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SAULT STE MARIE NORTH PLANNING BOARD

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STAFF REPORT

February 12, 2026

ROLL NO: 5727030001204000000 (50 Shields Road)
5727030001204010000 (44B Shields Road)
5727030001189000000 (92 Shields Road)

APPLICATION: B14-25, B15-25, B16-25

APPLICANT(S): Sergio Pietramale (Applicant and Owner of 50 Shields Road)
OWNER(S): Patricia Lynn Cook and Jason Cook (Owners of 44B Shields Road)
Helena Christine Love and Harry Dennis Makkonen (Owners of 92 Shields Road)

LOCATION: SEC 14 NE1/4 PCL 2871 AWS (50 Shields Road);
SEC 14 NE1/4 PT PCL 5681 AWS (44B Shields Road)
SEC 14PT PCL 5216 2682 2922;AWS PLAN M65 LOT 1 RP AR26;PART 1 PART 2PT (92 Shields Road);

PURPOSE: The applicant submitted three consent applications on his behalf and on behalf of the landowners of 44B Shields Road (Patricia Lynn Cook and Jason Cook) and 92 Shields Road (Helena Christine Love and Harry Dennis Makkonen). The applicant proposes to:

- Sever approximately 72 square metres of vacant land with frontage of approximately 6 metres along Upper Island Lake from 92 Shields Road for the purposes of a lot addition to 50 Shields Road to resolve terrain encroachment issues (Application B15-25);
- An easement over 44B Shields Road in favour of 50 Shields Road and 92 Shields Road for the purposes of access and egress (Application B16-25);
- An easement over 50 Shields Road in favour of 92 Shields Road for the purposes of access and egress, (Application B14-25); and,
- An easement over 50 Shields Road and 92 Shields Road in favour of Algoma Power for the purposes of accessing utilities infrastructure for maintenance and operations (Application B14-25).

OFFICIAL PLAN DESIGNATION: Shoreline Communities

ZONING: Seasonal Residential (SR)

ACCESS: Shields Road, existing right-of-way (Part 2 on Plan 1R-9153), and proposed easements

CIRCULATION: Algoma Public Health –
Ministry of Transportation –
Area Residents Mailed –
Sign Posted –

BACKGROUND

The applicant, Sergio Pietramale, submitted three consent applications on his behalf and on behalf of the landowners of 44B Shields Road (Patricia Lynn Cook and Jason Cook) and 92 Shields Road (Helena Christine Love and Harry Dennis Makkonen). The applicant proposes to sever approximately 72 square metres of vacant land with frontage of approximately 6 metres along Upper Island Lake from 92 Shields Road (shown below in orange) for the purposes of a lot addition to 50 Shields Road to resolve terrain encroachment issues (Application B15-25). Following the proposed lot addition, the proposed retained parcel (92 Shields Road) will have an area of approximately 1.7 hectares with frontage of approximately 457 metres along Upper Island Lake and the proposed benefitting parcel will have an area of approximately 1,572 square metres and frontage of approximately 20 metres along Upper Island Lake.

The applicant further proposes:

- An easement over 44B Shields Road (shown below in purple) in favour of 50 Shields Road and 92 Shields Road for the purposes of access and egress (Application B16-25);
- An easement over 50 Shields Road (shown below in blue) in favour of 92 Shields Road for the purposes of access and egress (Application B14-25); and
- An easement over 50 Shields Road (shown below in green) and 92 Shields Road (shown below in yellow) in favour of Algoma Power for the purposes of accessing utilities infrastructure for maintenance and operations (Application B14-25).

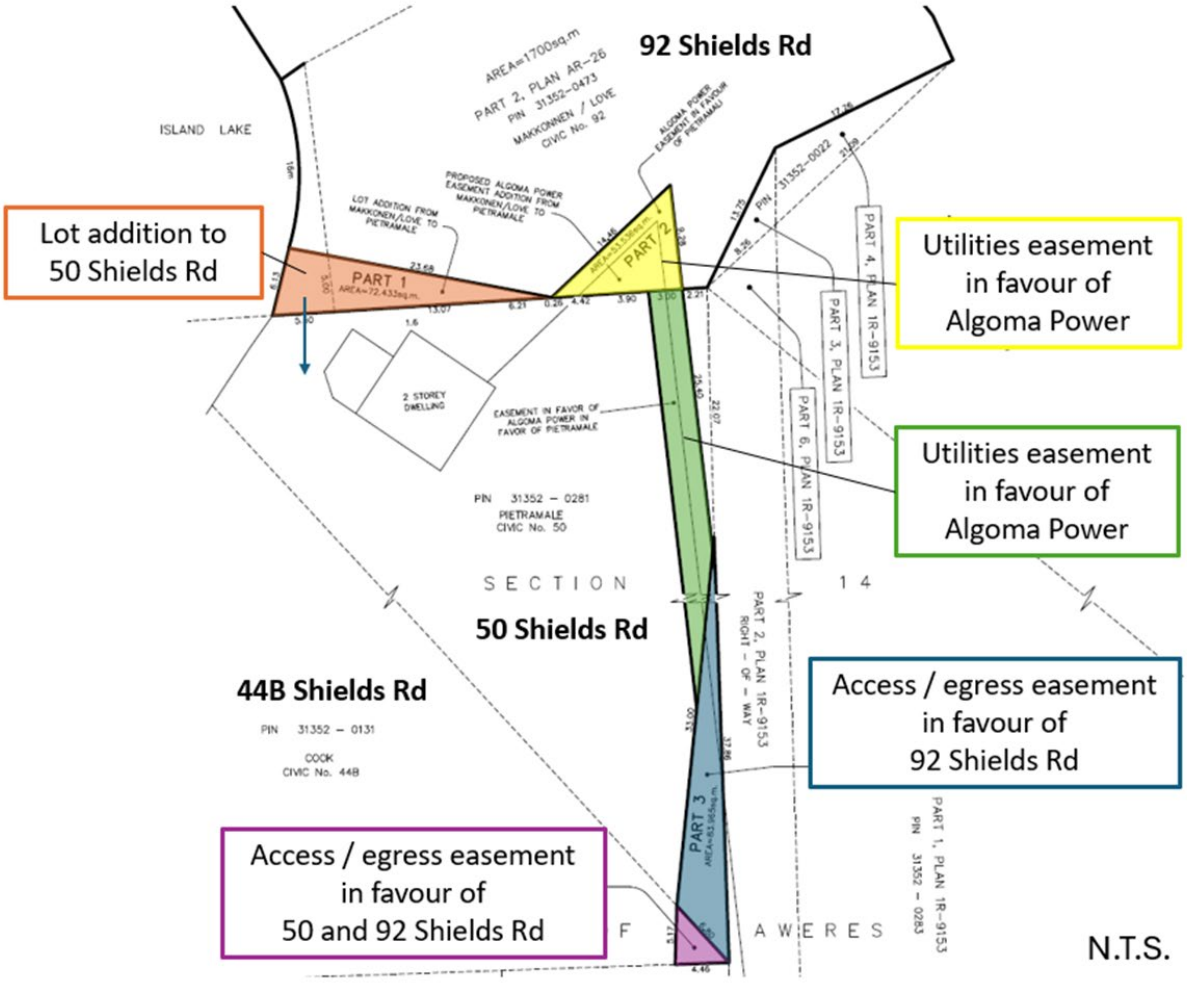

Figure 1 Proposed lot addition and easements over 92 Shields Road, 50 Shields Road, and 44B Shields Road

An existing right-of-way (Part 2 on Plan 1R-9153) provides access from Shields Road, a public road maintained year-round by the local roads board, to the subject properties. The access easements over Parts 3 and 4 on the above severance sketch (as shown in blue and purple, respectively in Figure 1) are required to formally recognize the limits of the affected lands presently being utilized for access purposes due to terrain limitations.

Lands to the south, east, and west of the subject properties are developed for low density seasonal residential use, with vacant and heavily forested lands further south, and to the north of the subject properties is Upper Island Lake.

PLANNING ANALYSIS

Consistency with Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (PPS) is issued under Section 3 of the *Planning Act* and provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land province-wide, helping to achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. In respect of the exercise of any authority that affects a planning matter, the *Planning Act* requires that all decisions are consistent with policy statements issued under the Act, including the PPS.

Section 2.7 of the PPS provides policy direction regarding territory without municipal organization which applies to the Sault Ste. Marie North Planning Area and the subject properties. In areas adjacent to and surrounding municipalities, the PPS requires that only development that is related to the sustainable management or use of resources and resource-based recreational uses, including recreational dwellings not intended as permanent dwellings, shall be permitted. That said, other uses may be permitted, provided the area forms part of a planning area, the necessary infrastructure and public service facilities are planned or available to support the development and are financially viable over their lifecycle, and it has been determined that the impacts of development will not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions, and/or the Province.

The applicant proposes to sever lands for the purposes of a lot addition resulting in no new lot creation. Furthermore, the proposed access easements seek to recognize the lands' present use as a result of terrain limitations and the proposed utility easement seeks to recognize the current infrastructure present on the subject properties. The subject properties will continue to be used for residential purposes. As such, the demands on infrastructure and public service facilities will remain unchanged as a result of the proposed lot addition and easements.

Section 3.6 of the PPS provides policy direction regarding sewage, water, and stormwater infrastructure. Policies within this section of the PPS state that where municipal sewage and water services or private communal sewage and water services are not available, planned, or feasible, individual on-site sewage and water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

The proposed benefitting parcel (50 Shields Road) is developed with a single-detached dwelling with existing individual on-site water and sewage services. The proposed lot addition will increase the lot area of the proposed benefiting parcel where individual on-site services are located. As such, site conditions will be improved following the proposed lot addition for the long-term provision of such services with no negative impacts.

The subject properties have frontage along Upper Island Lake, which can be considered fish habitat, a recognized natural heritage feature per Section 4.1 of the PPS. Policies in this section state that development and site alteration shall not be permitted on adjacent lands to fish habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Development is defined within the context of the PPS as the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*.

The proposed lot addition and proposed easements will not result in new lot creation nor the construction of any buildings and structures and therefore does not constitute development as contemplated by the PPS. As such, evaluation of the adjacent lands to fish habitat (i.e., Upper Island Lake) will not be required.

Given the subject properties' proximity to Upper Island Lake, the lands can be considered to have high potential for the recovery of archaeological resources. Section 4.6.2 of the PPS states that planning authorities shall not permit development and site alteration on areas of archaeological potential unless the significant archaeological resources have been conserved.

Since the proposed lot addition and proposed easements do not constitute development or site alteration as contemplated by the PPS, assessment of the subject properties' archaeological potential for the recovery and conservation of archaeological resources will not be required.

Based on the above, the proposed lot addition and proposed easements are consistent with the relevant policies of the PPS.

Conformity with Official Plan for the Sault Ste. Marie North Planning Area

The subject properties are within the 'Shoreline Communities' designation of the Official Plan for the Sault Ste. Marie Planning Area (the "Official Plan"). Table 3.7.11(A) in the Official Plan establishes the criteria for consents in the Shoreline Communities, which include the following relevant criteria:

- Minimum lot size of 0.8 ha for residential uses, and in compliance with zoning standards for non-residential uses;
- A maximum number of two severances per lot plus the retained lot as of November 1, 1999, with a number of noted exemptions, including to correct lot boundaries and to permit an easement;
- Frontage on a year-round publicly maintained road for year-round uses; and,
- Must comply with the prevailing zoning standard prior to final approval.

In addition, Table 3.7.11(A) in the Official Plan notes that the development and locational criteria in Table 3.7.9(A) apply, which include the following relevant criteria:

- Lot size and frontage must generally coincide with that of the surrounding neighbourhood with 0.8 ha as a minimum.
- Must front on and have direct access to a year-round publicly maintained road;
- Lot must meet requirements for on-site sewage and water services; and,
- Locate where not affected or can overcome development constraints.

The lot sizes and frontages of the proposed retained and benefitting parcels will remain largely unchanged following the proposed lot addition, as it facilitates a minor lot line adjustment. Following the proposed lot addition, the proposed retained parcel (92 Shields Road) will have an area of approximately 1.7 ha, in excess of the minimum lot size for residential uses. The proposed benefitting parcel (50 Shields Road) will have an area of approximately 0.15 ha, significantly less than the minimum lot size for residential uses, though its undersized nature existed prior to the proposed lot addition and non-conformity will not be worsened. Given that the application serves to correct lot boundaries, it is exempted from the maximum number of severances prescribed by the Official Plan. The proposed retained parcel has frontage on Upper Island Lake, and not along a public road maintained year-round, though access is facilitated through the proposed easements and an existing right-of-way that connects to Shields Road, a year-round publicly maintained road. It should be noted, however, that the proposed retained parcel will not lose any frontage on a public road as a result of the proposed lot addition, since this condition predates the subject applications. The proposed

benefitting parcel will maintain its existing frontage along Upper Island Lake and Shields Road, a year-round publicly maintained road. Compliance with zoning standards is discussed in the following section of this report.

As for meeting the requirements for on-site sewage and water services, these requirements are set out in Section 3.6.4 of the Official Plan and generally apply to new lot creation and development. Policies in this section require that lot sizes shall be established on the basis of a servicing options report and hydrogeological report or an assimilation capacity study, but shall not in any case be less than 0.8 ha in size of developable land and shall in general be consistent with the character and size of lots in the vicinity of the development.

Although the proposed retained parcel (92 Shields Road) will have an area greater than 0.8 ha following the proposed lot addition, the proposed benefitting parcel will not meet this requirement, though this condition predates the subject applications and will not be made worse following the lot addition. Furthermore, no new lot creation or development is contemplated by the subject applications.

As for development constraints, the subject properties are adjacent to fish habitat and hold high potential for the recovery of archaeological resources given their proximity to Upper Island Lake. Per Section 2.2.4 of the Official Plan, development and site alteration shall not be permitted on lands adjacent to fish habitat unless the ecological function of the adjacent lands has been evaluated through an Impact Assessment and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. As for archaeological potential, Section 3.10.4 of the Official Plan states that no demolition, grading, or other soil disturbances shall take place on the subject property where archaeological resources may be identified prior to the issuance of a letter from the Province indicating that all archaeological resource concerns have met licensing and resource conservation requirements (i.e., an archaeological assessment and mitigation of adverse impacts to any significant archaeological resources found).

Given that no development or site alteration will occur as a result of the proposed lot addition and proposed easements, an Impact Assessment of the adjacent lands to fish habitat (i.e., Upper Island Lake) will not be required. Similarly, since no demolition, grading, or other soil disturbance will occur as a result of the proposed lot addition and proposed easements, an archaeological assessment will not be required.

Based on the above, it is recommended that the proposed lot addition and proposed easements meet the intent of the relevant policies of the Official Plan.

Compliance with Zoning By-law

The subject properties are zoned Seasonal Residential (SR) in Zoning By-law 1999-01 for the Sault Ste. Marie North Planning Area (the “Zoning By-law”).

Permitted uses of lands in the SR Zone include seasonal dwellings and parks, playgrounds, churches, church halls, and community centres. The proposed retained parcel is vacant and each of the other subject properties are developed with an existing seasonal dwelling, as permitted in the SR Zone.

Requirements for principal buildings permitted in the SR Zone are established in Section 29(1) of the Zoning By-law, as follows:

- Minimum lot frontage 30 metres
- Minimum lot area 1400 square metres
- Maximum lot coverage 15 percent
- Minimum front yard 18 metres
- Minimum rear yard 9 metres
- Minimum side yards 3 metres

- Maximum building height 9 metres
- Minimum ground floor area 37 square metres

Following the proposed lot addition, the proposed retained parcel will have an area of approximately 1.7 hectares with frontage of approximately 457 metres along Upper Island Lake, meeting the requirements of the SR Zone. The proposed retained parcel will continue to be vacant following the proposed lot addition.

The proposed parcel will have an area of approximately 0.15 hectares and frontage of approximately 20 metres along Upper Island Lake following the proposed lot addition, meeting the minimum lot area requirements of the SR Zone, though continuing to have less frontage than required in the SR Zone following the proposed lot addition. However, this condition predates the subject applications and will not be further in non-compliance following the proposed lot addition.

The front yard and rear yards of the proposed benefitting parcel will remain unchanged following the proposed lot addition and proposed easements, and the side yard of the proposed benefiting parcel will be increased into compliance following the proposed lot addition. The building height and ground floor area of the existing seasonal dwelling on the proposed benefitting parcel will also remain unchanged as a result of the proposed lot addition and proposed easements.

As for 44B Shields Road, the required minimum lot frontage, lot area, lot coverage, yards, building height, and ground floor area will remain unchanged as a result of the proposed easement.

Based on the above, the proposed lot addition and proposed easements comply with the requirements of the Zoning By-law.

