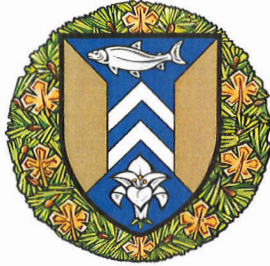


The Corporation of the
City of Sault Ste. Marie



Committee of Adjustment
November 27, 2024
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 October 30, 2024**
- **Disclosure of Pecuniary Interest and the General Nature Thereof**
- **Applicant/Agent/Staff Requests for Withdrawal or Motion for Deferral**
 - **A39/24 – Civic No. 81 Alworth Place**
 - **A43/24 – Civic 267 Huron Street**
- **Matters Circulated But Not Appearing on the Agenda**
- **Matters To Be Considered**

Deferred Applications

- **A37/24 - Civic 304 Albert Street West**

New Applications

- **A38/24 - Civic 149 Churchill Avenue**
- **A40/24 - Civic 218 Industrial Park Crescent**
- **A41/24 - Civic 24 Wireless Avenue**
- **A42/24 - Civic 349 Allen's Side Road**
- **A44/24 - Civic 59 Talon Avenue**
- **B24/24 - Civic 67 Crimson Ridge**

➤ **Other Business**

➤ **Adjournment**

Application A37/24-16-(1-27)-2253-C4

ISNIZE LIVING DEVELOPMENT LTD. is the owner of LT 22-23 PL 12983; Pt T 21 PL 12983 former Township of St. Mary's, municipally identified as **Civic No. 304 ALBERT STREET WEST**. It is located on the northwest corner of Albert St. West and Huron street. It is designated Residential in the Official Plan and is zoned C4, General Commercial.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by permitting seven (7) dwelling units to be located on the ground floor.

	By-Law Requirement 2005-150	Proposed Variance
13.5.1	No dwelling units on the ground floor if located within a legally existing building	Permit (7) dwelling units to be located on the ground floor of the legally existing building

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.

Irma Giovanatti-Bre, a neighbouring property owner at 176 Huron Street submitted the following comments.

- A. **Is the City** aware of the recently significant increase in number of occupants within 200 feet of Huron Street bordered by Albert and Alexandra Streets?
182 Huron Street, corner of Huron and Alexandra was recently sold and converted to a student rental with a minimum of 7 bedrooms.
326 Albert Street West, also owned by ISNIZE and less than 70 feet west of 304 Albert recently put 6 apartments on the market. How many bedrooms/occupants do these 6 apartments actually represent?
304 Albert Street had 23 rental rooms between the second and third floors. ISNIZE now wants permission to add another 7 dwelling units on the main floor. How many more bedrooms/occupants will that entail? It's also curious that ISNIZE makes no mention of the basement level that has the same generous square footage as the first and second floors. This needs clarification.

In short, one is looking at a minimum of 43 occupants among these 3 properties. I venture the real number is considerably higher.

- B. **Can the current** infrastructure support the increasing density?

I own 176 Huron Street. My home is located across the street from 182 Huron and 304 Albert. (326 Albert is a stone's throw from my home). All 4 properties share the same sewer system.

In the last 22 years I have had to endure 2 basement floods. Both times the problem existed beyond my property line. Only those who have had sewage throughout their entire basement can appreciate how emotionally and psychologically traumatizing the situation is! To add insult to injury, I and my insurance company absorbed the cost of clean-up, construction and replacement. My second flood happened approximately 4 years ago. At that time, I put the city on notice by way of an email to the Board of Works. Even though neither backup is owed to my negligence, I am vigilant about another flood/sewer back up entering my home. As recently as this year I hired a reputable local plumber to record my portion of the sewer line. He verified there were no problems on my line. I can provide a copy of the video, if necessary.

In short, in view of the increasing density, I am again putting the city on notice.

SOME ADDITIONAL CONCERNS AND OBSERVATIONS REGARDING 304 Albert AND IMMEDIATE ENVIRONS

1. How is it that the walls for the 7 dwelling units are roughed in already?
2. What does the city know about ISNIZE? I could find nothing on the computer. What is evident is that their employees work 10-12 hours a day, 7 days a week. None of the trucks bear a logo. 169 Huron Street (along the same stretch) is owned by an out-of-town proprietor. The city is compelled to cut the grass. The landlord ignores the tenants' request to replace the front window which has a significant bullet hole as a result of a shooting several years ago.
3. ISNIZE's 2 properties are woefully deficient of any natural esthetics or any outdoor living space. 182 Huron and 324 Albert at least have a few strips of grass. 304 Albert has neither a tree, flower nor blade of grass – it is less a home and more a can of sardines sitting on a wasteland of concrete and asphalt.
4. It appears the city has little, or any, concern for the increased noise, activity, or traffic that we residents will have to experience. Why has the city not requested the 2 entrances on Huron be reduced to one? After all there is a third main entrance on Albert. The staircases are flush to the sidewalk. This is where the smokers congregate. This is where vehicles habitually park to load and unload. Why are they not expected to provide a loading zone within their own property? In the flush of summer, 326 Albert has only 3 parking spaces and only if drivers play musical cars. 182 Huron has the identical configuration. In the winter it is logical that 304 Albert will accommodate 326 Albert. After you factor in the snow pile-up and space for a dumpster, how many parking spaces can 304 Albert provide in the winter?
5. What kind of amenities "within" will 304 Albert offer to its numerous residents? Will there be a common room for recreation and socialization? What kind of kitchen and laundry facilities will there be? What is the ratio of washrooms to residents? Hopefully the interior is not as utilitarian inside as it is outside.

Amidst this all, there are a few positives. 304 Albert and 326 Albert are no longer eye sores. 304 Albert, 326 Albert and 182 Huron are providing some relief to the housing shortage. It appears these rooms are dedicated to Sault College and Algoma University students. I am open to correction, but I was told the landlord gets \$700.00 per month per room and the college/university assumes costs related to any damages by the students. The “down-trodden” homeless need not apply. These landlords are laughing all the way to the bank: minimal risk, maximum gain! Are these landlords subject to any increase in taxes to maintain the infrastructure assaulted by the demands of their numerous clients? That would be logical.

I strongly support free enterprise, but only if it is well planned and executed.

Also, not having a loading/unloading zone in the parking lot poses a safety issue for both pedestrians and vehicles on Huron and Albert streets. 304 Albert is already a traffic hazard in that it blocks visibility at the intersection of Huron and Albert; it does not occupy a sweetened corner.

