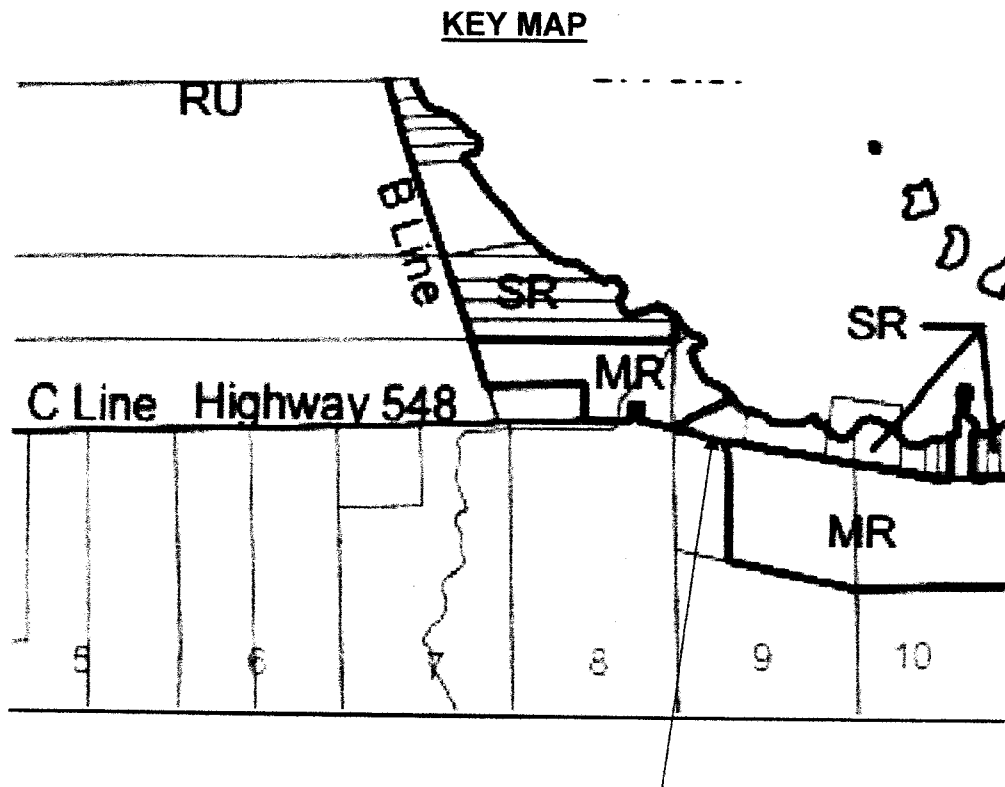
8.108 ST JOSEPH CON C LOT 9PT RP 1R6767 PART 3 (1468 C Line Road)

The following specific zone standards shall apply:

1. Minimum building setback from established high-water mark shall be 20 metres (66 feet).
2. Placement of a sleeping cabin in the front-yard shall be permitted.

This by-law is in conformity with the Official Plan for St. Joseph Island.

The following key map shows the location to which By-law **2024-35** applies:



Subject Property 8.108

**PUBLIC NOTICE CONCERNING A
PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that The Corporation of The Township of St. Joseph has received an application to amend the Township's Zoning By-law regarding the following property:

CON A LOT 16PT RP 1R4379 PART 1 – Also known as 1615 A Line Road

Purpose and Effect: The proposed Zoning By-law Amendment would seek to amend the municipality's Zoning By-law Table B1 – Residential Zone Standards to reduce the minimum lot area from 2 hectares (5 acres) to 1 hectare (2.5 acres), and to reduce the minimum lot frontage from 150 metres (500 feet) to 76 metres (248 feet), as a prerequisite for consent application to create a new, rural/residential lot.

The Council of The Township of St. Joseph will hold a public meeting to consider the proposed amendment on Wednesday, November 6, 2024, beginning at 6:40 p.m. at the Township Administration Office, 1669 Arthur Street, Richards Landing, Ontario.

Any person may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed amendment. Written submissions should be addressed to the undersigned, by no later than 4:00 p.m. on Wednesday, October 30, 2024.

