



THE CORPORATION OF THE MUNICIPALITY OF
MARKSTAY-WARREN
COMMITTEE OF ADJUSTMENTS MEETING
AGENDA

March 25, 2025

6:00 pm

Markstay-Warren Council Chambers

21 Main Street South

Markstay, Ontario

	Pages
1. Opening Remarks and Introduction	
2. Roll Call	
3. Disclosure of Pecuniary Interest and General Nature Thereof	
4. Approval of Agenda	
5. Approval of previous meeting minutes	3
6. New Business	
6.a Sudbury East Planning Board - B1025MW Notice of Application 20250217	5
6.a.1 A0524MW Notice of Decision 20250217	17
7. Date of Next Meeting	
8. Adjournment	

**LA CORPORATION DE LA MUNICIPALITÉ DE
MARKSTAY-WARREN
COMITÉ DES AJUSTEMENTS
ORDRE DU JOUR**

le 25 mars 2025

18 h 00

Salle du Conseil Markstay-Warren

	Pages
1. Remarques préliminaires et ouverture de la réunion	
2. Appel nominal	
3. Divulgence des intérêts pécuniaires	
4. Approbation de l'Ordre du jour	
5. Approbation du procès-verbal de la dernière réunion	3
6. Affaires nouvelles	
6.a Sudbury East Planning Board	5
6.a.1 By-law	17
7. Prochaine rencontre	
8. Levée de la séance	

**THE CORPORATION OF THE MUNICIPALITY OF
MARKSTAY-WARREN**

**COMMITTEE OF ADJUSTMENTS
MINUTES**

**June 17, 2024
6:30 pm
COUNCIL CHAMBERS
21 Main St South, Markstay, ON**

1. Opening remarks and call meeting to order

Meeting was called to order.

2024-COA-10

Moved by: Rachelle Poirier

Seconded by: Francine Bérubé

THAT Council open the meeting of the Committee of the Whole at 6:30 pm

CARRIED

2. Roll Call

Mayor: Steven Olsen

Councillor Francine Bérubé
Rachelle Poirier
Laura Schell
Maurice Turcot

Staff: Kim Morris, CAO/Clerk
Matthew Dumont, Director of Planning

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Agenda

2024-COA-11

Moved by: Rachelle Poirier

Seconded by: Francine Bérubé

THAT Council approves the agenda as amended.

CARRIED

5. By-Law

#2024-COA-12

Moved by: Francine Bérubé

Seconded by: Laura Schell

THAT Council performs the 1st and 2nd reading of proposed By-Law 2024-20.

CARRIED

#2024-COA-13

Moved by: Rachelle Poirier

Seconded by: Laura Schell

THAT Council performs the 3rd and final reading of proposed By-law 2024-20.

CARRIED

7. Adjournment

2024-COA-08

Moved by: Francine Bérubé

Seconded by: Rachelle Poirier

THAT Council adjourns the meeting at 6:45 pm.

CARRIED

MAYOR

CAO/CLERK

Minutes endorsed under resolution # _____ on _____ 2024.

**NOTICE OF APPLICATION FOR CONSENT
PURSUANT TO SECTION 53(5)(a) OF THE PLANNING ACT,
R.S.O. 1990, CHAPTER P.13
AND NOTICE OF PUBLIC HEARING CONCERNING A PROPOSED MINOR VARIANCE
TO ZONING BY-LAW 2014-27 OF THE MUNICIPALITY OF MARKSTAY-WARREN**

Respecting an application for consent and minor variance by Albert Desrosiers
to the Sudbury East Planning Board
West Part of Lot 2, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
being Parts 1 to 5, Plan 53R-19196
(Roll No. 5208-000-004-328-02)
(SEPB File Nos. B/10/25/MW and A/05/24/MW)

TAKE NOTICE THAT the Sudbury East Planning Board will analyze **Virtually** and discuss **Application B/10/25/MW** at its meeting on **March 13th, 2025, at 5:30 p.m. at the French River Municipal Office, 44 St. Christophe Street, Suite 1, Noelville, Ontario.**

TAKE NOTICE THAT the above noted application for minor variance, **A/05/24/MW**, will be heard by the Municipality of Markstay-Warren Committee of Adjustment on **March 25th, 2025, at 5:00 p.m. Markstay-Warren Municipal Office, 21 Main Street South, P.O. Box 79, Markstay, Ontario, P0M 2G0.**

PUBLIC HEARING - You are entitled to attend the Public Hearing in person or virtually to express your view about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice, you are requested to inform that person of this Hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer (Municipality of Markstay-Warren Committee of Adjustment, 21 Main Street South, P.O. Box 79, Markstay, Ontario, P0M 2G0.). For further information (i.e. - additional information for public review or a written copy of this Notice), please contact Matthew Dumont, Director of Planning (Sudbury East Planning Board), during office hours Monday to Friday (8:30 a.m. to 4:00 p.m.).