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		
Engineering & Construction	X	No comment
Fire Services	X	No concerns
Legal Department	X	No comment
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	See comments below
Public Utilities Comm. (Water)	X	See comments below
Public Works	X	No comment

Planning staff has no objection to the requested variance. The proposed property is in a predominantly residential neighbourhood and consists of a second floor with multiple units as of right. The addition of dwelling units supports the City’s goal towards increasing the housing supply. The placement of two conditions would be recommended for any approval. To ensure proper design within the existing neighbourhood it is recommended that approval be subject to site plan control, and to satisfy the intention of the Official Plan and Zoning By-law renderings of the building should be submitted and subject to the approval of the Director of Planning or his designate. This land is designated residential in the official plan and is supported should the ground floor be designed with aesthetics that are sympathetic to the surrounding area. Similarly, with proper design on the main floor in particular, the intention of the zoning by-law would be upheld by ensuring that

commercial spaces are properly renovated to suit a residential purpose. The request is considered minor and given the character of the neighbourhood, this development would be appropriate for the design of the property.

PUC Distribution Inc. (Electric Utility) advised that.

- The applicant must verify if the existing electrical service and metering installation is adequate to supply the existing building and 7 proposed apartments. Please contact the PUC should a revised electrical service or meter configuration be required for the building. ESA will authorize any behind the meter works required.

Public Utilities Commission of the City of Sault Ste. Marie (Water Utility) advised that.

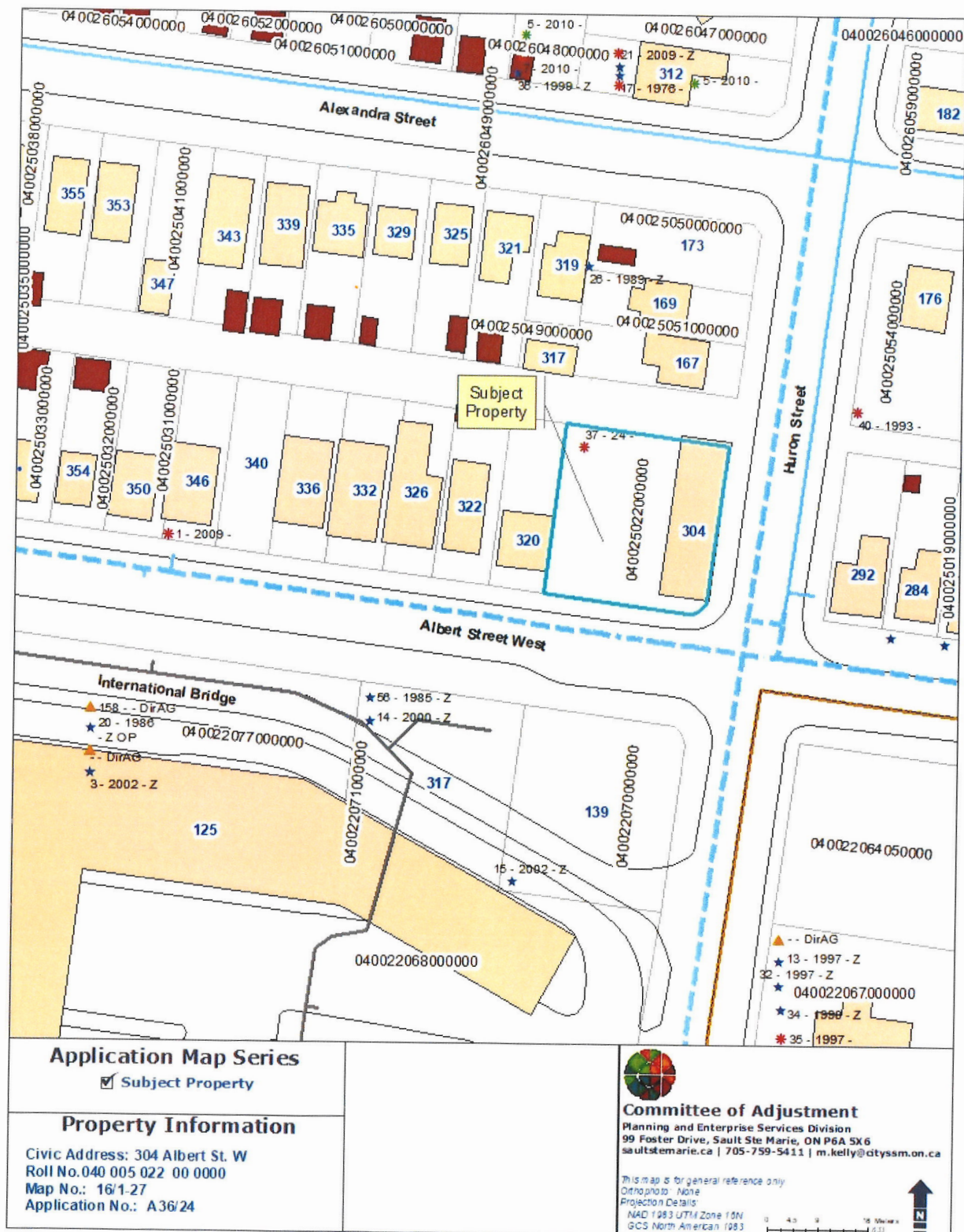
- The applicant must verify if the existing water service is adequate to supply the existing building and 7 proposed apartments and must submit a water service application to PUC Engineering (eng-dept@ssmpuc.com) for the proposed renovation. Please contact the PUC Engineering Department at the email address above to request a water service application form.

Staff Comments/Recommendations(s)

Planning staff provided conditional support for request as did PUC Electric Utility and Water Utility. Other officials circulated for comment have no objections, comments, or concerns with the request. No evidence has been submitted that suggests approval would have a negative impact provided recommended measures are put in place.

Recommended conditions of any approval are.

1. The property be made subject to site plan control.
2. The applicant must provide verification that the existing electrical service and metering installation is adequate to supply the existing building and 7 proposed apartments to the satisfaction of PUC Inc.'s engineering staff.
3. The applicant must provide verification that the existing water service is adequate to supply the existing building and 7 proposed apartments and must submit a water service application to PUC Engineering (eng-dept@ssmpuc.com) for the proposed renovation to the satisfaction of PUC Inc. engineering staff.
4. The applicant must provide verification that the sewer system is able to manage the increased density to the satisfaction of the Director of Engineering or his designate.



