

AGENDA
REGULAR BOARD MEETING OF OCTOBER 10, 2024
7:00 P.M.

1. ADOPTION OF MINUTES

- a. Resolve that the attached minutes of the regular Board Meeting held September 26, 2024, be adopted.

2. DECLARATION OF CONFLICTS

3. PLANNING AND ZONING APPLICATIONS.

- a. Attached is a staff report from JL Richards, providing an update on the Board-initiated Official Plan (OP) amendment for the applicant, GT Waste, to permit a waste recycling operation in the built-up community of Goulais River. [For Board Discussion and Direction]

4. PRESENTATIONS/DELEGATIONS

None

5. LETTERS OF CONFORMITY

None

6. CORRESPONDENCE

None.

7. ADMINISTRATIVE

None

8. TRAINING

None

9. FINANCIALS

- a. Statement of accounts for the Month ending September 30, 2024, is attached [Board Information and Approval]

Resolve that the account expenditures for the month ending September 30, 2024, in the amount of \$31,873.01 be passed.

10. NEW OR UNFINISHED BUSINESS

- a. Attached to the minutes is a copy of a letter from the Ministry of Municipal Affairs and Housing (MMAH) regarding the submission invitation for the 2023-24 submission for special business case funding. [For Board Discussion and Direction]

11. CLOSED MEETING

None

12. ADJOURNMENT

- a. Resolve that we now adjourn.



MINUTES
REGULAR BOARD MEETING OF SEPTEMBER 26, 2024
7:00 P.M.

Present			Absent
Rita Kokis	David Welwood	Gary Cooper	
Peter Tonazzo	Jerry Dolcetti	John Karalash	
Michael Jalak	Karen Black	George Karalash	
Official: Kelly Legault			

1. ADOPTION OF MINUTES

Resolved, that the attached minutes of the regular Board Meeting held on September 12, 2024, were adopted, with the amendment to reflect that Mike Jalak was not in attendance at this meeting

Mover — Rita Kokis
Seconder — Peter Tonazzo

CarriedRes. No 61 / 24

2. DECLARATION OF CONFLICTS

None

3. PLANNING AND ZONING APPLICATIONS

- a. B8-24 Consent application Estate of Andrew George Karalash, Agent: John Karalash, 58 Karalash Rd, Plan H807 LOT 85 REM RCP; Section 1NPT, Geographic Township of Fenwick. The Report of Planning Staff from the consultant planner J.L. Richards dated September 12th, 2024 is attached for Board information.

Resolved, that the Board accepts the Report of Planning Staff dated September 12, 2024, concerning Consent Application B8-24, for the property located at 58 Karalash Rd, Fenwick Township, Estate of Andrew George Karalash, with John Karalash acting as agent. The application is approved, with condition #5 amended to remove the requirement pertaining to two non-conforming structures as there is evidence that they likely predate the current Zoning by-law and to add the removal of the Pole Barn, the remaining conditions outlined in the report remain in effect.

Mover — Peter Tonazzo
Seconder — Rita Kokis

CarriedRes. No 62 / 24

4. PRESENTATIONS/DELEGATIONS

None

MINUTES – SEPTEMBER 26, 2024

5. LETTERS OF CONFORMITY

- a. 24-25RU Darcy & Moira Leveille
1000 Mission Rd, PT SEC 8, IR13548, Part 2 IRREG, Fenwick Township
40' x 60' Residence with Attached Garage – **Approved**
- b. 24-26SR Michael Whittier & Michele Stinson
932 Lakeshore Drive S, PLAN H813 LOT 117 RCP, Dennis Township
20' x 40' Residential Dwelling– **Approved**

6. CORRESPONDENCE

None

7. ADMINISTRATIVE

None

8. TRAINING

None

9. FINANCIALS.

Nil

10. NEW OR UNFINISHED BUSINESS

- a. Copy of letter and documents from the Assistant Deputy Minister of Municipal Affairs Re: 2024/2025 Funding was attached for Board information [For Board Information & Approval]

Resolved that the Board authorize a Board Member and the Secretary-Treasurer to sign the Grant Agreement between His Majesty the King in Right of Ontario as represented by the Minister of Municipal Affairs and the Sault Ste Marie North Planning Board

Mover — Michael Jalak
Secunder — Peter Tonazzo

CarriedRes. No 63 / 24

- b. Staff was instructed to contact Algoma Public Health to request information regarding the fee schedule required by applicants of the Sault Ste Marie North Planning Board seeking comments on their applications.

11. CLOSED MEETING

None

12. ADJOURNMENT

- a. Resolve that we now adjourn.

Mover — Rita Kokis
Secunder — Michael Jalak

CarriedRes. No 64 / 24

Chairperson

Vice Chairperson

STAFF REPORT

October 10, 2024

ROLL NO: 572708000103302 5727080001033020000

APPLICANT(S): Kresin Engineering c/o Ryan Wilson
OWNER(S): Tammy Marie Long and Gregory Scott Long

LOCATION: 46 Mahler Road

PURPOSE: The applicant has submitted an application to amend the Zoning By-law for the Sault Ste. Marie North Planning Area to permit a waste recycling operation on the subject lands (i.e., a resource-related industrial use). Prior to considering this amendment to the Zoning By-law, an amendment to the Official Plan for the Sault Ste. Marie North Planning Area is required to align with the recognition of resource recovery (i.e., collection and processing of recyclable materials) as a resource-related industrial use, as per the provisions of the *Resource Recovery and Circular Economies Act, 2016*. The proposed amendment is further required to specify that resource-related industrial uses, including but not limited to resource recovery, are permitted in the Built-Up Communities designation of the Official Plan for the Sault Ste. Marie North Planning Area.

OFFICIAL PLAN DESIGNATION: Built-Up Communities

ZONING: Rural

ACCESS: Mahler Road

BACKGROUND

This staff report follows from the report dated October 13, 2023, which outlines the proposed application to amend the Official Plan for the Sault Ste. Marie North Planning Area (the Official Plan) for the purposes of permitting a waste recycling operation on the subject lands, specifying that resource-related industrial uses, including but not limited to resource recovery and including a waste recycling operation, are permitted in the Built-Up Communities designation of the Official Plan. Please refer to the report dated October 13, 2023 for information related to the proposal, its consistency with the *Planning Act* and 2020 Provincial Policy Statement (2020 PPS), and the proposed amendment to the Official Plan.

Following the staff report presented to the Sault Ste. Marie North Planning Board (the Planning Board) on October 13, 2023, members of the Planning Board along with consultant planners from J.L. Richards & Associates Limited, the Planning Board's retained land use planning consultant, met with the Ministry of Municipal Affairs and Housing (MMAH), being the approval authority for any amendments to the Official Plan. Despite the recommendations presented in the report dated October 13, 2023 (i.e., to specify that industrial uses are permitted in the designated Built-Up Communities, to outline development and locational criteria to which such uses must conform, and to specify that resource-related industrial uses include resource recovery, such as a waste recycling facility), the feedback provided by MMAH in this meeting indicated a lack of support for the proposed approach and a recommendation for the proposed Official Plan amendment to be refined to be site specific in its application. It should be noted, however, that the

Planning Board has not yet received any formal comments from MMAH following this meeting to confirm their position on the proposed amendment to the Official Plan.

This staff report presents an update on the status of the application’s review, outlines new information that has become available since the staff report dated October 13, 2023, and requests direction from the Planning Board as to how to proceed with the application’s review.

PLANNING ANALYSIS

Consistency with Provincial Planning Statement

On August 15, 2024, the Province approved a new Provincial Planning Statement (2024 PPS) which will replace the 2020 PPS when it comes into effect on October 20, 2024. The 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 provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. 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.

The planning analysis of the proposal presented in the report dated October 13, 2023 discusses the proposal’s consistency with the 2020 PPS, though, any future decision on the amendment to the Official Plan will need to be consistent with the 2024 PPS once it comes into effect on October 20, 2024.

At a high level, the relevant policies of the 2020 PPS, as previously discussed, remain in the 2024 PPS:

- As with the 2020 PPS, the 2024 PPS continues to direct that in territories without municipal organization, the focus of development activity must be related to the sustainable management of or use of resources and resource-based recreational uses, further specifying that development must be appropriate to the infrastructure that is planned or available and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.
- Policies in the 2024 PPS regarding land use compatibility also mirror those of the 2020 PPS, requiring that major facilities and sensitive land uses must be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.
- Policies in the 2020 PPS regarding private water and sewage servicing are retained in the 2024 PPS, permitting private individual on-site water and sewage services where municipal or private communal water and sewer services are not available, planned, or feasible, provided site conditions are suitable for the long-term provision of such services with no negative impacts.

Where there are new or updated policies in the 2024 PPS, staff recommend that they are not relevant to the proposed amendment to the Official Plan, or do not otherwise change the recommendations made under the 2020 PPS as presented in the staff report dated October 13, 2023.

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

Please refer to the staff report dated October 13, 2023, which provides a review of the proposal’s conformity with the Official Plan.

