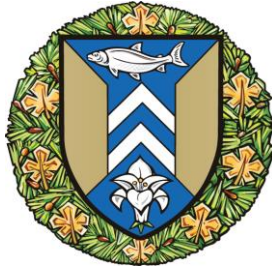


The Corporation of the
City of Sault Ste. Marie



Committee of Adjustment
February 5, 2025
2:00 P.M.
Council Chambers
Livestreamed

AGENDA

Hearings viewed live on the City's YouTube channel.

<https://www.youtube.com/user/SaultSteMarieOntario>

Call to Order

- **Land Acknowledgement**
- **Approval of the Minutes of November 27, 2024**
- **Disclosure of Pecuniary Interest and the General Nature Thereof**
- **Notice of Withdrawal or Motion for Deferral**
 - A15/24 – Civic No. 540 Albert Street East
 - A39/24 – Civic No. 81 Alworth Place
- **Matters Circulated but Not Appearing on the Agenda**
- **Matters To Be Considered**

Deferred Applications

- A43/24 - Civic No. 267 Huron Street

New Applications

- A1/25 - Civic No. 19 Silver Birch Drive
- A2/25 - Civic No. 851 Second Line West
- A3/25 - Civic No. 4127 Queen Street East
- B1/25 - Civic No. 513 Leigh's Bay Road
- B2/25 – Civic No. 4127 Queen Street East

➤ **Other Business**

➤ **Adjournment**

➤ **Deferred Applications** (order subject to change)

TAB 1

Application A43/24-40-(1-46)-14751-R3

SAULT STE. MARIE HOUSING CORP. is the owner of LT 188, Plan 727 former Township of Korah municipally identified as **CIVIC NO. 267 HURON STREET**. It is located on the southwest corner of Huron Street and Edinburgh Street. It is designated Residential in the Official Plan and is zoned R3, Low Density Residential Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing a portion of the required exterior side yard abutting Edinburgh Street & permit two parking spaces to encroach into the exterior side yard. The intent of the application is to facilitate the construction of a 4-unit, two storey, residential structure.

	By-Law Requirement 2005-150	Proposed Variance
9.7.2	Minimum exterior side yard 4.5m	Reduce the minimum exterior side yard requirement to 3m for the proposed structure & to 2m for two parking spaces.

Public Input

Notice of public hearing was sent by personal mail to neighbouring properties, by posting a sign on-site & posting on the City website.

Technical Review: Circulated Departments & Agencies

As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No response
Canada Post		
Conservation Authority		SSMRCA will have to review a site plan for possible permit prior to future development
Engineering & Construction	X	See comments below
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns, an Application for an Electrical Service must be submitted to PUC

Public Utilities Comm. (Water)	X	No concerns, an Application for General Water Service must be submitted to PUC.
Public Works	X	Supports Engineering comments

Engineering staff were supportive, however, suggested that the applicant consider reducing the size of the porch to improve the setback from the edge of the road.

Planning staff have no objections to this application.