If a person or public body would otherwise have an ability to appeal the decision of Council for the Township of St. Joseph 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 Corporation of the Township of St. Joseph 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 of St. Joseph before the by-law 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.

If you wish to be notified of the decision of The Township of St. Joseph on the proposed zoning by-law amendment, you must make a written request to:

The Township of St. Joseph PO Box 187
Richards Landing, ON POR 1J0
clerkadmin@sjtwp.ca

Additional information relating to the proposed zoning by-law amendment is available for inspection at The Township of St. Joseph municipal office, located at 1669 Arthur Street in Richards Landing.

A key plan showing the property location can be found on the reverse of this notice.

DATED AT THE TOWNSHIP OF ST. JOSEPH
THIS 17th Day of October 2024

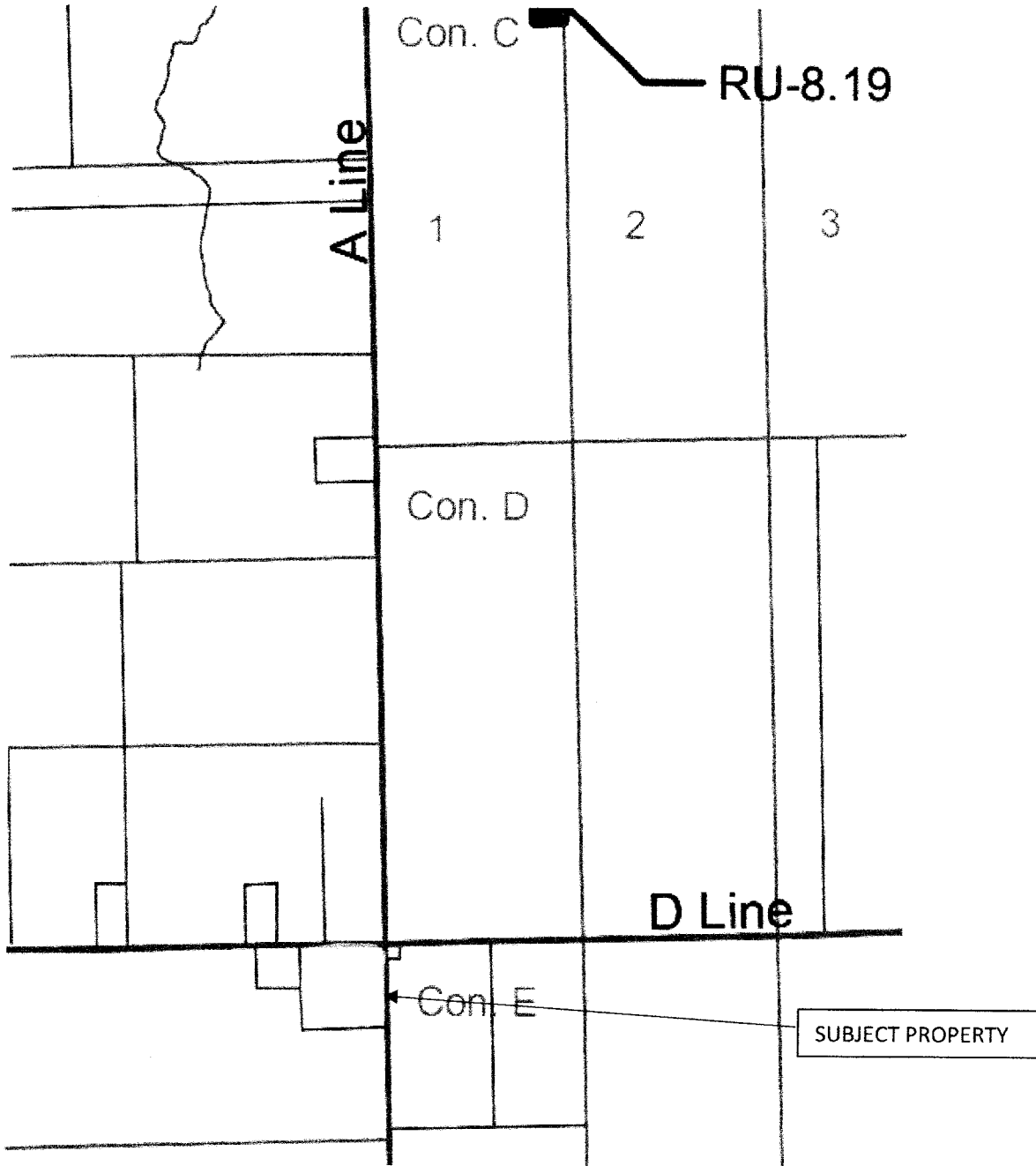


Amanda Richardson, Clerk Administrator
The Township of St. Joseph
clerkadmin@sjtwp.ca
(705) 246-2625 x. 202

KEY MAP

SUBJECT PROPERTY:

CON A LOT 16PT RP 1R4379 PART 1 – Also known as 1615 A Line Road





Algoma
PUBLIC HEALTH
Santé publique Algoma

www.algomapublichealth.com

October 7th, 2024

St. Joseph Island Planning Board
P.O Box 290
Richards Landing, Ontario
P0R 1J0

Hello Mr. Jagger,

Algoma Public Health has received your letter dated September 9, 2024 and has prepared the following in response.

In 2023, Algoma Public Health started the review of the land control fee schedule to ensure full cost recovery for the land control program was being achieved. The last review took place in 2019, and from this review, fee increases were implemented in 2020. A costing exercise was completed during this review, factoring in estimated administrative costs, human resources, and travel associated with each service delivery item. Estimates were derived from time and activity-based costing. Additionally, a pro-rated share of building occupancy and support costs was reviewed based on the number of full-time equivalent staff aligned to this work. Fees are determined taking these items into consideration, along with the wide range of work and the timeframes required to complete the program services.