RECOMMENDATION

It has been demonstrated that the proposal is consistent with the Provincial Planning Statement, 2024, conforms with the Official Plan for the Sault Ste. Marie Planning Area and complies with Zoning By-law 1999-01 for the Sault Ste. Marie North Planning Area. As such, it is recommended that the Planning Board grant approval, subject to the below conditions, to Applications B14-25, B15-25, and B16-25 for the purposes of:

- Severance of approximately 72 square metres from 92 Shields Road to be added to 50 Shields Road to resolve terrain occupation issues;
- Easement in perpetuity over 44B Shields Road in favour of 50 Shields Road and 92 Shields Road for the purposes of access and egress;
- Easement in perpetuity over 50 Shields Road favour of 92 Shields Road for the purposes of access and egress; and
- Easement in perpetuity over 50 Shields Road in favour of Algoma Power for the purposes of accessing utilities infrastructure for maintenance and operations; and,
- Easement in perpetuity over 92 Shields Road in favour of Algoma Power for the purposes of accessing utilities infrastructure for maintenance and operations.

It is recommended that approval of Application B15-25 (92 Shields Road) be subject to the following conditions:

1. That the applicant provides the Planning Board with two (2) white prints and one (1) original PDF file of a deposited plan of reference prepared by an Ontario Land surveyor registered in the Province of Ontario and bearing the seal of the Land Registrar depicting the entire land which conforms substantially with the application as submitted. At least one copy of a plan of reference must indicate any easement/right-of-way and the locations and dimensions of all buildings and structures on the subject property and their distance to property lines.

2. That the parcel intended to be severed be conveyed to the abutting landowner to the immediate south (municipally addressed as 50 Shields Road) and be consolidated with said owner's existing property.

3. That the Secretary-Treasurer is provided with legal descriptions of the property being severed and the property to which it is being added which must be sufficient for the issuance of the Certificate of Consent.

4. That the applicant shall submit a certified copy of the latest transfer document for the parcel to which the severed parcel is being added to clearly indicate that the property being severed is to be conveyed to and registered in the same name and interest of the property to which it is added and that Section 50 of the Planning Act, shall apply to all subsequent conveyances and transactions.

5. That the applicant shall provide evidence to the Planning Board that an easement which conforms substantially with the application as submitted has been registered on title in perpetuity for the purposes of accessing utilities infrastructure for maintenance and operations in favour of Algoma Power and that the utilities easement is to the satisfaction of the Sault Ste. Marie North Planning Board.

It is recommended that approval of Application B14-25 (50 Shields Road) be subject to the following conditions:

1. That the applicant provides the Planning Board with two (2) white prints and one (1) original PDF file of a deposited plan of reference prepared by an Ontario Land surveyor registered in the Province of Ontario and bearing the seal of the Land Registrar depicting the entire land which conforms substantially with the application as submitted. At least one copy of a plan of reference must indicate any easement/right-of-way and the locations and dimensions of all buildings and structures on the subject property and their distance to property lines.

2. That the applicant shall provide evidence to the Planning Board that an easement which conforms substantially with the application as submitted has been registered on title in perpetuity for the purposes of accessing utilities infrastructure for maintenance and operations in favour of Algoma Power and that the utilities easement is to the satisfaction of the Sault Ste. Marie North Planning Board.

3. That the applicant shall provide evidence to the Planning Board that an easement which conforms substantially with the application as submitted has been registered on title in perpetuity for the purposes of access and egress in favour of the lands municipally addressed as 92 Shields Road and legally described as SEC 14PT PCL 5216 2682 2922;AWS PLAN M65 LOT 1 RP AR26;PART 1 PART 2PT and that the access easement is to the satisfaction of the Sault Ste. Marie North Planning Board.

It is recommended that approval of Application B16-25 (44B Shields Road) be subject to the following conditions:

1. That the applicant provides the Planning Board with two (2) white prints and one (1) original PDF file of a deposited plan of reference prepared by an Ontario Land surveyor registered in the Province of Ontario and bearing the seal of the Land Registrar depicting the entire land which conforms substantially with the application as submitted. At least one copy of a plan of reference must indicate any easement/right-of-way and the locations and dimensions of all buildings and structures on the subject property and their distance to property lines.

2. That the applicant shall provide evidence to the Planning Board that an easement which conforms substantially with the application as submitted has been registered on title in perpetuity for the purposes of access and egress in favour of (1) the lands municipally addressed as 92 Shields Road and legally described as SEC 14PT PCL 5216 2682 2922;AWS PLAN M65 LOT 1 RP AR26;PART 1 PART 2PT and (2) the lands municipally addressed as 50

Shields Road and legally described as SEC 14 NE1/4 PCL 2871 AWS; and that the access easement is to the satisfaction of the Sault Ste. Marie North Planning Board.