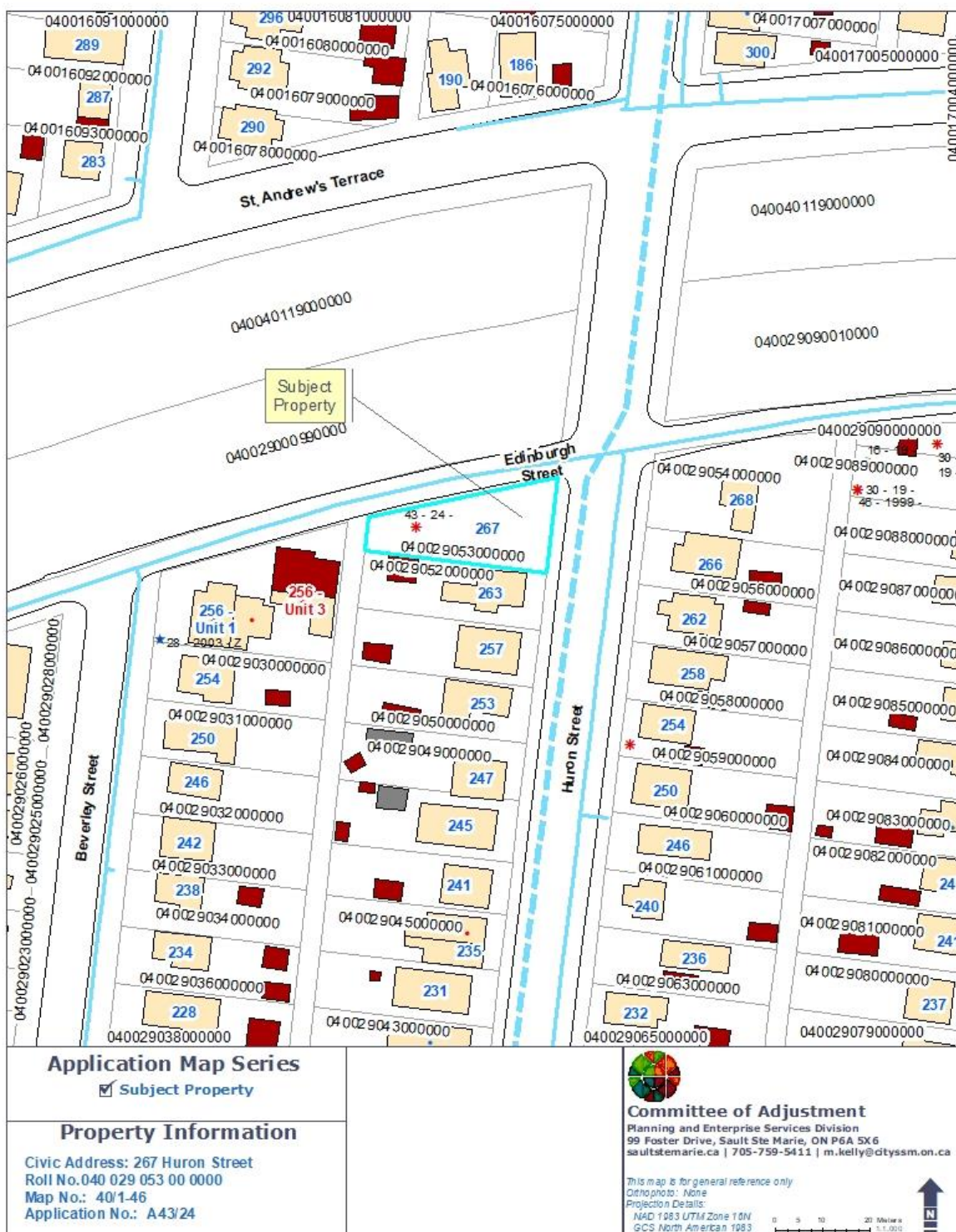
The property is irregular in shape, like others that are adjacent to Edinburgh Street. This makes full compliance with the setback requirements challenging. The proposal is consistent with the character of the area and will have little to no impact on surrounding properties.

This property falls within the First Neighborhood's Strategic Development Area. The City's Official Plan supports additional residential growth and development in Strategic Development Areas through various means, including reduced development standards.

Planning staff is of the opinion that the requested variances are minor, are desirable for appropriate use of the property, and maintain the general intent and purpose of the Official Plan and Zoning Bylaw.

Staff Comments/Recommendations(s)

The request has staff support. The applicant is aware that PUC requires applications for electrical & water service, and this will form part of their Building Permit application process. Engineering requests that the applicant consider reducing the size of the porch, while they have not made this a requested condition, the Committee should consider the suggestion & the applicant's response to the suggestion.



➤ **New Applications**

TAB 2

Application A1/25-31-(1-34)-17961-R3

STRAY DOG INVESTMENTS is the owner of **CIVIC NO. 19 SILVER BIRCH DRIVE**. It is located on the west side of the west leg of Silver Birch Drive north off Arizona Avenue. It is designated Residential in the Official Plan and is zoned R3, Low Density Residential.

INTENT OF THE APPLICATION:

The following variance is requested:

	By-Law 2005-150 Requires	Proposed Variance
9.7.2	Minimum lot frontage 14m	Reduce the minimum lot frontage to 6.4m.

PURPOSE & EFFECT:

To legitimize the existing duplex use.

Public Input

Notice of public hearing was sent by personal mail to neighbouring properties, by posting a sign on-site & posting on the City website.