Fees associated with all activities within the land control program support overall cost recovery of the land control program only. Additionally, as part of the fee review process, a scan of principal authority fee schedules was completed and used as a comparator. This review, along with factoring in ongoing inflationary pressures, determined what fees we are required to charge to recoup the necessary costs of this program.

Regarding your questions about fees collected for land use planning, you are correct that these fees are not collected under the Building Code Act. Under the Planning Act, R.S.O. 1990 (Planning Act), planning authorities are responsible for assessing the long-term impacts of individual on-site sewage and water systems and coordination with local agencies is a means to do so. Further details on this are found in the Provincial Policy Statement, 2020, and also reiterated in the soon-to-be-implemented Provincial Planning Statement, 2024. When municipalities write their official plans,

Blind River
P.O. Box 194
9B Lawton Street
Blind River, ON P0R 1B0
Tel: 705-356-2551
TF: 1 (888) 356-2551
Fax: 705-356-2494

Elliot Lake
ELNOS Building
302-31 Nova Scotia Walk
Elliot Lake, ON P5A 1Y9
Tel: 705-848-2314
TF: 1 (877) 748-2314
Fax: 705-848-1911

Sault Ste. Marie
294 Willow Avenue
Sault Ste. Marie, ON P6B 0A9
Tel: 705-942-4646
TF: 1 (866) 892-0172
Fax: 705-759-1534

Wawa
18 Ganley Street
Wawa, ON P0S 1K0
Tel: 705-856-7208
TF: 1 (888) 211-8074
Fax: 705-856-1752



Algoma
PUBLIC HEALTH
Santé publique Algoma

www.algomapublichealth.com

planning boards in organized municipalities and through Ministry of Municipal Affairs and Housing in unorganized townships include a requirement to request comments from Algoma Public Health to assess land use development where the environment will be impacted to satisfy their responsibility under the Planning Act. The Planning Act does not discuss land-use development fees; however, these assessments require cost recovery as they utilize Algoma Public Health resources.

I hope the information provided satisfies the planning boards inquiry.

Virginia Huber
Chief Building Official

/as

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P.O. Box 194
9B Lawton Street
Blind River, ON P0R 1B0
Tel: 705-356-2551
TF: 1 (888) 356-2551
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