FAILURE TO ATTEND HEARING - If you do not attend the Hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF the Sudbury East Planning Board in respect of the proposed consent or of the Municipality of Markstay-Warren Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the **Sudbury East Planning Board, 39 Lafontaine Street, Unit 4, Warren, Ontario, P0H 2N0.**

Dated at Warren, this 19th day of February 2025.

Matthew Dumont, MCIP, RPP
Secretary-Treasurer

39 Lafontaine Street, Unit 2, P.O. Box 250 Warren, Ontario P0H 2N0
Telephone: (705) 967-2174 Fax: (705) 967-2177 Watts: 1-877-540-7372
www.sepb.org

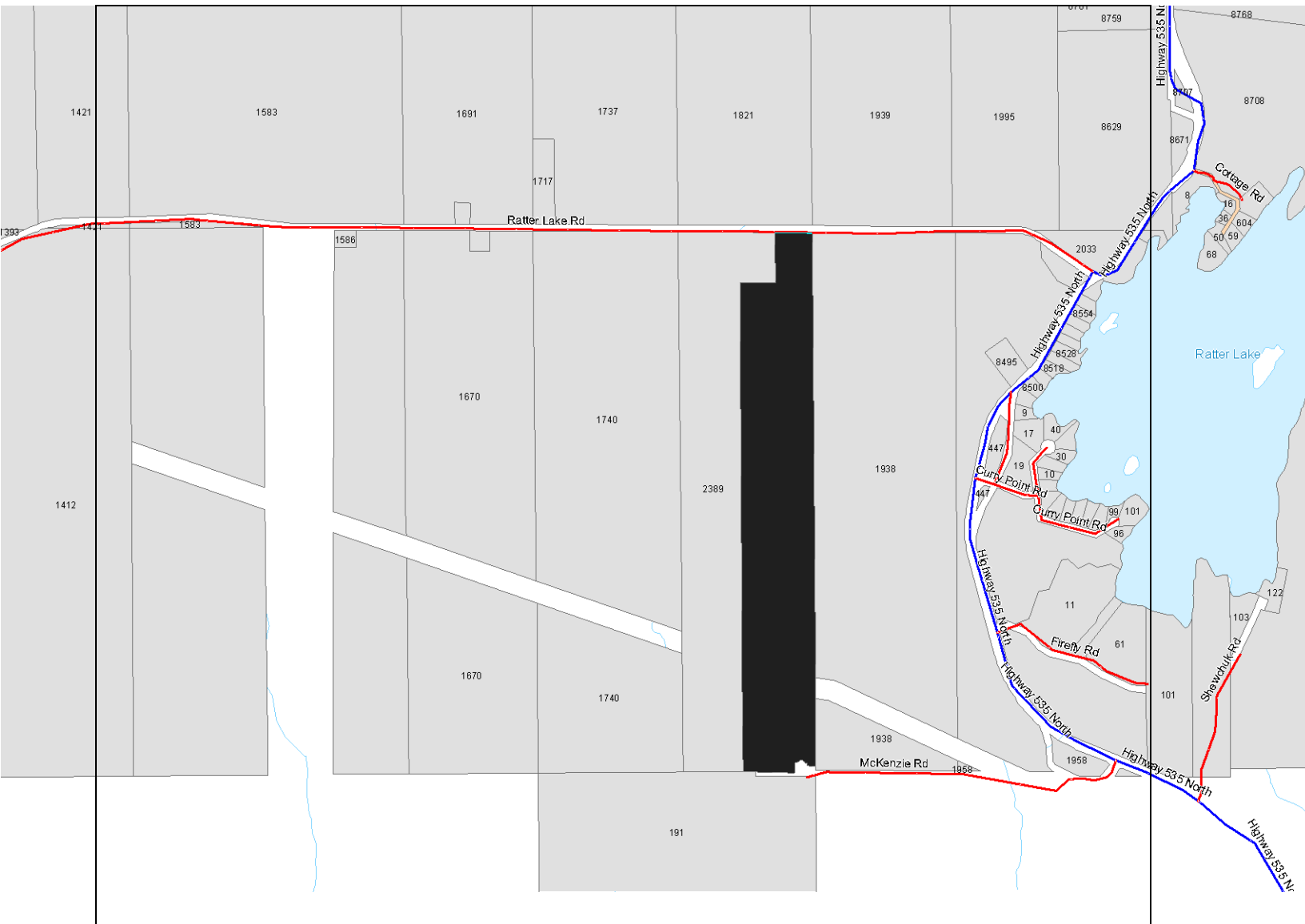
ADDITIONAL INFORMATION is available for public review, or a written copy of this Notice can be obtained Monday to Friday (8:30 a.m. to 4:00 p.m.) at the Sudbury East Planning Board Office.

IF THE APPLICANT, THE MINISTER, A SPECIFIED PERSON, OR ANY PUBLIC BODY THAT FILES AN APPEAL of a decision of the Sudbury East Planning Board in respect of the proposed consent does not make written submissions to the Sudbury East Planning Board before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

DESCRIPTION OF THE APPLICATIONS: The purpose of the application is to create one rural lot from the subject lands. The proposed severed lot is to be approximately 5.0 hectares (12.35 acres) in lot area and have a lot frontage of approximately 101 metres on Ratter Lake Road and is presently vacant. The proposed retained lot is approximately 26.80 hectares (66.22 acres) in lot area and has a lot frontage of approximately 68 metres on Mackenzie Road and is presently vacant.

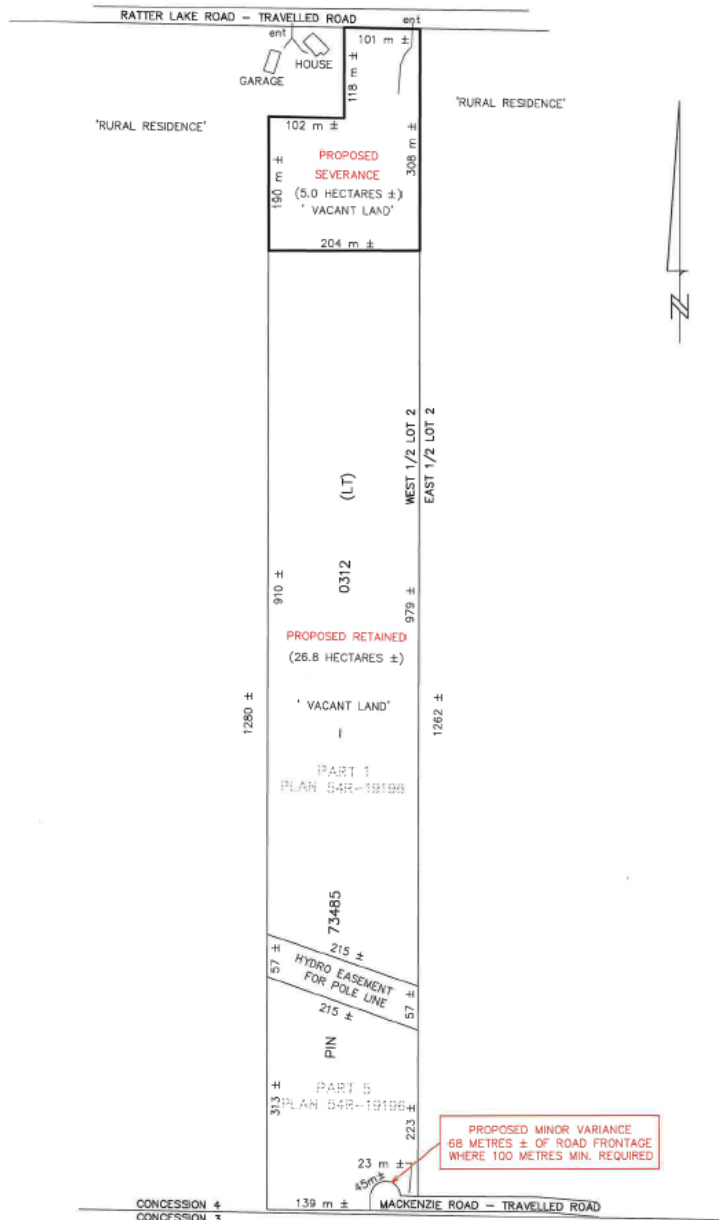
The lands are designated 'Rural Policy Area' in the Official Plan for the Sudbury East Planning Board and are zoned "RU" Rural in Zoning By-law 2014-27 for the Municipality of Markstay-Warren.