310 Albert St W

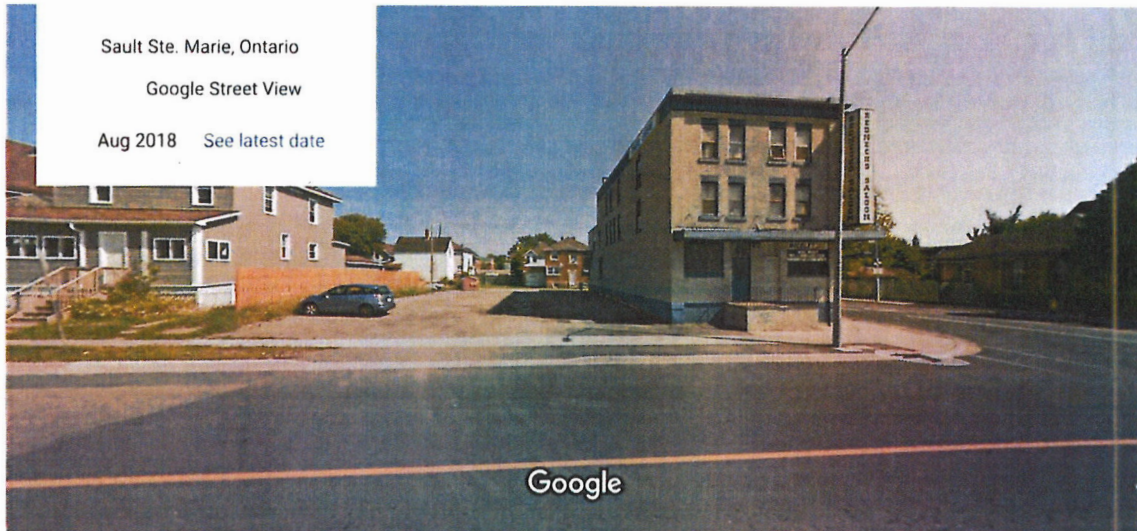


Image capture: Aug 2018 © 2024 Google



➤ **New Applications**

TAB 2

Application A38/24-81-(1-91)-14646-R2

DANIEL FREDERICK BEITH & KRISTINE BRUNI are the owners the N ½ of Lot 28, Plan 12898 former Township of Korah municipally identified as **CIVIC NO. 149 CHURCHILL AVENUE**. It is located on the south side of Churchill Avenue between Farewell Terrace and Peoples Road It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by increasing the maximum permitted height of a privacy fence. The intent of the application is to legitimize the rear yard existing fence.

	By-Law Requirement 2005-150	Proposed Variance
7.2	Minimum fence height 1.8m	Increase the maximum permitted fence height to 2.1844m .

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.

The owners of the abutting property at 157 Churchill Avenue (via email) advised that they have no problems with the applicants and do not have any issues with their fence at all and prefer the fence height they have now. It provides both properties with the privacy that we like and prefer. The yard and fence are very well cared for and maintained, the fence does not cause any issues to anyone's living space or hindrance to anyone's ability to enjoy their own property.

Technical Review: Circulated Departments & Agencies

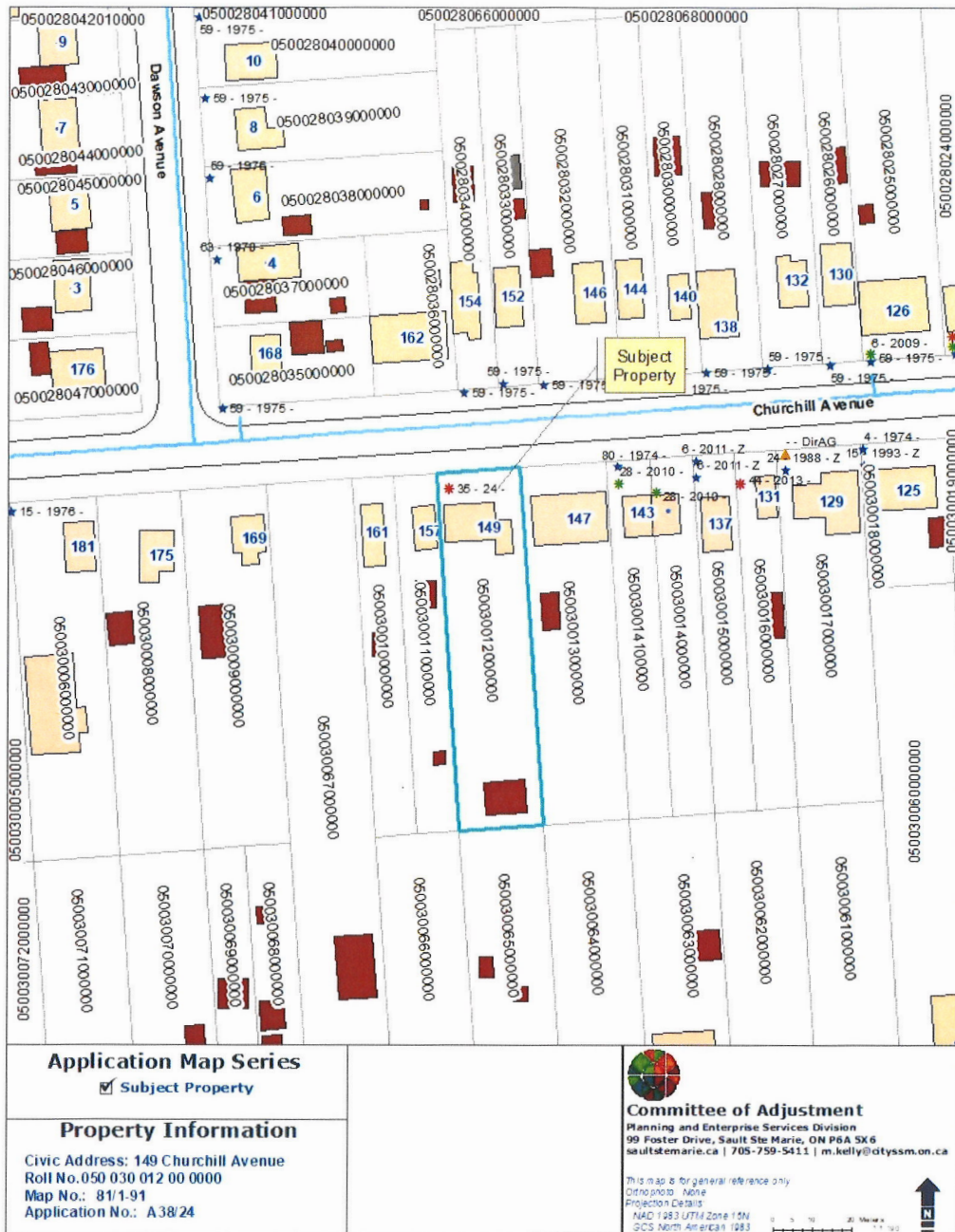
As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No response
Canada Post		
Conservation Authority		
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No comment

Planning Division	X	No objections, do not anticipate any adverse effects
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works	X	

Staff Comments/Recommendations(s)

No objections or concerns from staff & no evidence of any negative impact if the application is approved.





Legend

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Projection: Web Mercator



The Ontario Ministry of Natural Resources shall not be liable in any way for the use of, or reliance upon, this map or any information on this map. This map should not be used for navigation, a plan of survey, routes, nor locations. THIS IS NOT A PLAN OF SURVEY.

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Application A40/24-98-(1-112)-19982-M2

SAR-GIN DEVELOPMENTS (SAULT) LTD. are the owners Lot 14, Plan H744 former Township of Tarentorus municipally identified as **CIVIC NO. 218 INDUSTRIAL PARK CRESCENT**. It is located on the east side of the west leg of Industrial Park Crescent approximately 100m south of the Drive In Road & Industrial Park Crescent intersection. It is designated Industrial in the Official Plan and is zoned M2, Medium Industrial Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the north interior side yard to facilitate the proposed 2,870²ft. addition to the most easterly unit (#7), currently occupied by Ontario Northland. The intent is to match the interior side yard setback established by the existing structure.

	By-Law Requirement 2005-150	Proposed Variance
14.2.2	Minimum interior side yard 5m	Reduce the minimum north interior side yard to 4m for the proposed addition.

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		No objection
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	No objection
PUC Distribution Inc. (Electric)	X	No concerns, an application for any electrical service changes is required for the building addition
Public Utilities Comm. (Water)	X	No concerns, an application for General Water Service is required for the building addition. Applicant is encouraged to contact PUC

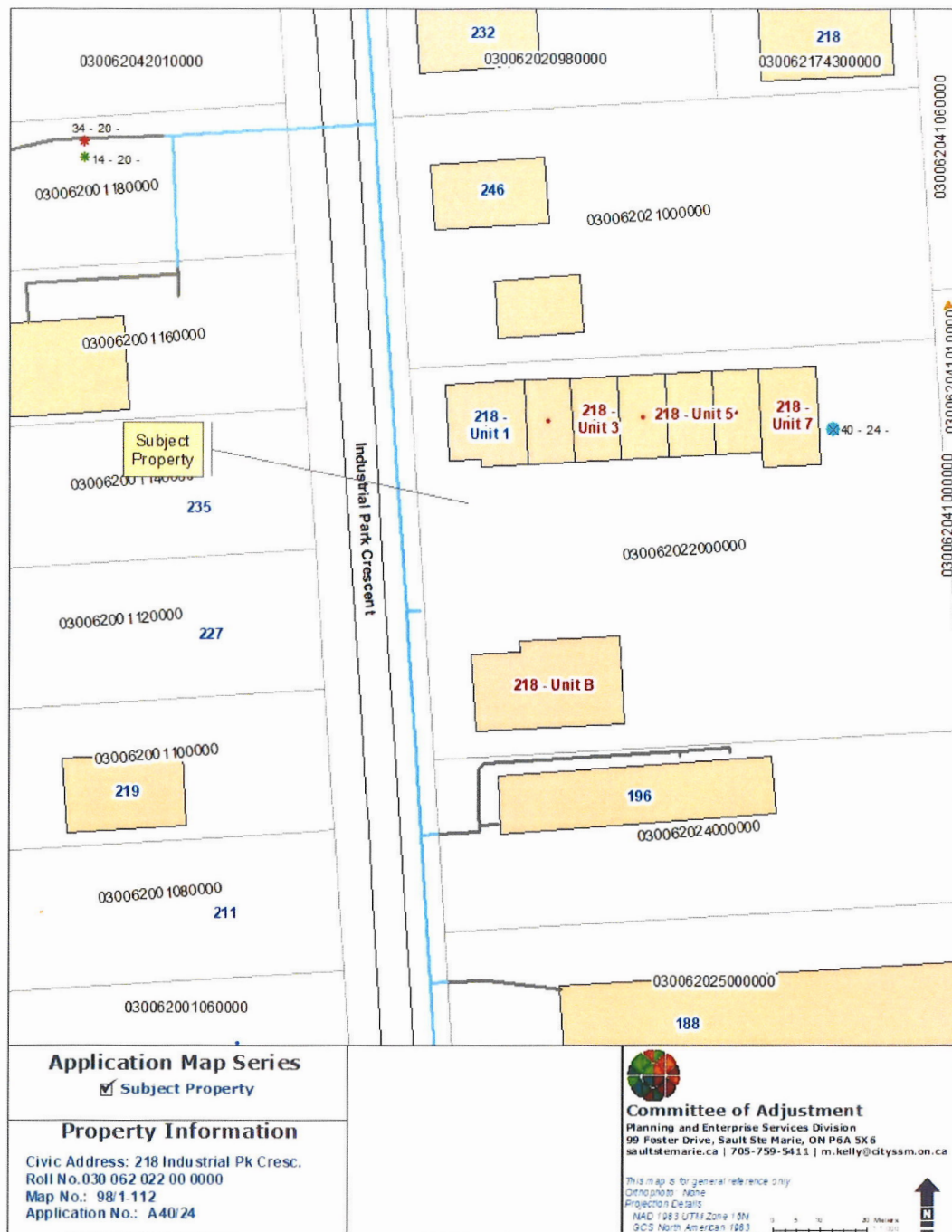
		Engineering early in the design process.
Public Works		

Building Division staff wished to take this opportunity to remind the owner that there is a building permit that has not yet been finalized on the subject property.

Planning staff advised that the proposed variance is consistent with the setbacks of the existing facility to the north property line. No adverse effects are anticipated.

Staff Comments/Recommendations(s)

No objections or concerns from staff and/or outside agencies. Planning staff do not anticipate any adverse effects.



[illegible][illegible]

Application A41/24-29-(1-32)-575-R2

TAMMY PISTOR is the owner of Lot 21, Sisson Subdivision, Plan 55300 former Township of St. Mary's municipally identified as **CIVIC NO. 24 WIRELESS AVENUE**. It is located on the southwest corner of Wireless Avenue and Orion Street. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by increasing the maximum permitted height of a privacy fence. The intent of the application is to accommodate the non-standard grade between the subject property & the abutting property.

	By-Law Requirement 2005-150	Proposed Variance
7.2	Maximum fence height 1.8m	Increase the maximum permitted fence height in the south interior side yard to 2.184m .

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.

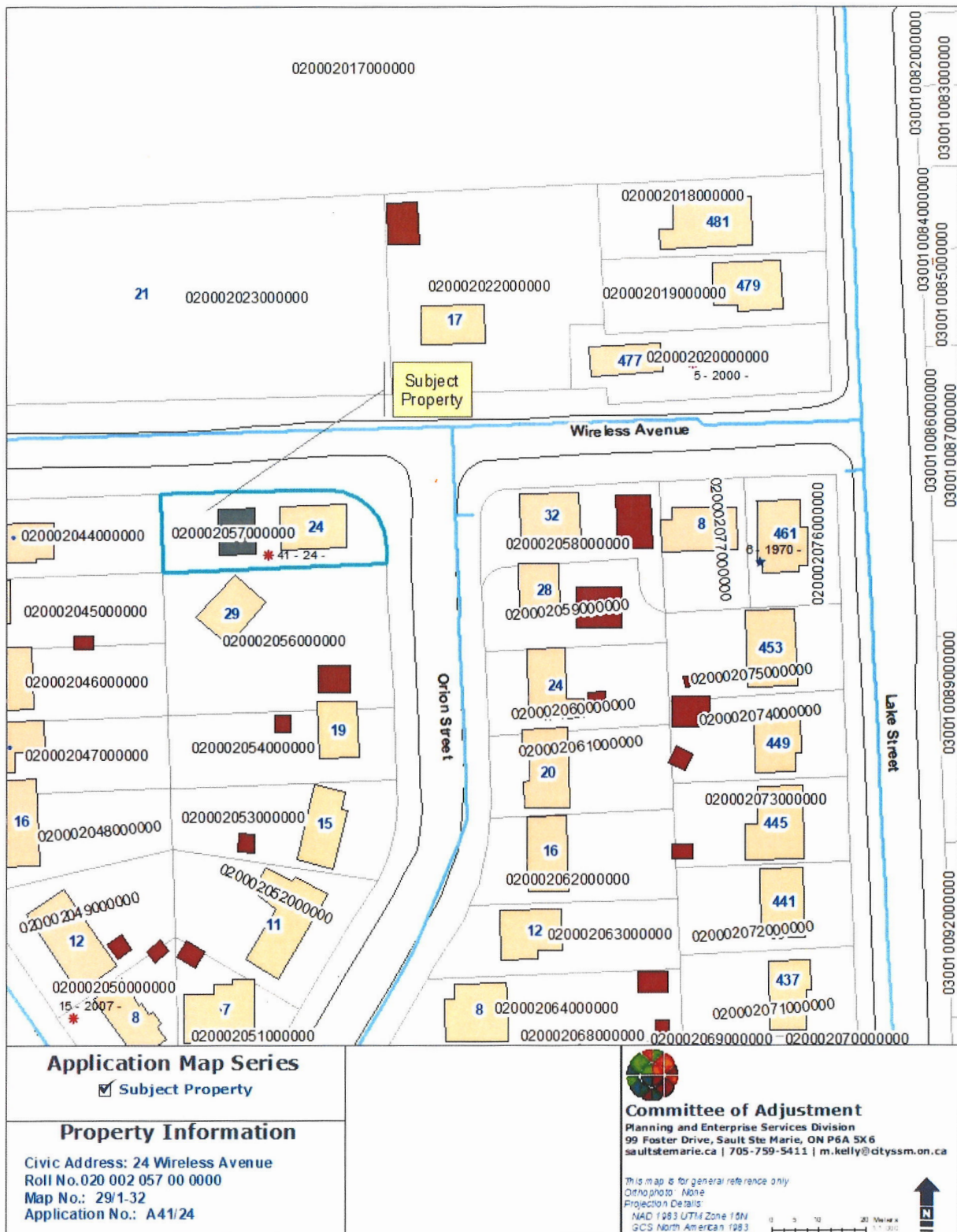
Technical Review: Circulated Departments & Agencies

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		
Engineering & Construction	X	No comment
Fire Services	X	No response
Legal Department	X	No comment
Planning Division	X	No objection
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works		

Staff Comments/Recommendations(s)

No objections or concerns from staff and/or outside agencies. Planning staff do not anticipate any adverse effects.



C E R T I F I C A T E

C.W. Falce, Ont. Land Surveyor
1961.

Hand-drawn site plan of a property at the intersection of Wireless Ave. and Orion St. The plan shows a 32' x 20' garage, a driveway, and various setbacks. Key dimensions include 116.76 meters, 10 meters, 9.7 meters, 35' +/-, 32', 20', 1.8 meters, 26.5 meters, and 8.3 meters. The property is bounded by N 89° 58' W. and N 89° 58' W. C2. The plan also shows a 32' x 20' garage, a driveway, and a 32' x 20' garage. The plan is dated 1/1/10 and is by J.D. Graco.



Application A42/24-51-(1-67)-20686-R1

DALE TUCKER is the owner of PT of the NE ¼ of Section 33 former Township of Korah municipally identified as **CIVIC NO. 349 ALLEN'S SIDE ROAD**. It is located on the west side of Allen's Side Road between Second Line West and Ransome Drive. It is designated Residential in the Official Plan and is zoned R1, Estate Residential Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by increasing the maximum permitted building height for a garage. The intent of the application is to facilitate the construction of a 9.75m x 12.19m detached garage complete with workspace and upper-level storage area.

	By-Law Requirement 2005-150	Proposed Variance
9.1.5	Maximum building height for a garage 6m	Increase the maximum building height for a garage to 7.31m .

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

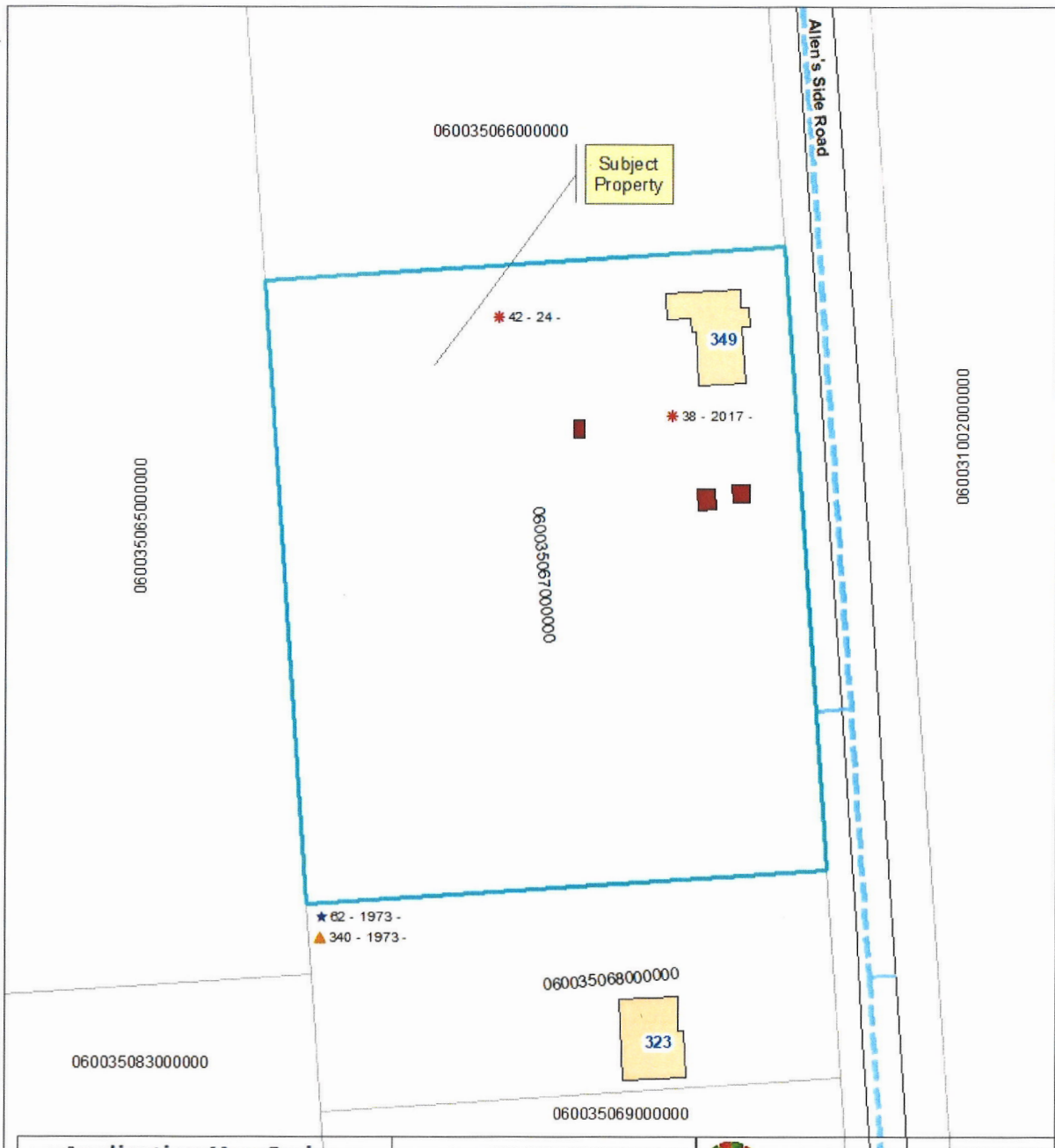
As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review.


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

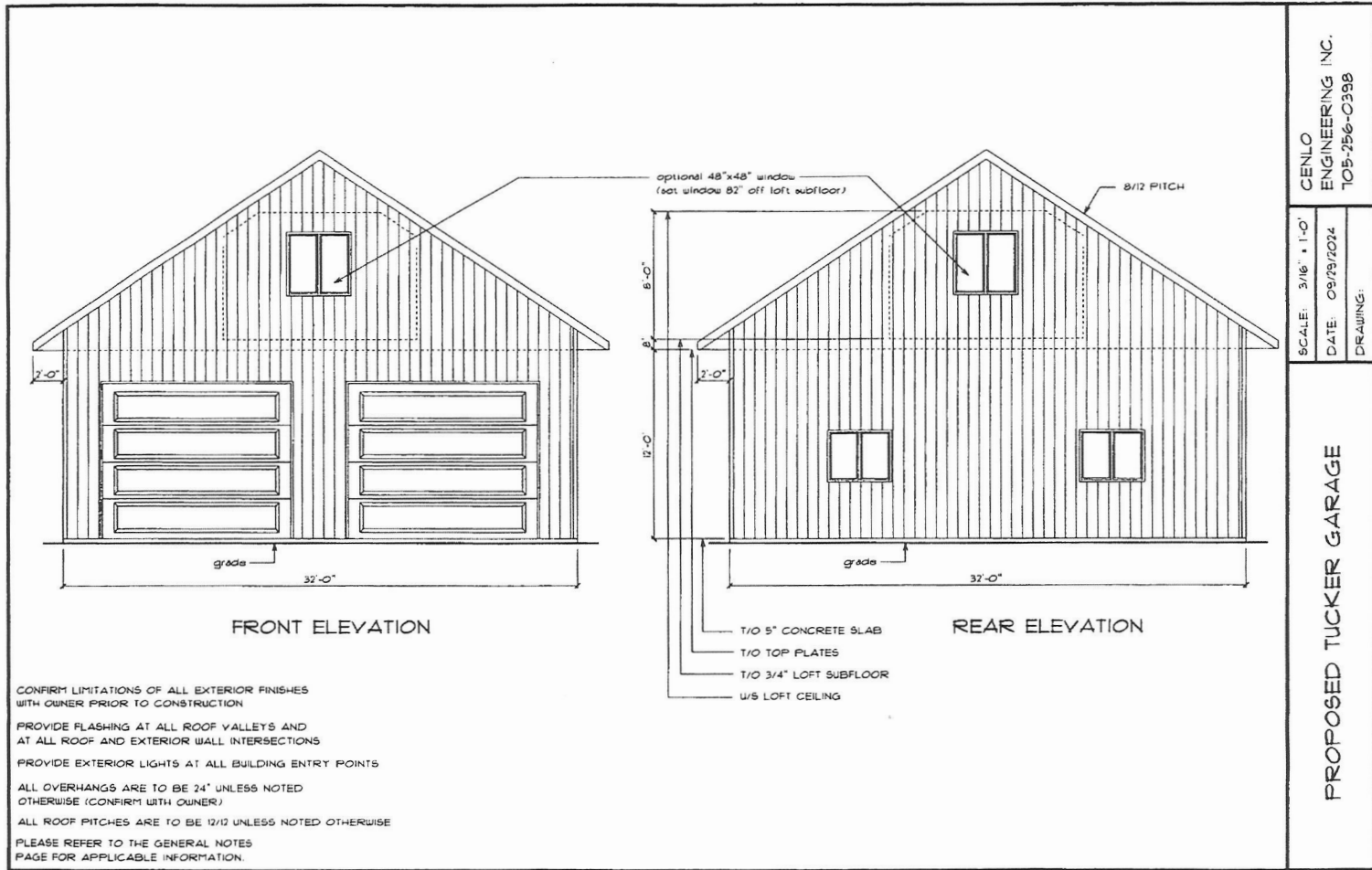
Planning staff had no objections. It adheres to the criteria of the four tests of a Minor Variance. The upper level of the detached accessory structure would only be used as a storage area. In addition, the proposed structure exceeds all required setbacks stated in the zoning by-law. Planning does not anticipate any adverse effects.

Staff Comments/Recommendations(s)

No objections or concerns from staff. Planning staff do not anticipate any adverse effects.



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 Orthophoto: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small>
Property Information Civic Address: 349 Allen's Side Rd. Roll No. 020 002 057 00 0000 Map No.: 29/1-32 Application No.: A42/24		



CENLO
ENGINEERING INC.
T05-256-C398

SCALE: 3/16" = 1'-0"
DATE: 09/25/2024
DRAWING:

PROPOSED TUCKER GARAGE

Application A44/24-68-(1-43)-27509-R1

DAVID YOUNG is the owner of Lot 10, Neelands Subdivision, Plan H-469 former Township of Rankin municipally identified as **CIVIC NO. 59 TALON AVENUE**. It is located on the northeast side of Talon Avenue between Queen Street East and Teal Avenue. It is designated Residential in the Official Plan and is zoned R1, Estate Residential Zone.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the front yard setback & interior side yard setback to facilitate the construction of a 7.4m x 9.8m x 4.4m detached garage. The intent of the application is to locate the garage more in line with required setbacks for garages on other residential zoned properties throughout the municipality.

	By-Law Requirement 2005-150	Proposed Variance
9.1.5	Minimum front yard 12m	Reduce the front yard to 7.5m
	Minimum south easterly interior side yard 6m (note subsequent interpretation confirms that the requirement for this interior yard is 3.5m)	Reduce the south easterly interior side yard to 2.625m

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.

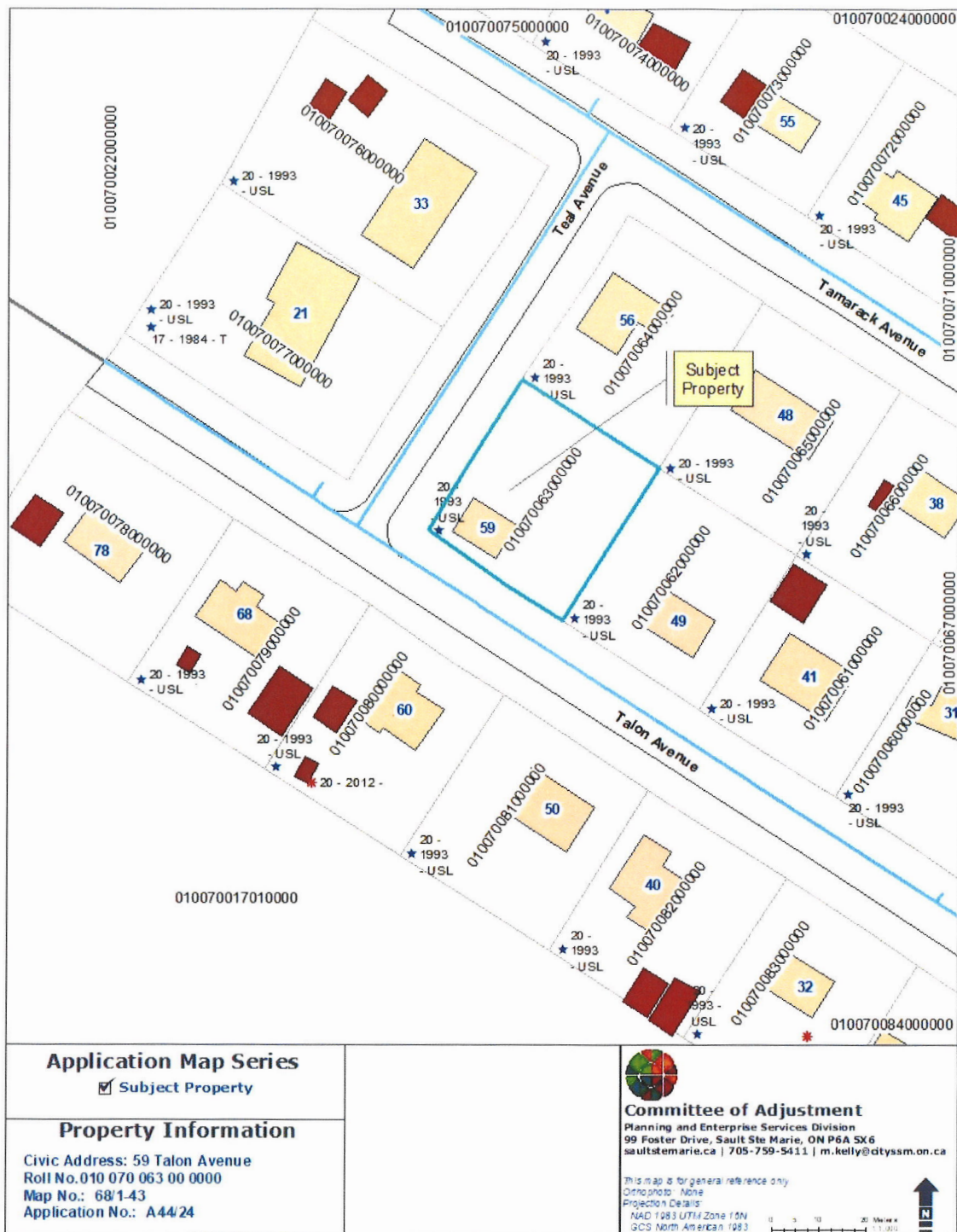
Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	No objection
Canada Post		
Conservation Authority		
Engineering & Construction	X	No comment
Fire Services	X	No response
Legal Department	X	No comment
Planning Division	X	No objection. See comments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

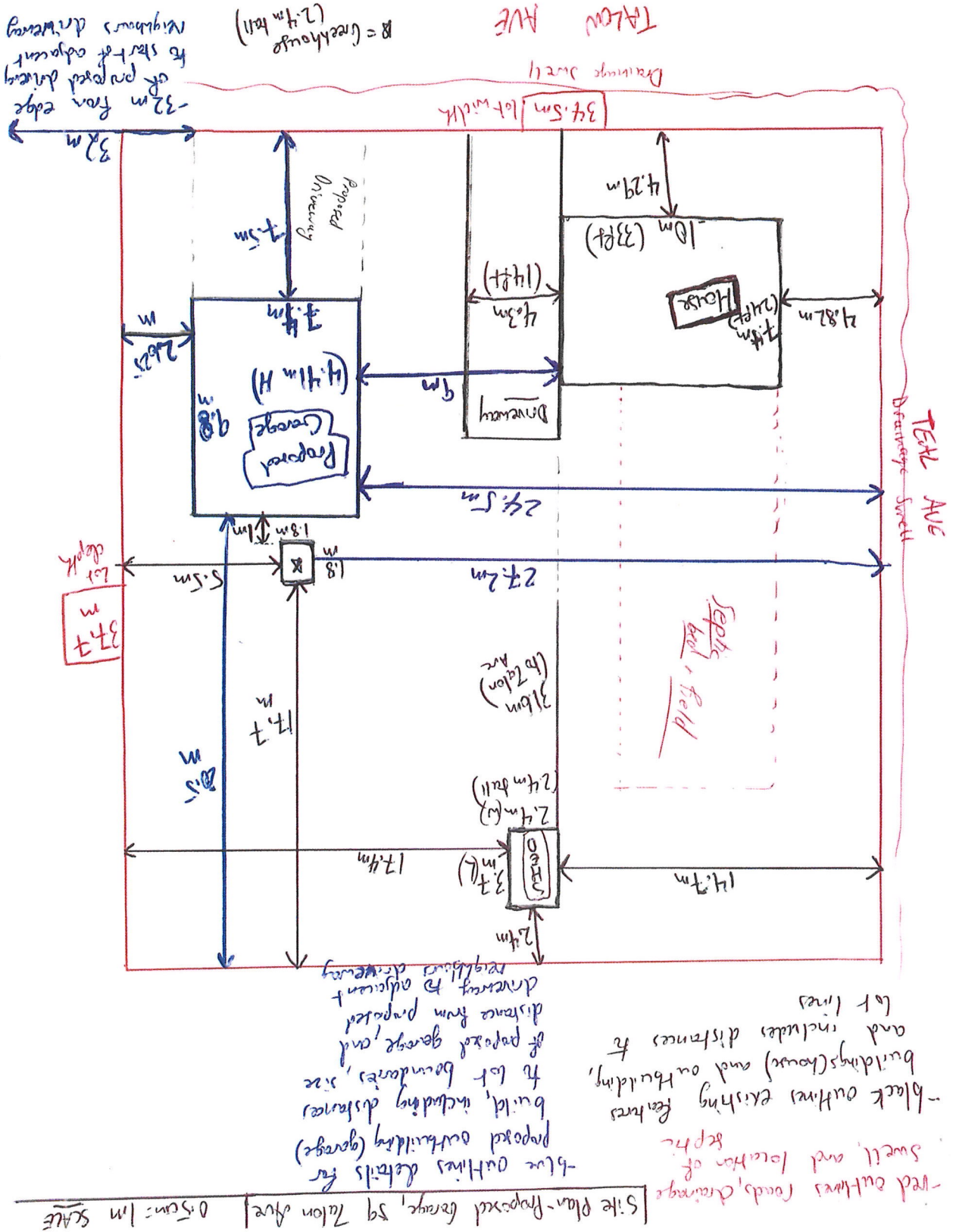
Public Utilities Comm. (Water)	X	No concerns
Public Works		

Planning staff considers the southeast yard to be the subject property's interior side yard. The required interior side yard for the R1 zone outlined in Zoning By-law 2005-150 is 3.5m. Planning staff support reducing the interior side from 3.5m to 2.63m. In addition, Planning supports reducing the required Front yard from 12m to 7.5m as it is consistent with the character of the neighbourhood and other residential zones.

Staff Comments/Recommendations(s)

Consideration is to reduce the interior side yard from 3.5m to 2.625m. There are no objections or concerns from staff. Planning staff support the proposed reduction to 2.625m





Application B24/24-319-(2-37)-32765-R3, S319

DONALD & ANTONIETTA MCEWEN are the owners of PIN 31599-0250 (LT) further described as Lot 25, Plan 1M592 T/W an undivided common interest in Algoma Common Elements Condominium Corporation No. 21, former Township of Korah municipally identified as **Civic No. 67 CRIMSON RIDGE DRIVE**. It is located on the west side of Crimson Ridge Drive approximately 270m north of its' intersection with Fourth Line West. It is designated Residential in the Official Plan and is zoned R3, S319, Low Density Residential with a special exception.

INTENT OF THE APPLICATION

The applicants are seeking the Committee's consent to **sever and convey** a triangular shaped, rear parcel having an area of **approximately 47.069m²** and convey it to the southerly abutting property municipally identified as **Civic No. 13 Bluffs Drive** as a lot addition. The intent of the request is to remedy the encroachment of the abutting owner's shed on the subject property. The retained lands will maintain an approximate area of 1,655.82m².

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		
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No response
Planning Division	X	No objection, see comment below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works		

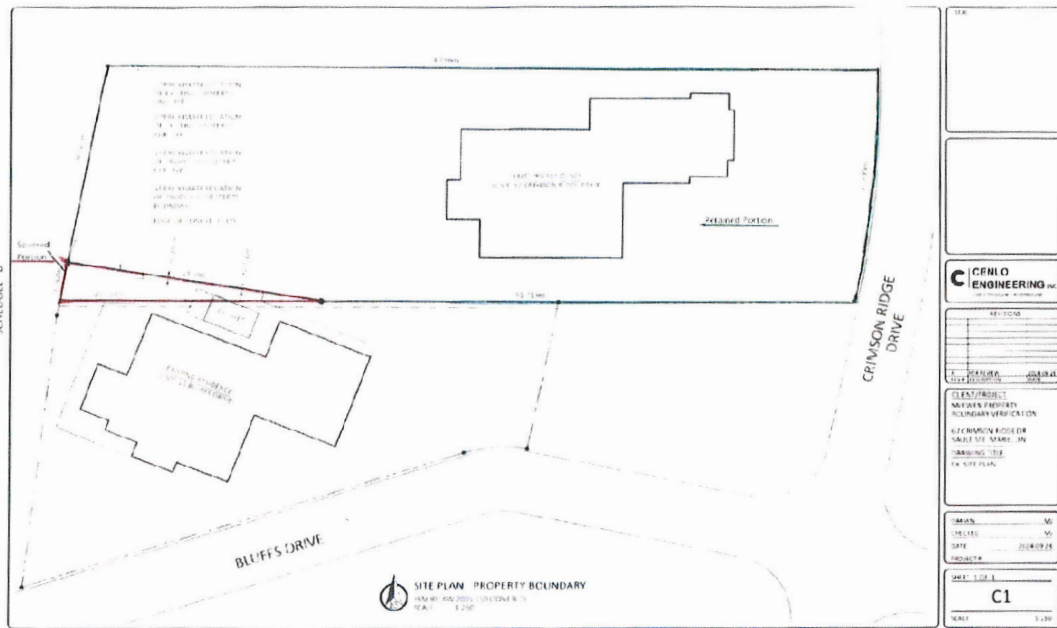
Planning staff noted that the retained lands will continue to have sufficient frontage and lot area as specified in the Gentle Density Residential (R2) Zone.

Staff Comments/Recommendations(s)

No evidence of any opposition to the request.

Recommended conditions of any approval are,

- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official noting that Subsection 50 (3 or 5) of the Planning Act, R.S.O., 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
- 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



OTHER BUSINESS

TAB 8

➤ **2025 COMMITTEE OF ADJUSTMENT HEARINGS**

➤ (all dates subject to change)



January 15
February 05
March 05
April 02
May 28
June 25
July 23
August 20
September 17
October 15
November 12
December 10
Note: hearing dates are dependent on quorum; applications, & are subject to change

DATE OF NEXT HEARING – January 15, 2024 (proposed)

ADJOURNMENT

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer