

MUNICIPALITY OF MARKSTAY-WARREN

NOTICE OF THE PASSING OF A ZONING BY-LAW

TAKE NOTICE THAT the Council of the Municipality of Markstay-Warren passed

By-Law 2025-31

on the 16th day of September 2025

under Section 34 of The Planning Act, R.S.O. 1990, Chapter P.13

AND TAKE NOTICE THAT any person or agency may appeal to the Ontario Land Tribunal in respect of the by-law by filing with the Clerk of the Municipality of Markstay-Warren (21 Main Street South, Markstay, Ontario, P0M 2G0), not later than the

8th day of October 2025

A NOTICE of appeal setting out the objection to the by-law and reasons in support of the objection, accompanied by the fee of \$1100.00 required by the Ontario Land Tribunal, payable to the Minister of Finance, Province of Ontario.

The complete by-law is available for public review during normal office hours at the Municipality of Markstay-Warren Municipal Office (21 Main Street South, Markstay, Ontario, P0M 2G0) and the Sudbury East Planning Board Office, 39 Lafontaine Street, Unit 4, P.O. Box 250, Warren, Ontario, P0H 2N0 (telephone (705)967-2174 or fax (705)967-2177).

ZONING BY-LAW (19): Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal:

- The Applicant.
- A specified person who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- A public body that, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
- The registered owner of any land to which the by-law would apply, if, before the by-law was passed, the owner made oral submissions at a public meeting or written submissions to the council.
- The Minister.

NOTE: As of June 6th, 2024, The *Planning Act* limits the right to appeal the approval of a zoning by-law 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.

Dated at Warren, this 18th day of September 2025.

Matthew Dumont, MCIP, RPP
Director of Planning

Purpose and Effect of By-Law 2025-31

Re: Application No. ZBA 25-12MW
(Inas Becker)
Roll No. 5208-000-004-379-00

On September 16th, 2025, Council for the Municipality of Markstay-Warren approved a zone change application submitted by Inas Becker, for lands described as Part of Lot 12, Concession 4, in Township of Hagar, now in the Municipality of Markstay-Warren, Territorial District of Sudbury (Parcel 44160 Sudbury East Section).

The Sudbury East Planning Board has received an application for a zoning by-law amendment. The subject property has a lot area of **0.139 hectares** (15,000 square feet) and a frontage of **30.48 metres** (100 feet) on Rejan Street in the Town of Markstay.

The property is currently vacant. The purpose and intent of the application is to change the zoning from **Open Space (OS)** to **Residential One (R1)** to permit the construction of a single detached dwelling unit by the new owner.

The subject lands are currently designated **“Open Space”** on Schedule C of the Sudbury East Planning Area Official Plan. Under the current designation, lands are intended primarily for open-air recreational, and leisure uses, such as parks, fairgrounds, and golf courses (Policy 2.2.8.1.1). Ancillary residential, commercial, or institutional uses may be permitted provided they are incidental and secondary to the primary open space use (Policy 2.2.8.1.2).

Under the **New Official Plan**, which is currently being finalized in consultation with the municipality, the **MMAH Northeastern Ontario office**, and **planning consultant**, the subject lands are proposed to be designated **“Village Residential”**. Lands designated Village Residential are intended as the primary focus for residential development, including infilling and rounding-out of existing residential areas. A variety of housing types are anticipated, including **single detached**, semi-detached, and duplex dwellings, with opportunities for housing for individuals or groups with special needs encouraged (Policy 2.2.3.1).

As a result of this designation update, the proposed development of a single detached dwelling on the subject property does not require an Official Plan amendment, as it conforms to the new Village Residential policies. Only a rezoning application is required to implement the development in accordance with the applicable R1 zone provisions.

Public input was received concerning environment, private sewage system and drainage, which had no effect on the decision of the Board.

The subject property is located within the Village Policy Area (Village of Markstay) designation of the Official Plan for the Sudbury East Planning Area (approved by the Ministry of Municipal Affairs and Housing adopted July 15th, 2025).

subject property to be rezoned to Residential One (R1)



vacant lot



AERIAL PHOTOGRAPHY

Zoning By-law Amendment Application
(Inas Becker)
Lot 12, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
being Lot 22, Plan M-1062 and Block A to Block F
Parcel 44160 S.E.S.
(Roll No. 5208-000-004-379-00)
(SEPB File No. ZBA 25-12MW)



KEY MAP

Zoning By-law Amendment Application
(Inas Becker)
Lot 12, Concession 4
in the Township of Hagar
now in the Municipality of Markstay-Warren
Territorial District of Sudbury
being Lot 22, Plan M-1062 and Block A to Block F
Parcel 44160 S.E.S.
(Roll No. 5208-000-004-379-00)
(SEPB File No. ZBA 25-12MW)

THE MUNICIPALITY OF MARKSTAY-WARREN

BY-LAW 2025-31

Being a By-law to amend Zoning By-law 2014-27, as amended
(Inas Becker)

WHEREAS By-law 2014-27 Municipality of Markstay-Warren has been passed, being a Zoning By-law to regulate the use of land and the character, location, and use of buildings and structures, in the Municipality of Markstay-Warren, under the authority of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council for the Municipality of Markstay-Warren may amend such By-law in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council for the Municipality of Markstay-Warren has received an application to amend such By-law;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF MARKSTAY-WARREN ENACTS AS FOLLOWS:

1. Schedule A8 (Hagar Township) of By-law 2014-27 of the Municipality of Markstay-Warren, as amended, is hereby further amended by changing the Open Space Zone (OP) to a Residential One Zone (R1), on Part of Lot 12, Concession 4, in the Township of Hagar, now in the Municipality of Markstay-Warren, Territorial District of Sudbury, being Lot 22, Plan M-1062 and Block A to Block F, Parcel 44160 Sudbury East Section, and as shown on Schedule "A-1" affixed hereto.
2. Schedule "A-1" is hereby declared to form part of this By-law.
3. This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13.

READ A FIRST AND SECOND TIME this 16th day of September 2025.

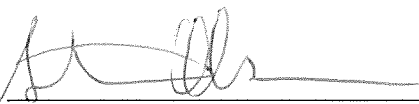


CHAIR / MAYOR



SECRETARY-TREASURER / CLERK

READ A THIRD TIME AND FINALLY PASSED this 16th day of September 2025.



CHAIR / MAYOR



SECRETARY-TREASURER / CLERK



This is Schedule "A-1" to [REDACTED] of the Municipality of Markstay-Warren, passed [REDACTED]


Chair / Mayor


Secretary-Treasurer / Clerk



Lands zoned Residential One (R1), on Part of Lot 12, Concession 4, in the Township of Hagar, now in the Municipality of Markstay-Warren, Territorial District of Sudbury; being Lot 22, Plan M-1062 and Block A to Block F, Parcel 44160 Sudbury East Section. (Roll No. 5208-000-004-379-00)