The minor variance application is to recognize a reduced lot frontage for the retained lands – Mackenzie Road.



KEY MAP

Consent and Minor Variance Applications
 (Albert Desrosiers)
 West Part of Lot 2, Concession 4
 in the Township of Hagar
 now in the Municipality of Markstay-Warren
 Territorial District of Sudbury
 being Parts 1 to 5, Plan 53R-19196
 (Roll No. 5208-000-004-328-02)
 (SEPB File Nos. B/10/25/MW and A/05/24/MW)



SITE PLAN

Consent and Minor Variance Applications
(Albert Desrosiers)
West Part of Lot 2, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
being Parts 1 to 5, Plan 53R-19196
(Roll No. 5208-000-004-328-02)
(SEPB File Nos. B/10/25/MW and A/05/24/MW)



Planning Report: **APPLICATIONS FOR CONSENT AND MINOR VARIANCE**
Report To: **SUDBURY EAST PLANNING BOARD** **Meeting Date:** March 13th, 2025
Report To: **COMMITTEE OF ADJUSTMENT FOR**
THE MUNICIPALITY OF MARKSTAY-WARREN **Meeting Date:** March 25th, 2025

Applicant/Owner: Albert Desrosiers
Agent/Solicitor: Surveyors on Site (Joie Nosworthy)
File Numbers: B/10/25/MW and A/05/24/MW
Property Description: West Part of Lot 2, Concession 4
 in the Township of Hagar
 now in the Municipality of Markstay-Warren
 Territorial District of Sudbury
 Being Parts 1 to 5, Plan 53R-19196
 (Roll No. 5208-000-004-328-02)

APPLICATION:

The lands are designated ‘Rural Policy Area’ in the Official Plan for the Sudbury East Planning Board and are zoned “RU” Rural in Zoning By-law 2014-27 for the Municipality of Markstay-Warren.

The site plan proposes to create one rural lot from the subject lands. The proposed severed lot is to be approximately 5.0 hectares (12.35 acres) in lot area and have a lot frontage of approximately 101 metres on Ratter Lake Road and is presently vacant. The proposed retained lot is approximately 26.80 hectares (66.22 acres) in lot area and has a lot frontage of approximately 68 metres on Mackenzie Road and is presently vacant.

The minor variance application is to recognize a reduced lot frontage for the retained lands – Mackenzie Road.

SUBJECT LANDS:

Lot Dimensions:	<u>Lot Area</u>	<u>Lot Frontage</u>
Severed Lot	5.0 hectares	101 metres
Retained Lot	26.80 hectares	68 metres
Access:	Publicly maintained (Municipality of Markstay-Warren) year-round road (
Servicing:	Privately owned and operated individual septic system. Privately owned and operated individual well.	
School Busing:	Available.	
Garbage Collection:	Available.	
Fire Protection:	Available.	

APPLICATION REVIEW AND ANALYSIS:

PROVINCIAL POLICY STATEMENT, 2024

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on **October 20th, 2024**. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after **October 20th, 2024**.

In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

The applicant's proposal seeks to create one rural lot from the subject lands. Planning staff are of the opinion that the applicant's proposal would appear to be consistent with the Provincial policies regarding:

2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:

c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.

2. Development that can be sustained by rural service levels should be promoted.

No provincial interests, as expressed in the Provincial Policy Statement, are adversely affected by this application.

OFFICIAL PLAN

Official Plan Designation: **Rural Policy Area**, as identified in the Official Plan for the Sudbury East Planning Area (adopted April 27th, 2010, approved by the Ministry of Municipal Affairs and Housing September 28th, 2010).

Rural Policy Areas are intended to protect the natural amenities of the Sudbury East Planning Area as well as to provide opportunities for agriculture and resource-based uses, such as forestry, mining, and aggregate operations, as well as limited residential developments, where appropriate.

Consent

Section 4.5.1 of the Plan lists instances where consents are granted, including lot boundary adjustments such as that currently proposed. The proposed lot to be enlarged is currently undersized. The portion of the lot to be severed is separated from the developed portion by another lot, as shown of the FRI Imagery map.

Minor Variances

Section 4.2.5 of the Official Plan contains review criteria to be used in the evaluation of minor variances as follows: When considering this application, the Committee must consider the four tests as outlined in Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13, which states that a variance from the zoning by-law should:

- a) be minor;
- b) be desirable for the appropriate development or use of the land, building, or structure;
- c) maintain the general intent and purpose of the Zoning By-law; and
- d) maintain the general intent and purpose of the Official Plan.

The application must meet all of the above tests and will be discussed further in the Zoning By-law.

The proposed severed lot complies with the requirements of the 'Rural (RU)' zoning. The retained lot will continue to be zoned as Rural (RU), but the proposed lot frontage of 68 meters is less than the required 100 meters. Therefore, a minor variance application is needed to recognize the reduced lot frontage for the Rural Zone. Access to the severed lot is available via Ratter Lake Road, which has 101 meters of frontage and provides a suitable location for a driveway. Ratter Lake Road is maintained year-round. The retained parcel on McKenzie Road has a frontage of 68 meters, with a suitable location for a driveway. McKenzie Road is also maintained year-round and includes a turn-around area at the front of the property. Once the property is created, the owner will need to apply for an entrance permit prior to any development. Minimum Distance Separation (MDS) is not applicable in this case, as there are no farming-related activities in the area. Regarding servicing, the agent has provided comments from the Sudbury and District Health Unit (dated July 31, 2024) which are supportive of the proposal. Additionally, appropriate documentation has been provided, confirming the availability of sewage hauling services (June 13, 2024) and the probability of potable water (October 15, 2024).

ZONING BY-LAW (2014-27)

Current Zoning: **Rural (RU)**

Proposed Zoning: Same as above.

The RU minimum lot area requirement is 5.0 hectares, and the minimum lot frontage requirement is 100.0 metres.

A minor variance is required to recognize the reduced lot frontage of the proposed retained lot.

With respect to the required minor variance application, as noted in the Official Plan section above, minor variances must meet the four tests set out in Section 45(1) of the Planning Act. The following will provide an analysis of the application with respect to the four tests.

Minor in Nature

Within the context of the Planning Act, determining whether something is minor cannot be calculated mathematically. What is minor in one context may not be minor in another. Given that the portion of the proposed lot to be retained has a reduced lot frontage does not negatively impact the function of the lot as an existing driveway continues to provide access to McKenzie Road.

Desirable and Appropriate

With respect to desirability of a proposed minor variance, Section 4.2.5 of the Official Plan provides the following

criteria:

- The resulting development would be compatible with adjacent uses and in character with the established or planned development in the area;
- Adequate provision is made for vehicular access and off-street parking on the lot;
- Adequate buffering, screening and landscaping can be provided; and
- The application deals with circumstances particular to the site which design of the building or structure in conformity with the by-law is not feasible or possible.

The current applications will facilitate the proposed severance which will better serve the property and reduce the likelihood of negative impacts on Ratter Lake Road.

Maintain General Intent and Purpose of Official Plan

The Official Plan permits single detached dwellings and accessory structures within the Rural Policy Area designation. The application maintains the general intent and purpose of the Official Plan.

Maintain the General Intent and Purpose of the Zoning By-law

The intent of the Zoning By-law is to recognize an existing lot frontage which provides access from McKenzie Road. The application maintains the general intent and purpose of the Zoning By-Law.

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

AGENCY REVIEW

This application was circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Municipality of Markstay-Warren: no concerns.

Manager of Public Works: no concerns, application has been reviewed thoroughly.

Sudbury East Building and By-law Services (SEBBS): no issues.

Hydro One: no concerns.

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

PUBLIC CONSULTATION

Notice of the consent and minor variance applications were sent to surrounding property owners on **February 18th, 2025**, in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter P.13 and its Regulations (O.REG. 72/18) and (O.REG 71/18). As of the writing of this report, no comments or concerns had been received from neighboring property owners.