Technical Review: Circulated Departments & Agencies

As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority		
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)		No concerns

Planning staff have no objections to this application and would like to note the following:

- The lot is pie-shaped, being narrower at the front and wider at the back. Although it does not meet the frontage requirement, it is somewhat larger in the area than other nearby lots with semi-detached dwellings.

- It is understood that this variance is being requested to legalize an apartment dwelling that has already been constructed. The Official Plan supports additional residential growth and development through various means, including financial incentives and reduced development standards.
- This lot can accommodate parking for both units in the side yard, north of the dwelling.
- Approving this minor variance would not disrupt the existing pattern of development and would not significantly alter the visual or functional characteristics of the area.

Based on these considerations, planning staff believe the application meets the four tests of a minor variance and recommend its approval.

Staff Comments/Recommendations(s)

The request has staff support, and no evidence has come forward suggesting that approval would have a negative impact.

TAB 3

Application A2/25-52-(1-68)-27362-R2

MARY TERESA & DOMENIC ALLAN PALUMBO are the owners of **CIVIC NO. 851 SECOND LINE WEST**. It is located on the south side of Second Line West between Whitney Avenue and North Eden Street. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential.

INTENT OF THE APPLICATION:

The following variances are requested:

	By-Law 2005-150 Requires	Proposed Variance
9.1.5	Minimum interior side yard 0.6m	Reduce the east interior side yard to 0.935m for the existing garage & to 0.510m for the existing shed.

PURPOSE & EFFECT:

To legitimize the location of the existing garage and shed.

Public Input

Notice of public hearing was sent by personal mail to neighbouring properties, by posting a sign on-site & posting on the City website.

Technical Review: Circulated Departments & Agencies

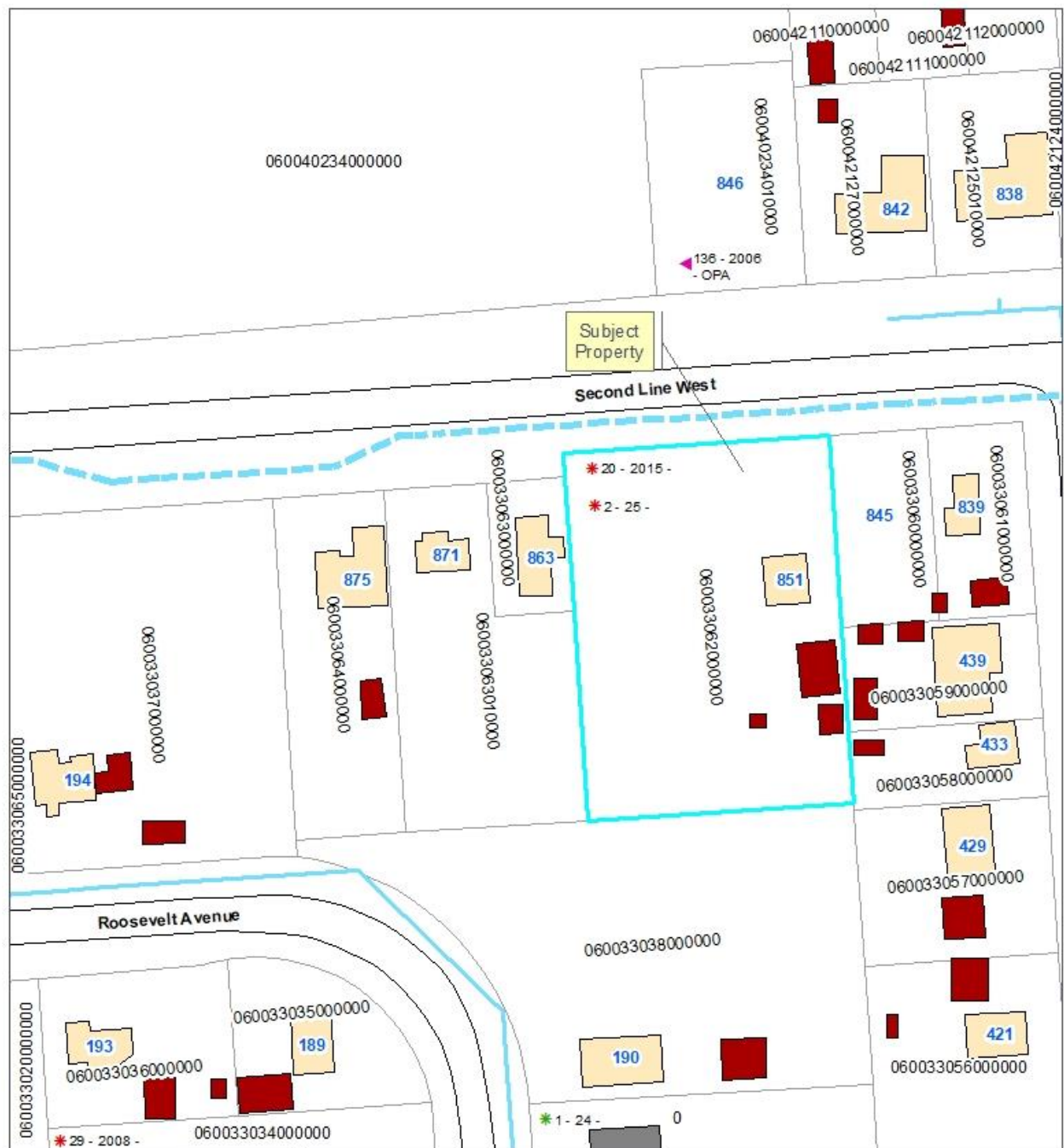
As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns or objections. Site plan review & potential permit needed prior to development
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	No objections. See comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works	X	

Planning staff advised that the proposed minor variances are consistent with the existing built environment of the neighbourhood, where many properties have garages or shed structures located close to property lines. Approval of these variances would not alter the overall appearance or character of the area. Planning staff are of the opinion that the requested variances meet the four tests.

Staff Comments/Recommendations(s)

The request has staff support and there is no evidence that approval would have a negative impact.



Application Map Series <input checked="" type="checkbox"/> Subject Property		 Committee of Adjustment Planning and Enterprise Services Division 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5411 m.kelly@cityssm.on.ca <small>This map is for general reference only Ortho photo: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small>
Property Information Civic Address: 851 Second Line West Roll No. 060 033 062 00 0000 Map No.: 52/1-68 Application No.: A2/25		

TAB 4

Application A3/25-67-(1-41)-31436-RA

JEAN PAUL & MARY BRISSON are the owners of **CIVIC NO. 4127 QUEEN STREET EAST**. It is located on the southeasterly side of Queen Street East between Fournier Road and Falldien Road. It is designated Residential in the Official Plan and is zoned RA, Rural Area.

INTENT OF THE APPLICATION:

The following variances are requested:

	By-Law 2005-150 Requires	Proposed Variance
8.5.2	Minimum lot frontage 45m	Reduce the minimum lot frontage to 9.9m for the proposed severed parcel only.

PURPOSE & EFFECT:

To facilitate the creation of one additional rural area lot as requested in consent application **B2/25**.

Public Input

Notice of public hearing was sent by personal mail to neighbouring properties, by posting a sign on-site & posting on the City website.

Technical Review: Circulated Departments & Agencies

As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No objection
Canada Post		
Conservation Authority	X	No concerns. A review of a site plan will be required prior to development commencing
Engineering & Construction	X	No sanitary sewer. Septic must be to APH satisfaction. A culvert permit is required.
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	No objections. See comments below.
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns

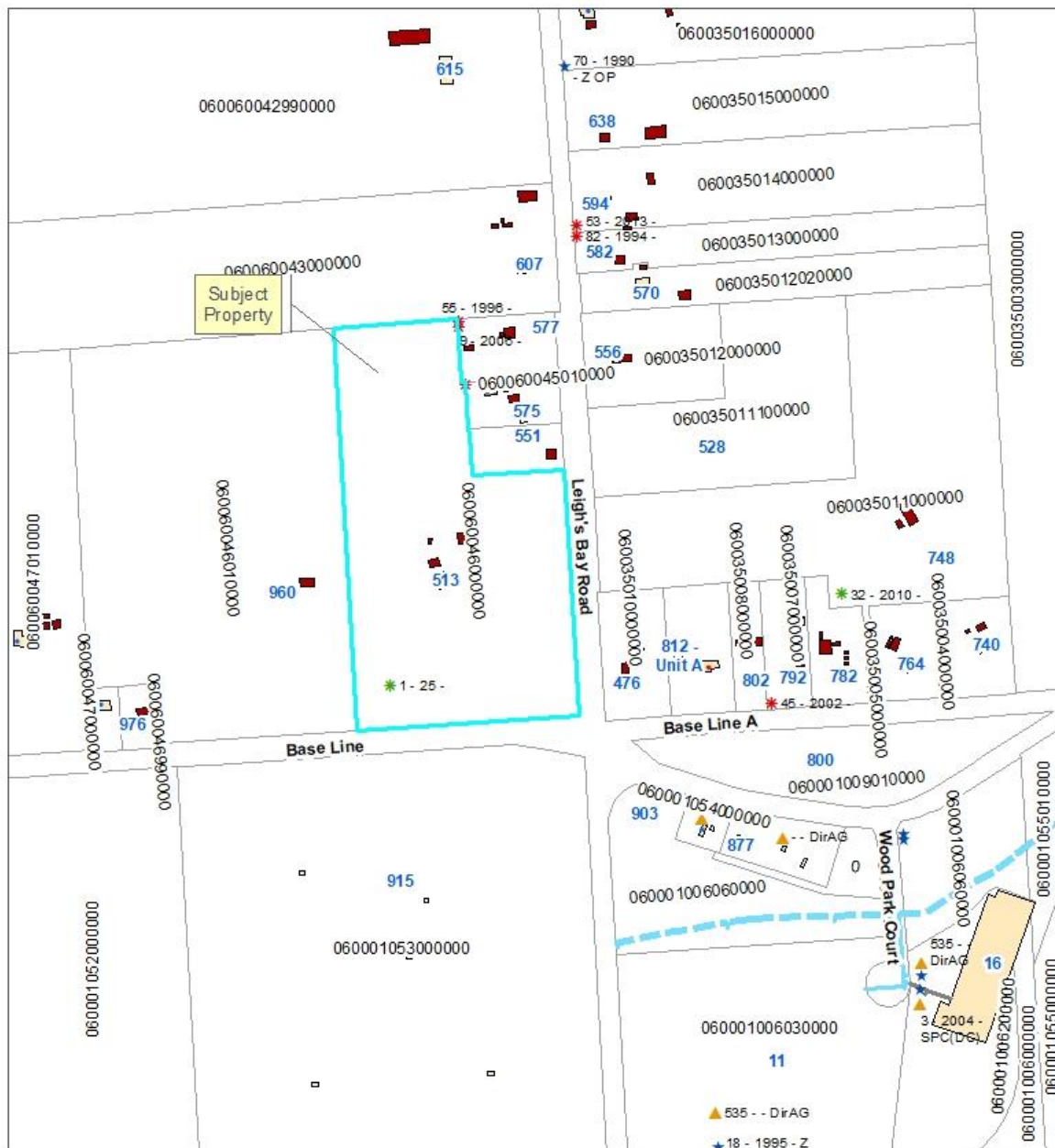
Public Works	X	No comment
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Planning staff wished to note:

- These applications seek to create a 'flag-shaped' lot. While the frontage of 9.9m is uncharacteristic of the immediate area, the small frontage will only be suitable for use as a driveway that provides access to the larger, more usable portion of the lot.
- It is not specified in the Zoning By-law, but a usable driveway is at least 3m (9.8') wide. It is Planning staff's opinion that the proposed frontage of the flag-shaped lot is wide enough for a usable driveway and has enough space to accommodate snow removal and larger vehicles.
- The furthest 50m of the rear yard is classified as a wetland. As such no development can occur within 120m of the wetland without first undertaking a wetland evaluation.

Staff Comments

It is noted that while the applicant is requesting a considerable reduction to frontage, that reduction is for the first 38m' of the property after which the parcel widens to approximately 45m. Staff comments indicate that the applicant will have to undertake satisfy the Conservation Authority for site plan approval, Algoma Public Health for septic system approval & will also have to provide a private water service and obtain a culvert permit prior to development. No evidence was presented to suggest that approval would have a negative impact.