General Comments

In addition to the meeting held with MMAH, the Planning Board received informal comments from the Ministry of the Environment, Conservation, and Parks (MECP) with respect to the proposed amendment, with a number of matters for

the Planning Board to consider in identifying provincial interests and making a decision that is consistent with the Provincial Policy Statement, including:

- **Land Use Compatibility:** Encouraging the Planning Board to ensure it is satisfied that the waste recycling operation can be categorized as a Class I Industrial Facility as defined in the D-6 Guidelines published by the MECP (Compatibility between Industrial Facilities), as is considered by the applicant in the Guideline D-6 Assessment prepared by Kresin Engineering and dated July 12, 2022.
- **Noise and Vibration:** Recommending that a third party review the noise modelling data to confirm findings.
- **Private Water Servicing:** Requiring that any private individual on-site water servicing for the site be constructed in accordance with Regulation 903 – Wells, under the *Ontario Water Resources Act*.
- **Private Sewage Servicing:** Recommending that small private individual on-site private sewage disposal facilities which have a daily sewage flow of 10,000 L/day or less must be certified by the local health unit, and any large private individual on-site private sewage disposal facilities which have a daily sewage flow greater than 10,000 L/day must be approved by MECP.
- **Stormwater Management:** Recommending that the MECP Stormwater Management Planning and Design Manual be referenced for stormwater best management practices at the site.

Staff offer the below additional context in response to the above considerations:

- **Land Use Compatibility:** The D-6 Guideline defines a Class I Industrial Facility as a “place of business for a small scale, self-contained plant or building which produces or stores a product which is contained in a package and has low probability of fugitive emissions”, further specifying that “outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration ... [comprising] daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.” Conversely, the definitions for Class II and Class II industrial facilities represent medium scale and large scale processing and manufacturing, respectively, with occasional or frequent output emissions, respectively, which include shift operations, frequent or continuous movement of products and/or heavy trucks, respectively, and which include outside storage. Through the aforementioned D-6 Assessment, the applicant asserts that the proposed waste recycling facility be considered a Class I industrial facility, as it is “small scale, largely self-contained, and produces a product that is stored indoors or within a sealed recyclables compactor ...[where] outputs from the operation are expected to be infrequent ... [and] operations occur during daytime hours only with infrequent movement of products and/or heavy trucks” (Kresin Engineering, 2022, pg. 2).

The draft amendment to the Official Plan, as presented to the Planning Board and MMAH for consideration, includes development and locational criteria to which proposed resource-related industrial uses must conform, including, among others, that the location of new or expanded industrial uses must be sensitive to existing residential and other uses to avoid potential land use conflict as per MECP D-1 and D-6 guidelines.

- **Noise and Vibration:** Staff note that the Planning Board may opt to require that third party review of the noise modelling be undertaken.
- **Private Water Servicing:** The draft amendment to the Official Plan, as presented to the Planning Board and MMAH for consideration, includes development and locational criteria to which proposed resource-related industrial uses must conform, including, among others, that applicants must demonstrate compliance with all applicable environmental standards or regulations of the public body having jurisdiction, and that lot sizes must be adequate for the intended use, including any requirements for servicing, access, and separation distances from adjacent sensitive uses.
- **Private Sewage Servicing:** In addition to the above information also relevant to private sewage servicing, staff note that the applicant provided the Planning Board with a septic system permit issued by Algoma Public Health

for the existing private individual on-site sewage system. Subsequent correspondence from Algoma Public Health confirmed no objection to the proposed amendment to the Official Plan to permit the waste recycling operation on the basis of private individual on-site sewage services.

- **Stormwater Management:** The applicant has confirmed that there will be no changes to the existing site conditions (i.e., no increase in the amount of impervious cover) with the proposed amendment to the Official Plan. As such, staff recommend that no stormwater management plan and/or report be required.

NEXT STEPS

In light of the preliminary feedback from MMAH and MECP regarding the proposed application to amend the Official Plan, staff recommend that the amendment be revised to be site specific in its application, with the permitted uses, development and locational criteria, and implementation policies proposed in the draft amendment applying only to the subject lands rather than the Planning Area as a whole.

In doing so, staff note that should any future resource-related industrial use be proposed in the Planning Area, a subsequent amendment to the Official Plan would be required before the use could be permitted. As discussed in the staff report dated October 13, 2023, the Official Plan currently requires that any new resource-related industrial use be established through an amendment to the Zoning By-law.

In bringing forward this site-specific amendment to the Official Plan, the Planning Board can:

1. Continue to champion the application to amend the Official Plan, with the Planning Board acting as the applicant for the proposed amendment, and directing staff to revise the draft amendment presented to the Planning Board and MMAH to refine its application to be site specific, and to make any other changes to the draft amendment as may be necessary to satisfy preliminary comments provided by MMAH and MECP; or,
2. Require that the landowner put forward a site-specific application to amend the Official Plan, including payment of the Planning Board's required application fees for an amendment to the Official Plan, circulating the complete application and draft amendment to the prescribed persons and public bodies as per the *Planning Act*, and meeting the requirements for public consultation in accordance with the *Planning Act*.

Under either scenario, once the Planning Board decides to adopt an amendment to the Official Plan, if it chooses to do so, the Planning Board would then prepare a submission to MMAH for final approval.

Staff request direction as to how the Planning Board wishes to proceed with this application in light of the information presented herein. Upon confirming the Planning Board's direction, staff recommend follow-up with MMAH requesting their formal comments on the draft amendment, such that any additional comments can be addressed in any subsequent amendment that is put forward for the Planning Board's consideration.

Should you have any questions or require any additional information, please contact the undersigned.

Prepared by:



Rebecca Elphick, RPP, MCIP
Consultant Planner



Jamie Batchelor, RPP, MCIP
Consultant Planner

From: [REDACTED]
Sent: Wednesday, October 2, 2024 3:24 PM
To: Lepage, Lori (She/Her) (MMAH)
Cc: Little, Anna (MMAH); Vloet, Brenda (MMAH)
Subject: Special Business Case Funding - Submission Invitation
Attachments: Special Business Case Funding Letter - October 2024.docx; PB Special Business Case Funding Guide_V2.rtf

Good afternoon,

Please find attached a letter from Ministry of Municipal Affairs and Housing regarding Planning Boards Special Business Case Funding Invitation for Submissions as well as the Guide.

Should you have any questions, please do not hesitate to reach out.

Thanks and have a great day!

Lori Lepage

Administrative Coordinator | Municipal Services Office – North
Ministry of Municipal Affairs and Housing | Ontario Public Service



Taking pride in strengthening Ontario, its places and its people

Ministry of
Municipal Affairs
and Housing

Ministère des
Affaires municipales
et du Logement



Municipal Services Office
North (Sudbury)

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Sans frais: 1 800 461-1193

October 2, 2024

MEMO TO: Secretary-Treasurers/Planning Administrators of Planning Boards

FROM: Anna Little, Manager, Community Planning and Development
Municipal Services Office – North (Sudbury)

SUBJECT: Submission Invitation for 2024-25 Special Business Case Funding

At this time, we are inviting the submission of Special Business Case Funding requests for projects related to planning services for the unincorporated townships within your planning area. The deadline for the Special Business Case Funding is **November 15, 2024**, and allocations will be determined in early 2025. Some examples of eligible projects include preparing Zoning By-laws for the unincorporated area, apportioning Official Plan review/update program costs for the unincorporated area, updated assessment mapping for the unincorporated townships, etc. A funding request template is attached for your reference, and we would be pleased to discuss any eligible project that you have in mind prior to the submission of your request.

Should you have any questions, please contact Lori Lepage, Administrative Coordinator, via email [REDACTED]

Your assistance and cooperation are very much appreciated.

Yours truly,

A handwritten signature in blue ink, appearing to read "Anna Little".

Anna Little
Manager, Community Planning and Development
Municipal Services Office- North (Sudbury)

Attachment - Special Business Case Funding Guide

Planning Board Special Grant - Business Case Submission Guide

The business case is a written report that identifies, describes and explains the anticipated eligible project costs the planning board has incurred or expects to incur, for the unincorporated portion of its planning area, on which the application for funding is based.

The report must include a breakdown and description of estimated or anticipated eligible costs in relation to the project(s).

Eligible costs are to be supported by attaching documentation (i.e. invoices or estimates) to your application.

Eligible Costs:

1. Technical study review (peer review) required to protect Provincial interests
2. Ontario Land Tribunal case costs incurred in order to protect Provincial interests
3. Official Plan (unincorporated portion only)
4. Zoning By-law (unincorporated portion only)
5. Other (please describe)

I certify that the information contained in this application is correct and complete at the date of submission.

Authorized Official's Name and Title: _____

Planning Board: _____ Date: _____

Please include a board resolution in support of this funding application along with the written report.

This application should be discussed with staff of the MMAH Municipal Services Office-North prior to its submission.

Name of MMAH staff contacted: _____