MATTERS UNDER SECTION 51(24) OF THE PLANNING ACT

Those matters under Section 51(24) have been reviewed and considered; there is no adverse effect expected from the proposed consent with respect to the listed criteria.

RECOMMENDATION:

Consent:

Whereas the application for consent is consistent with the 2024 Provincial Planning Statement, complies with the Official Plan for the Sudbury East Planning Area, and the subject property is appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the appended conditions.

Minor Variance:

Whereas the variance requested is a minor variance from the provisions of the Zoning By-law for the Municipality of Markstay-Warren 2014-27, is desirable for the appropriate development or use of the land, building or structure, is in keeping with the general intent and purpose of the Official Plan for the Sudbury East Planning Area, and is in keeping with the general intent and purpose of the Municipality of Markstay-Warren Zoning By-law 2014-27, we are of the opinion that the application is acceptable from a planning perspective, and should be granted.

Respectfully submitted,

Matthew Dumont

Matthew Dumont, MCIP, RPP
Director of Planning

**SUDBURY EAST PLANNING BOARD
CONSENT-IN-PRINCIPLE - CONDITIONS**

Planning Board Date of Decision: March 13th, 2025
Date of Notice of Decision: March 17th, 2025
Last Date of Appeal: April 6th, 2025

Applicant: Albert Desrosiers
Owner: Same as Above
Agent/Solicitor: Surveyors on Site (Joie Nosworthy)
File Number: B/10/25/MW
Property Description: West Part of Lot 2, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
Being Parts 1 to 5, Plan 53R-19196
(Roll No. 5208-000-004-328-02)

The Sudbury East Planning Board's conditions to the granting of consent for this transaction, **SEPB File No. B/10/25/MW, which must be fulfilled within two years from the date of this letter**, are set out below. These conditions must be fulfilled prior to the granting of consent.

B/10/25/MW - CONDITIONS:

1. This approval applies to the creation of one rural lot of approximately 5.0 hectares in area with approximately 101 metres of lot frontage, as applied for on West Part of Lot 2, Concession 4, in the Township of Hagar, now in the Municipality of Markstay-Warren, Territorial District of Sudbury, being Parts 1 to 5, Plan 53R-19196.
2. Prior to the granting of Final Consent through the provision of the Certificate of the Official a fee of \$250.00 must be paid to the Sudbury East Planning Board.
3. The following documents shall be provided for the transaction described in Condition 1:
 - a) the original executed Transfer/Deed of Land Form, a duplicate original, and one photocopy for our records;
 - b) a Schedule to the Transfer/Deed of Land Form on which is set out the entire legal description of the parcel(s) in question. This Schedule must also contain the names of the parties indicated on Page 1 of the Transfer/Deed of Land Form; and
 - c) a reference plan of survey (***a paper copy and an electronic copy***), which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel(s) to which the consent approval relates.
4. Where it is determined on drafting a reference plan of survey that an existing public road traverses the subject lands to which the consent approval applies (severed and/or retained lands), that portion of such road which traverses the subject lands shall be laid out on the final reference plan of survey and shall be transferred to the appropriate authority. The cost of any survey shall be borne

by the applicant.

5. A Minor Variance Application (File A/05/24/MW) be approved by the Committee of Adjustment for the Municipality of Markstay-Warren.

B/10/25/MW NOTES:

The following notes are for the applicant's information:

1. The required Transfer/Deed of Landform and Schedule shall contain a complete and accurate legal description. The Planning Board's certificate of consent will be affixed to the completed Schedule page. For this reason, the names of the parties also must be set out on the Schedule page, so that the consent may be properly related to the intended conveyance.

Inaccuracies or omissions with regard to the legal description in the Transfer/Deed of Landform, the Schedule page, or the reference plan of survey, will result in the documents being returned without consent.

2. ***It is the applicant's and/or agent's responsibility to fulfill the conditions of consent approval pursuant to Section 53(41) of the Planning Act, R.S.O. 1990, Chapter P.13 within two years of the date that the Notice of Decision to grant Provisional Consent was given pursuant to Section 53(17) of the Planning Act. The Planning Board will issue no further notice or warning of the expiration of the two-year period.***

If the conditions to consent approval are not fulfilled within two years of the date of the Notice of Decision and the applicant is still interested in pursuing the proposal, a new application will be required. New applications must be accompanied by a fee.

3. An approved Building Permit must be obtained from the Municipality of Markstay-Warren prior to any demolition, new construction, addition, expansion, or alteration to buildings, structures, or changes in use, including the installation of private sewage disposal systems.
4. Prior to the installation of a subsurface sewage disposal system, a Certificate of Approval must be obtained from the Sudbury and District Health Unit.
5. Work on or modifications to Municipal Drains must be completed under the direction of the Municipal Drainage Superintendent.
6. The Ministry of Environment, Conservation and Parks has advised that there is potential for Threatened or Endangered Species or their habitat to be present on or adjacent to the subject lands. Prior to development, the applicant may wish to undertake surveys to determine their risk of contravening the Endangered Species Act.
7. If a well is used as the drinking water source, it must be constructed in accordance with Ontario

Regulation 903 made under the *Ontario Water Resources Act*.

8. The Endangered Species Act, 2007 applies to species listed on the Species at Risk in Ontario List (available here: www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/246809.html). If any protected species and/or habitats are observed, please contact the Ministry of Natural Resources and Forestry, Sudbury District Planner as soon as possible.
9. Should any human remains be identified during operations, all work in the vicinity of the discovery will be suspended immediately. Notification will be made to the Ontario Provincial Police, or local police, who will conduct a site investigation and contact the district coroner. Notification must also be made to the Heritage Operations Unit of the Ministry of Culture, Tourism & Sport and the Registrar of Cemeteries, Ministry of Government Services.
10. Should any other cultural heritage values (archaeological or historical materials or features) be identified during operations, all activity in the vicinity of the recovery will be suspended and the Ministry of Culture, Tourism & Sport's archaeologist immediately contacted at (807) 475-1632. This provides for the potential for deeply buried or enigmatic local site areas not typically identified in evaluations of potential.

DRAFT

MUNICIPALITY OF MARKSTAY-WARREN

COMMITTEE OF ADJUSTMENT

NOTICE OF DECISION

Minor Variance Application
(Albert Desrosiers)
West Part of Lot 2, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
being Parts 1 to 5, Plan 53R-19196
(Roll No. 5208-000-004-328-02)
(SEPB File No. A/05/24/MW)

DATE OF DECISION: March 25th, 2025

FINAL DAY FOR APPEAL: April 15th, 2025

Upon application to the Committee of Adjustment pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13, the decision of the Municipality of Markstay-Warren Committee of Adjustment is as follows:

Application A/05/24/MW be approved, and the following variance be granted to the provisions of the Rural Zone (RU) of Zoning By-Law 2014-27, as amended:

Relief from Section 7.22.2(a)(i) Minimum lot frontage – permit a lot frontage of 68.0 metres instead of the required 100 metres for the proposed retained lot.

- REASONS:**
- (1) The variance is minor;
 - (2) The variance is desirable for the appropriate development or use of the land, building, or structure;
 - (3) The variance maintains the general intent and purpose of the Zoning By-law; and
 - (4) The variance maintains the general intent and purpose of the Official Plan.

PUBLIC INPUT: No public input was received which effected the decision of the Committee of Adjustment for the Municipality of Markstay-Warren.

We, the undersigned, acknowledge the above as being the decision of the Committee.

_____	_____	_____
Chair	Member	Member
_____	_____	_____
Member	Member	Member

Member		

CERTIFICATION

I, Matthew Dumont, Director of Planning for the Sudbury East Planning Board, certify that the aforementioned is a true copy of the decision of the Municipality of Markstay-Warren Committee of Adjustment with respect to the application recorded therein.

Dated at Warren, this day of 26th March 2025.

Matthew Dumont
Director of Planning

NOTICE OF THE LAST DAY FOR APPEALING TO THE ONTARIO LAND TRIBUNAL

45(12) The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal. 2017, c. 23, Sched. 5, s. 98 (3); 2021, c. 4, Sched. 6, s. 80 (5); 2022, c. 21, Sched. 9, s. 13 (2).

NOTE: As of June 6th, 2024, The *Planning Act* limits the right to appeal the approval of a minor variance to the applicant, the municipal authority, the Minister of Municipal Affairs and Housing (the “**Minister**”) or a “specified person.” In doing so, the Province eliminated appeals by third-party landowners, ratepayers and other members of the public.