Application Map Series <input checked="" type="checkbox"/> Subject Property		 Committee of Adjustment Planning and Enterprise Services Division 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5411 m.kelly@cityssm.on.ca <small>This map is for general reference only Ortho photo: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small>
Property Information Civic Address: 513 Leigh's Bay Rd. Roll No. 060 060 046 00 0000 Map No.: 512/2-28 Application No.: B1/25		

TAB 5**Application B1/25-512-(2-28)-24731-RA**

KATHRYN LAKE & LISA VINE are the owners of **CIVIC NO. 513 LEIGH'S BAY ROAD**. It is located on the northwest corner of Leigh's Bay Road and Base Line. It is designated Rural in the Official Plan and is zoned RA, Rural Area.

PURPOSE & EFFECT:

To create two (2) new rural area building lots and to retain a rural area building lot.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands	112.96m	72m	0.813ha
Severed Lands	112.96	72m	0.810ha
Retained Lands	168.88m	Irregular	5.766ha

Public Response

Notice of public hearing sent by personal mail to neighbouring properties, by posting a sign on-site and by posting on the City's website.

Technical Review: Circulated Departments & Agencies

As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

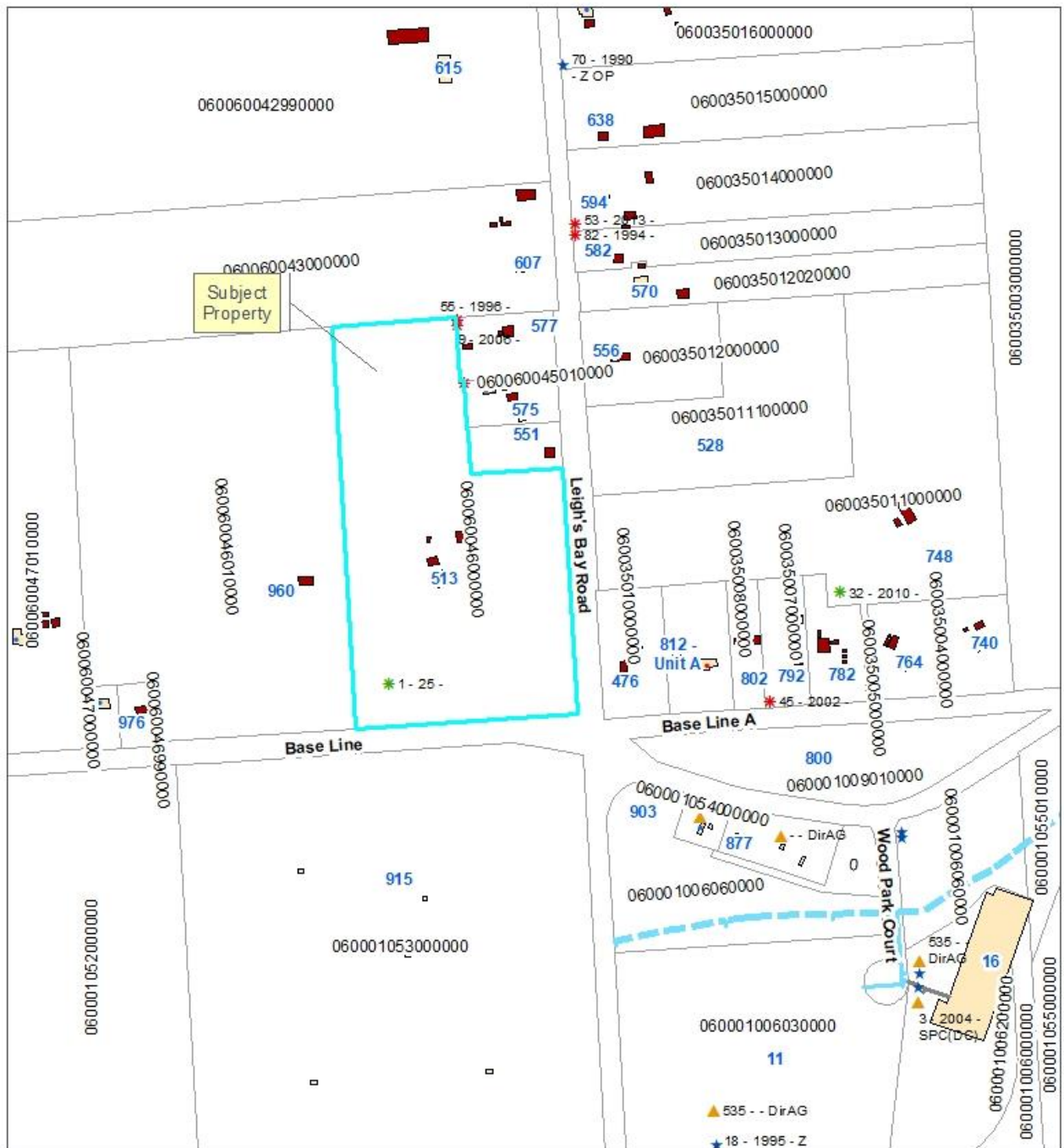
Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No response
Canada Post		
Conservation Authority		No concerns or objections. A site plan review will be required prior to development
Engineering & Construction	X	
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	No objections
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works	X	No comment