Should you have any questions regarding this application, please contact the undersigned.

J.L. RICHARDS & ASSOCIATES LIMITED

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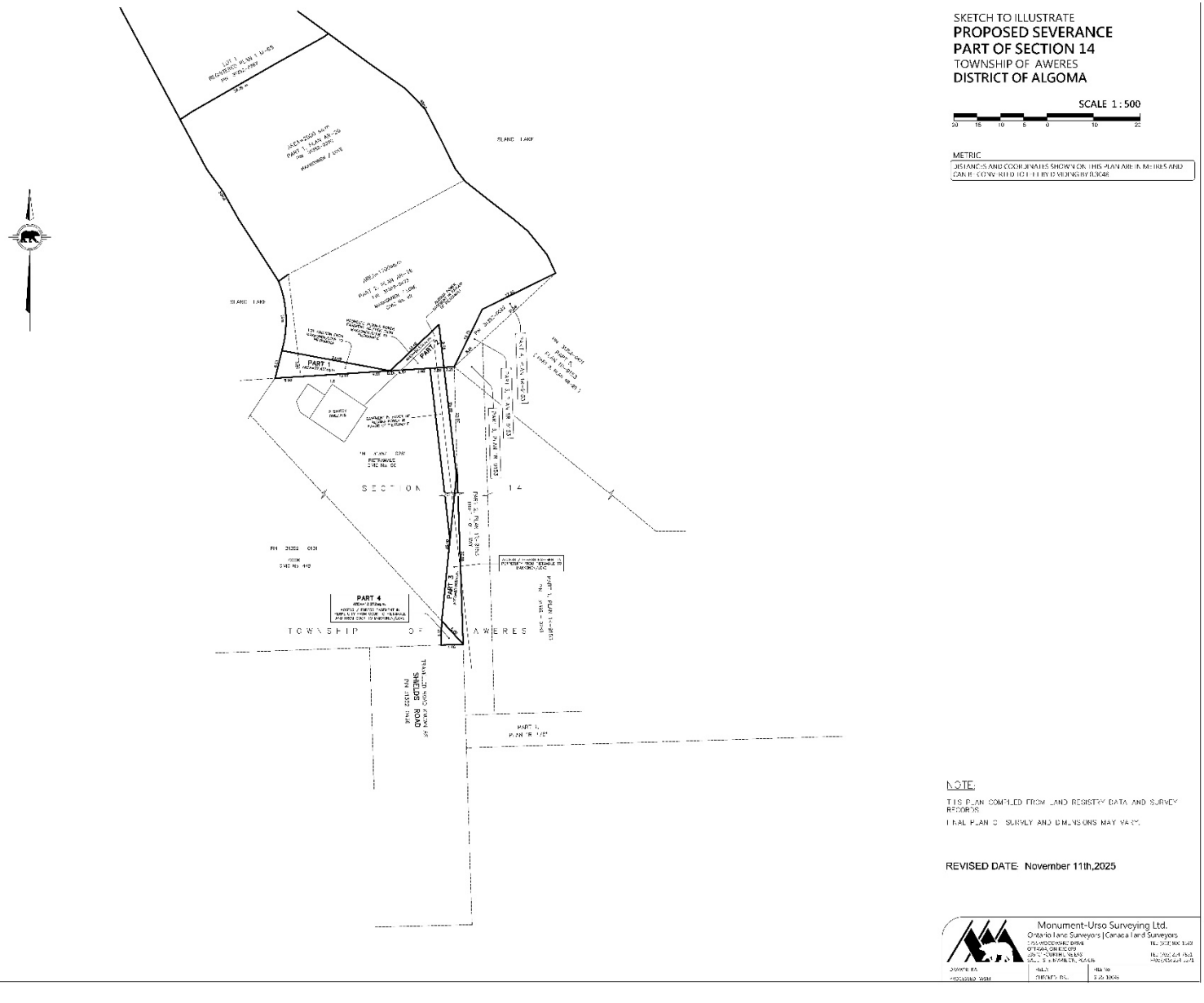
RE:jb

Attachment: Schedule 'A'

THE ABOVE IS A STAFF RECOMMENDATION ONLY, SUBJECT TO BOARD APPROVAL.

Schedule 'A'
Severance Sketch as submitted by Applicant



Markup of Severance Sketch