Staff Comments/Recommendations(s)

No evidence of any opposition to the request. It noted that the contours reveal a considerable slope & a drainage ditch that will require consideration in any future development of the lands.

Recommended conditions of any approval are,

- Payment of 5% Cash-in-lieu of Parkland
- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official
- Provide reference plan.
- Provide PIN abstract & PIN map.
- Minor Variance application approval if required.
- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes



<p>Application Map Series</p> <p><input checked="" type="checkbox"/> Subject Property</p>	<div data-bbox="1036 1612 1107 1684" data-label="Image"> </div> <p>Committee of Adjustment Planning and Enterprise Services Division 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstmarie.ca 705-759-5411 m.kelly@cityssm.on.ca</p> <p><small>This map is for general reference only Ortho photo: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small></p> <div data-bbox="1224 1780 1399 1850" data-label="Figure"> </div>
<p>Property Information</p> <p>Civic Address: 513 Leigh's Bay Rd. Roll No. 060 060 046 00 0000 Map No.: 512/2-28 Application No.: B1/25</p>	

TAB 6**Application B2/25-67-(1-41)-31436-RA**

JEAN PAUL & MARY BRISSON are the owners of **CIVIC NO. 4127 QUEEN STREET EAST**. It is located on the southeasterly side of Queen Street East between Fournier Road and Falldien Road. It is designated Residential in the Official Plan and is zoned RA, Rural Area.

PURPOSE & EFFECT:

To create one (1) new rural area building lot and to retain a rural area building lot subject to final approval of minor variance application **A3/25**.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands	9.9m	243.38m +	0.89ha
Retained Lands	45m	279m	1.27ha

Public Response

Notice of public hearing sent by personal mail to neighbouring properties, by posting a sign on-site and by posting on the City's website.

Technical Review: Circulated Departments & Agencies

As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No objection
Canada Post		
Conservation Authority	X	No concerns. A review of a site plan will be required prior to development commencing
Engineering & Construction	X	No sanitary sewer. Septic must be to APH satisfaction. A culvert permit is required.
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	No objections. See comments below.
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	See comments below

Public Works	X	No comment
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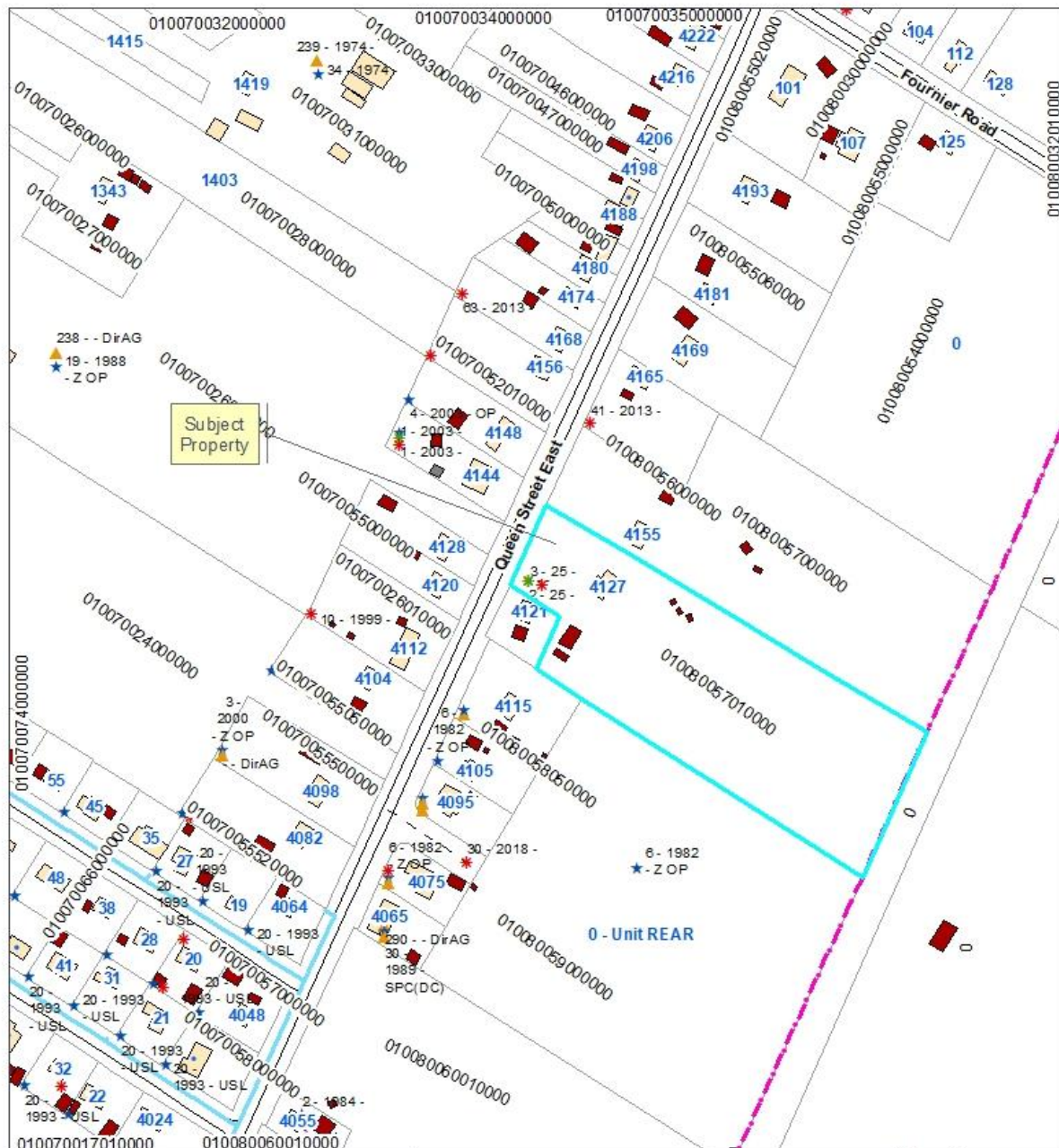
PUC Services Inc. advised that it appears that the residence is fed from the garage service. A new electrical service from the street will be required for the residence before the severance occurs.

Staff Comments/Recommendations(s)

Staff support the request. Neighbourhood comments must be considered.

Recommended conditions of any approval are,

- Payment of 5% Cash-in-lieu of Parkland
- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official
- Provide reference plan.
- Provide PIN abstract & PIN map.
- Minor Variance application approval if required.
- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes
- Provide confirmation that electrical services have been provided from the street to the existing residence to the satisfaction of PUC Services Inc.
- Provide confirmation that Algoma Public Health is supportive of the consent
- Obtain a culvert permit prior to the issuance of a building permit
- Provide an undertaking where in confirmation of an independent working well servicing the proposed severed parcel will be submitted to the Chief Building Official or his designate, prior to the issuance of an occupancy permit.



Application Map Series <input checked="" type="checkbox"/> Subject Property		 Committee of Adjustment Planning and Enterprise Services Division 98 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5411 m.kelly@cityssm.on.ca <small>This map is for general reference only Orthophoto: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small>
Property Information Civic Address: 4127 Queen St. East Roll No. 010 080 057 01 0000 Map No.: 67/1-41 Application No.: A3/25 & B2/25		

OTHER BUSINESS

TAB 7

Election of Chair for 2025.

DATE OF NEXT HEARING – March 5, 2025

ADJOURNMENT

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer