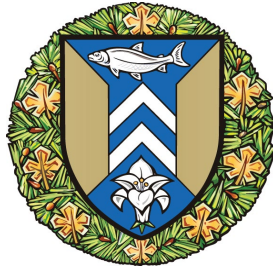


The Corporation of the
City of Sault Ste. Marie



Committee of Adjustment
September 4, 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 August 7, 2024**
 - **Disclosure of Pecuniary Interest and the General Nature Thereof**
 - **Applicant/Agent Requests for Withdrawal or Deferral**
 - **Matters Circulated But Not Appearing on the Agenda**
 - **Matters To Be Considered**
 - **A21/24 - Civic 460 Moss Road**
 - **A23/24 - Civic 566 Second Line East**
 - **B14/24 - Civic 149 Trunk Road**
 - **B17/24 - Civic 255 East Balfour Street**
 - **B1/24 Civic 277 East Balfour Street**
 - **B16/24 - Civic 215 Old Garden River Road**
 - **Deferred Applications**
 - **Other Business**
 - **Adjournment**
-

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

TAB 1

Application A21/24-122-(1-137)-31658-RA

FRANK BITONTI & ANTONIETTA ROMANO are the owners of **CIVIC NO. 460 MOSS ROAD** further identified as Pt NE ¼ Sec 23, Pt 1, 1R10576, former Township of Korah. It is located on the east side of the east leg of Moss Road north of Third Line West. The subject property is designated Rural in the Official Plan & is zoned RA, Rural Area. It is approximately 0.51ha in size.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, to reducing the required south side yard to facilitate the construction of an 8.53m x 10.97m detached garage.

	By-Law Requirement 2005-150	Proposed Variance
8.5.2	Minimum required interior side yard 5m	Reduce the minimum south interior side yard to 1.82m for the proposed 8.53m x 10.97m garage only

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. No public input was received on this application as of the time of writing this report.

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.

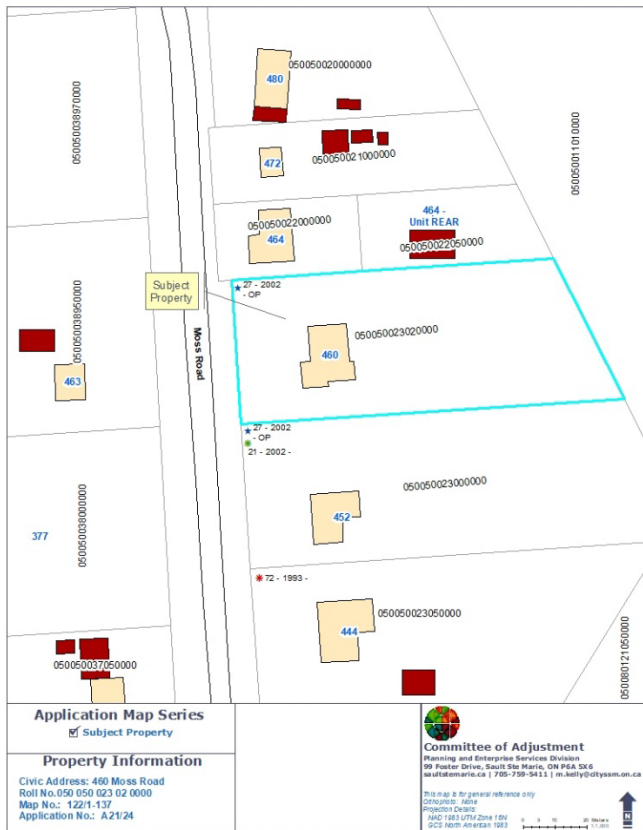
Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		No comment
Conservation Authority	X	Any development will require a site plan review & a permit from SSMRCA. No concerns with this request.
Engineering & Construction	X	No comment
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	No objection
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns

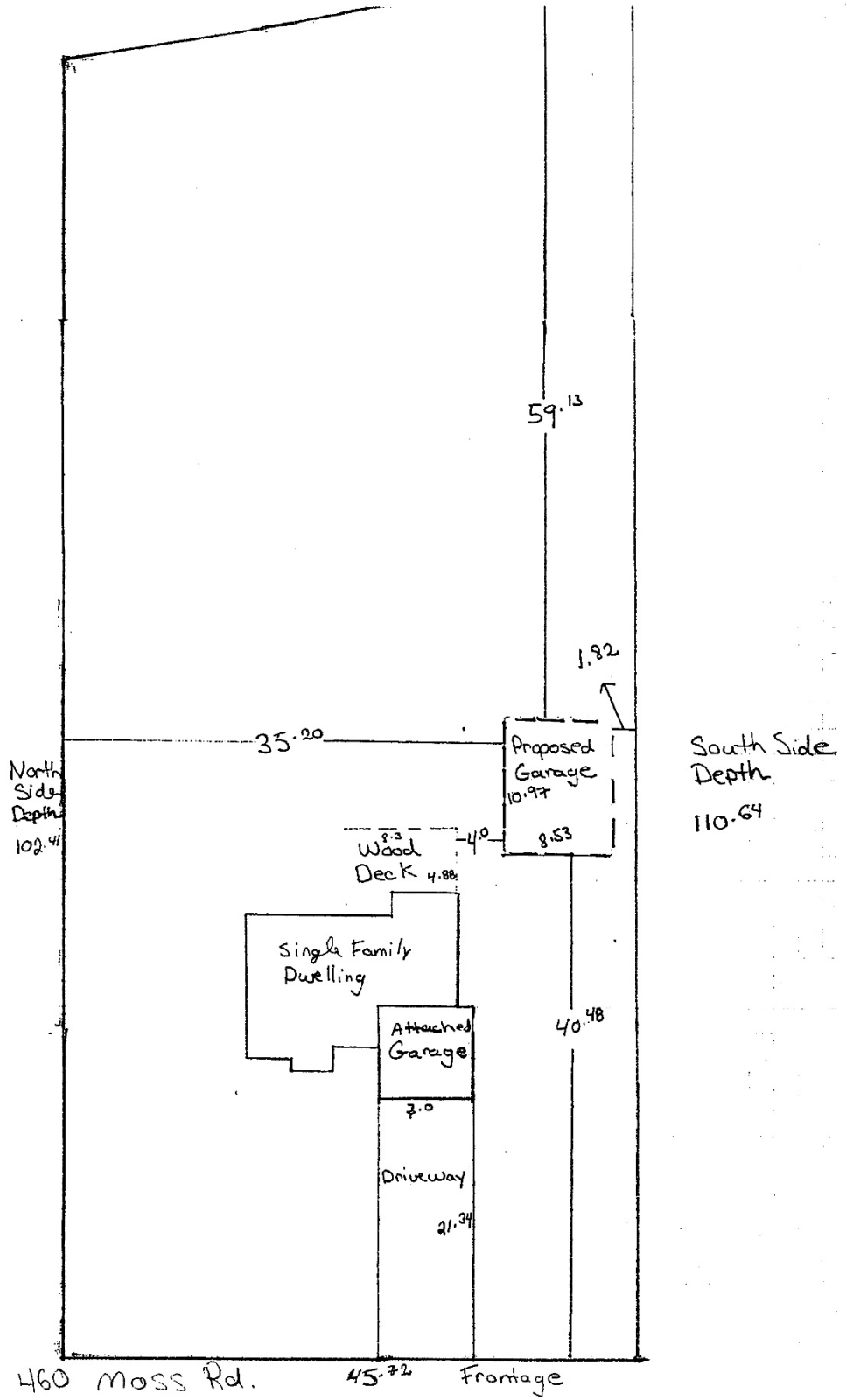
Public Works

Planning has no objection. This property is in an area with a mix of Rural Area and R1 Rural Estate lots. The request to locate the garage to 1.82 metres is in line with what would be permitted in the property across the street from this one at 1.2 metres as the zoning by-law. It is not foreseen that it would have a negative impact on the adjoining lot. There are other garages with a reduced setback in the neighbourhood. To mitigate some of the effect from the reduced setback, the property has a tree line on the lot line border that will offset the impact of this structure.

Staff Comments/Recommendations(s)

No objections to the request and there is no evidence of any negative impact being created if approved.





TAB 2

Application A23/24-84-(1-94)-10477-M2

MALCAP INVESTMENTS LTD. is the owner of **CIVIC NO. 566 SECOND LINE EAST** identified as PT LT 39 RCP H744, former Township of Tarentorus being Pt 1, 1R5971. It is located on the north side of Second Line East approximately 260m west of the Second Line East and Great Northern Road intersection. The subject property is designated Industrial in the Official Plan & is zoned M2, Medium Industrial.

INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by including in Section 14.2.1, Permitted Uses, the distribution for gas and welding equipment and office use (specifically a private vocational school). To legitimize these additional uses that have been in operation from this site for many years.

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. No public input to date.

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, see comments below
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		

The **Building** Division records show that the last known use of this building was a warehouse with a subsidiary use of a showroom and offices which may or may not align with the current use. It is our recommendation that any approval be conditional on the applicant/owner undertaking a review of the current and intended use of this building with Building Division staff to ensure compliance. The applicant will require a Change of Use permit.

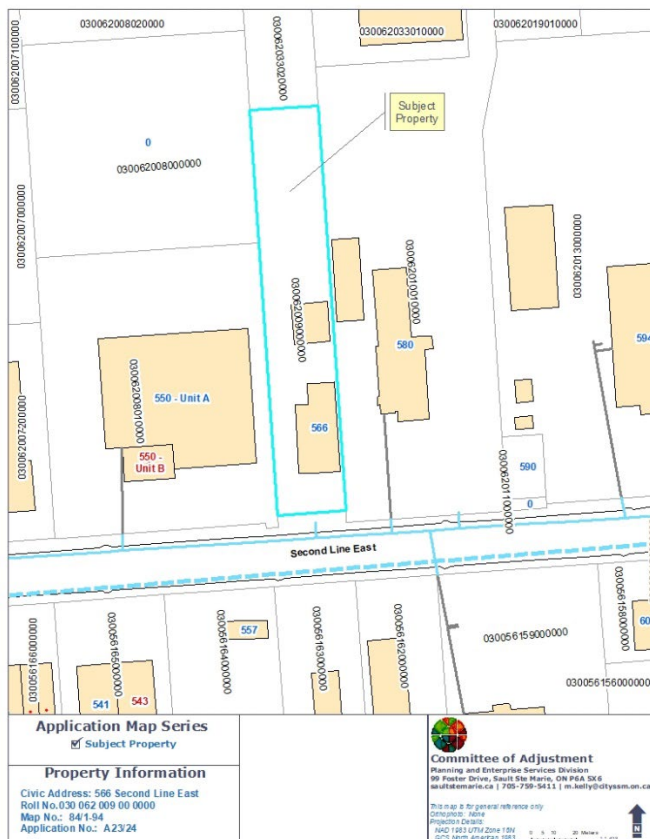
Planning staff has no objection regarding the proposed application. The proposal adheres to the criteria of the four tests of a minor variance. The primary functions of the existing lot are Bulk Storage and Distribution and Medium Manufacturing specifically fabrication of metal products, which includes welding. These uses are permitted in the Medium Industrial (M2) Zoen. Therefore, the technical training facility for welding is minor in nature and planning staff does not anticipate any adverse effects.

Staff Comments/Recommendations(s)

No objections to the request and no evidence of any negative impact if approved.

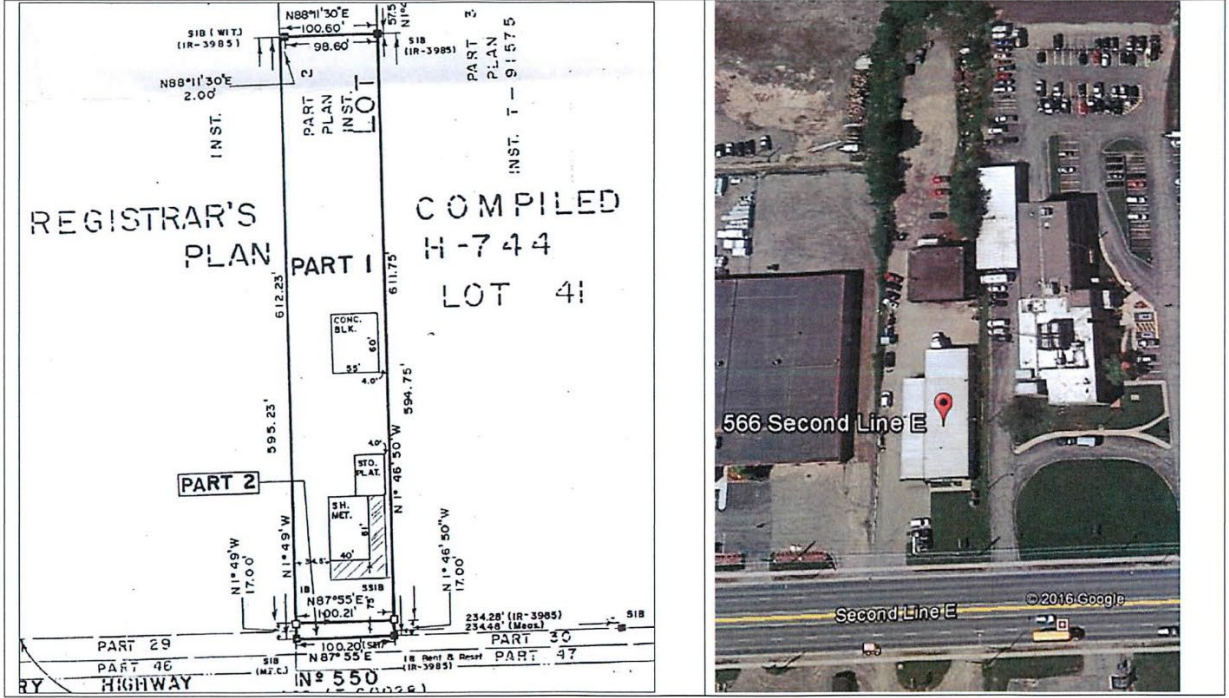
Recommended conditions of any approval,

1. That the applicant/owner obtain a Change of Use permit.



2.

1.4 SITE PLAN and AERIAL VIEW



Current Value Opinion – 566 Second Line East, Sault Ste. Marie, ON – Page 4 of 33
 J E Luzzi Appraisal Services, 807-1139 Queen St. E., Sault Ste. Marie, ON P6A 6K5

Application B14/24-21-(1-20)-764-C4

786211 ONTARIO LIMITED & the ESTATE OF FRANK MARIO ADAMO are the owners of Lot 100 Plan 55366 St. Mary's; Pt. Lt. 101 PL 55366 St. Mary's; Pt. Lt. 132 PL 55366 St. Mary's designated as Parts 1 & 2 PL 1R14098 (PIN 31517-0499 LT), and municipally identified as **CIVIC NO. 149 TRUNK ROAD**. It is located on the south easterly side of Trunk Road approximately 55m east of the Trunk Road and Lake Street intersection. The subject property is designated Commercial in the Official Plan and is zoned C4, General Commercial.

INTENT OF THE APPLICATION

The applicant is seeking the Committee's consent to **sever and convey an easement** over the easterly **3.3528m x 45.72** (the existing driveway) in favour of the easterly abutting property being **Civic No.151 Trunk Road**.

The intent of the application is to acknowledge the 0.2" encroachment at the rear of the existing building at 151 Trunk Road onto the subject property and, to provide continued access/egress over the existing driveway in favour of Civic No. 151 Trunk Road.

Public Response

Notice of public hearing was sent by personal mail to neighbouring properties, by posting a sign on-site and by posting on the City's website. No public input has been received to date.

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.

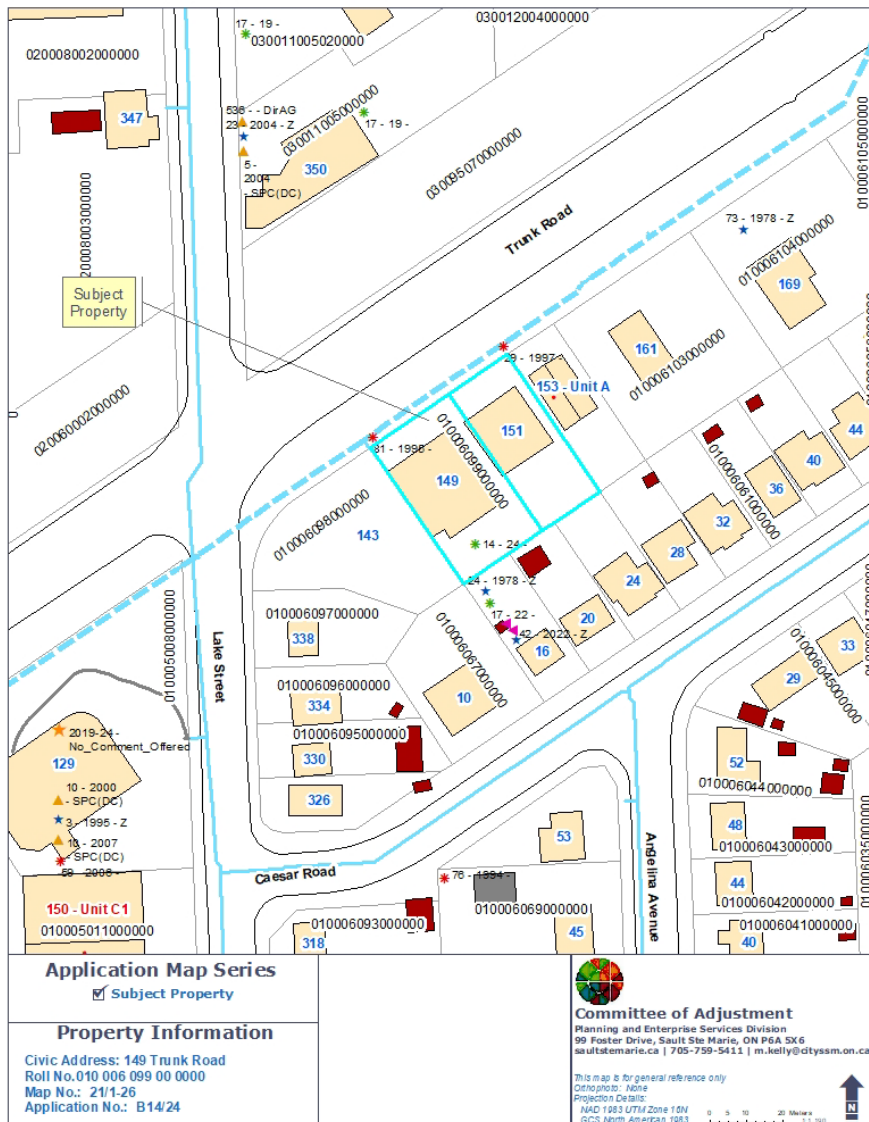
Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	No comments
Fire Services	X	No comments
Legal Department	X	No comments or concerns
Planning Division	X	No objection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

Staff Comments/Recommendations(s)

No evidence of 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
- Provide reference plan.
- Provide PIN abstract & PIN map.
- Payment of Taxes



Google Maps 100 Trunk Rd



Sault Ste. Marie, Ontario
Google Street View
Jun 2021 See more dates

Image capture: Jun 2021 © 2024 Google



BUILDING LOCATION SURVEY OF
**LOT 102 AND THE
 EASTERLY 14' OF LOT 101**
 REGISTERED PLAN No. 55366
 (ACCIAVATTI SUBDIVISION)
 CITY OF
SAULT STE. MARIE
 DISTRICT OF ALGOMA
 SCALE: 1 INCH = 20 FEET
 L.A. MILLER O.L.S.
 1987

BEARING NOTE

BEARINGS ARE ASTRONOMIC, DERIVED FROM THE SOUTH
 LIMIT OF TRUNK ROAD AS BEING N 57°50' E AS SHOWN
 ON PLAN 55366.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
 COMPLETED ON THE 17th DAY OF JUNE, 1987.

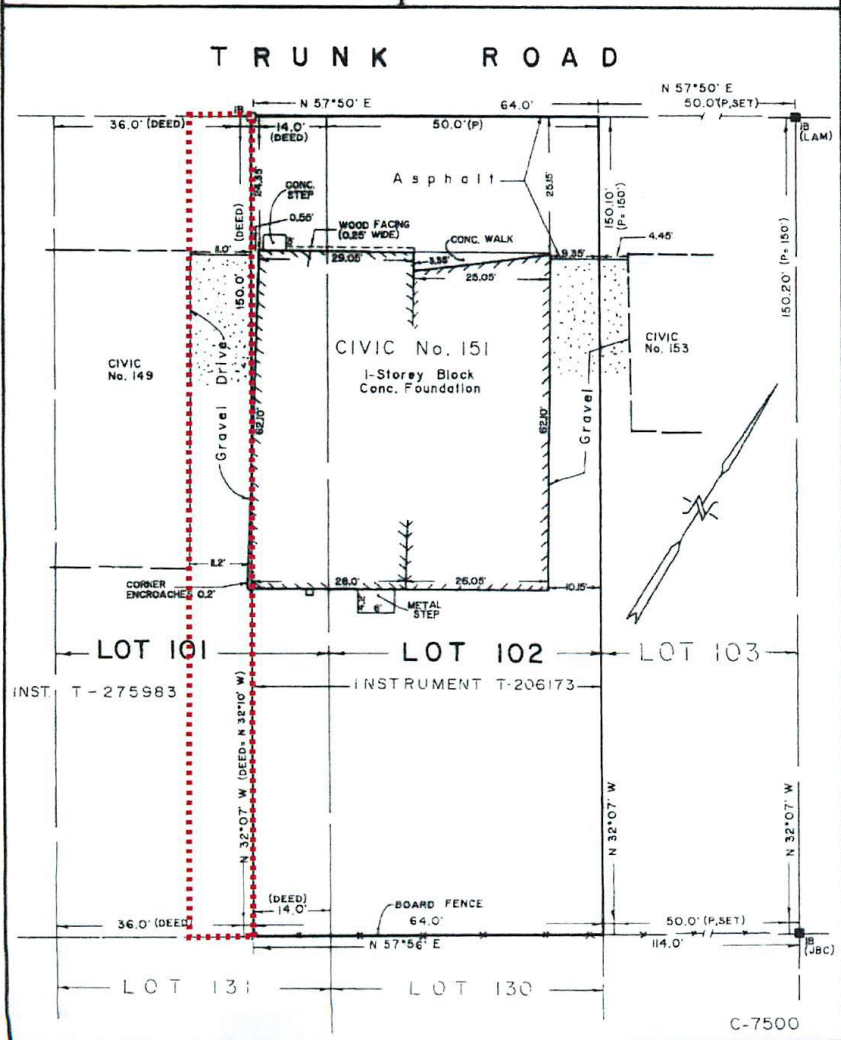
June 18, 1987.
 Sault Ste. Marie, Ontario.

L.A. Miller
 L.A. MILLER
 Ontario Land Surveyor
 Chambers and Miller Limited © 1987.

LEGEND

- DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- IB DENOTES IRON BAR
- JBC DENOTES J.B. CHAMBERS, O.L.S.
- LAM DENOTES L.A. MILLER, O.L.S.
- F DENOTES PLAN No. 55366
- DENOTES FENCE

NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL.



Application B17/24-54-(1-70)-33091-R2, S416

DANIEL FREMLIN HOLDINGS INC. is the owner of PT LT 1 RCP H730, former Township of Korah, further described as PT 8, 1R13309 and municipally identified as **CIVIC NO. 255 EAST BALFOUR STREET**. It is located on the south side of East Balfour between Goulais Avenue and Wilding Avenue. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential with a special exception.

INTENT OF THE APPLICATION

The applicant is seeking the Committee’s consent to sever an easterly portion of the subject property described below and convey it to the abutting property being Civic No. 277 East Balfour.

Width (approximate)	Length (approximate)	Area (approximate)
4.75m (sever)	51.374m	0.024ha
16.585m (retain)	51.374m	0.08ha

The intent of the application is to increase the land holding at Civic No. 277 East Balfour Street to assist in new lot creation as proposed in application B18/24.

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. No public input was received on this application as of the time of writing this report.

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	X	No concerns. A site plan review will be required and may require a permit from SSMRCA
Engineering & Construction	X	No comments
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	No objection, see comment below
PUC Distribution Inc. (Electric)	X	No response
Public Utilities Comm. (Water)	X	No response
Public Works	X	No comments or concerns

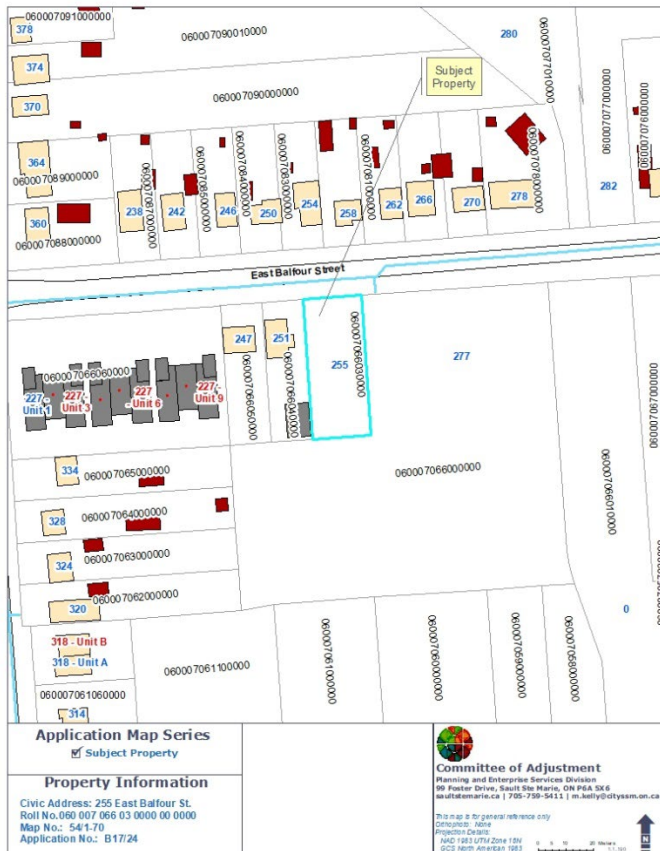
Planning staff noted that the retained lands will continue to have sufficient frontage and lot area as specified in the Gentle Density Residential (R2) Zone.

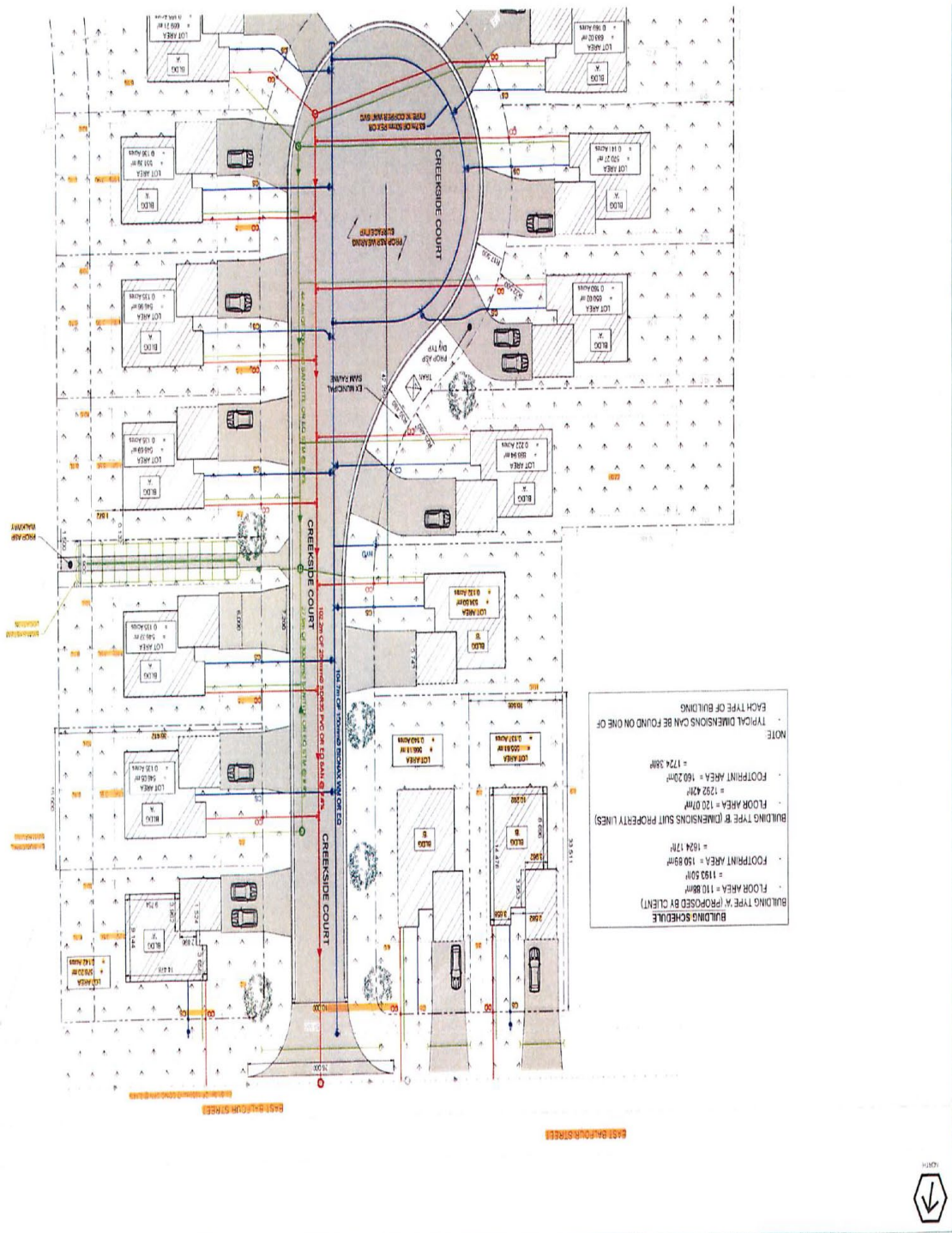
Staff Comments/Recommendations(s)

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





TAB 5

Application B18/24-54-(1-70)-32791-R2

1000941666 ONTARIO INC. (formerly owned by DANIEL FREMLIN HOLDINGS INC.) is the owner of PT LT 1 RCP H730, former Township of Korah, further described as PTS 9 & 10, 1R13309 and municipally identified as **CIVIC NO. 277 EAST BALFOUR STREET**. It is located on the south side of East Balfour between Goulais Avenue and Wilding Avenue. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential.

INTENT OF THE APPLICATION

Subject to final consent of application **B17/24**, the applicant is seeking the Committee's consent to sever the westerly **16.58m x 51.37m** fronting on East Balfour to facilitate the creation of a new residential lot resulting in the lot configurations described below.

Width (approximate)	Length (approximate)	Area (approximate)
16.58m (sever)	51.374m	0.085ha
44.538m (retain)	irregular	0.91ha

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. No public input was received on this application as of the time of writing this report.

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	X	No concerns, a site plan review is required and possibly a permit from SSMRCA
Engineering & Construction	X	See comments below
Fire Services	X	No comments
Legal Department	X	No comment
Planning Division	X	No objection, see comments below
PUC Distribution Inc. (Electric)	X	No response
Public Utilities Comm. (Water)	X	No response
Public Works	X	No comments or concerns

Engineering staff advised that,

- A lot grading and drainage plan must be completed by a Lot Grading Professional, to ensure that drainage is dealt with appropriately. Lot Grading Professionals must be a Professional Engineer (civil), Architect, or Ontario Land Surveyor, experienced in lot grading design;
- As is common practice for all new urban residential Subdivisions, the applicant must pay to the City a fee for the provision of trees. The fee is \$500.00 per lot;
- A sanitary lateral is required for the proposed lot; and
- A culvert will be required if it does not already exist. A culvert permit will be required from the City Building Division with fees outlined in the User Fee By-law.

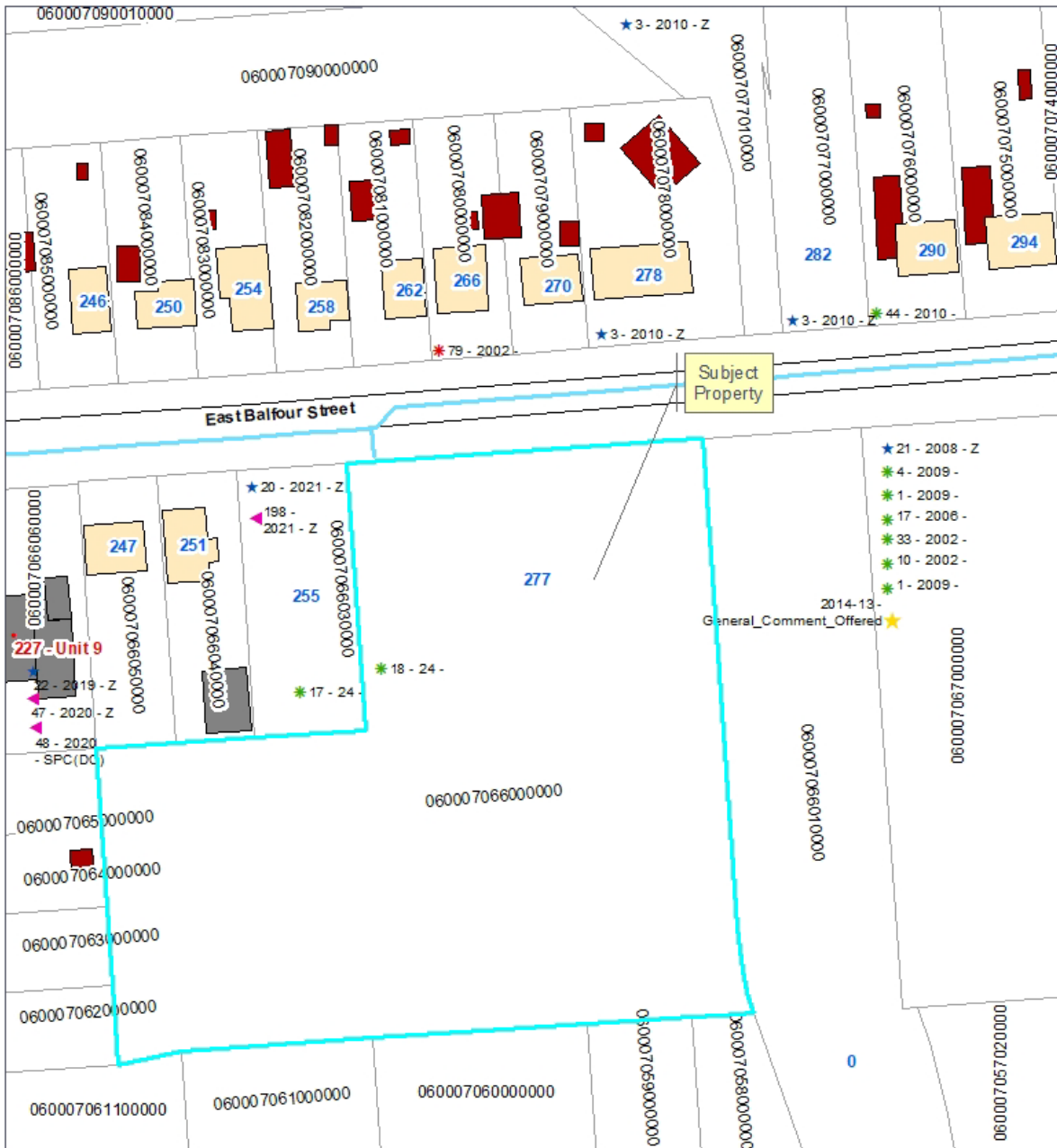
Planning staff noted that the retained lands will continue to have sufficient frontage and lot area as specified in the Gentle Density Residential (R2) Zone.

Staff Comments/Recommendations(s)

No evidence of any opposition to the request.

Recommended conditions of any approval are,

- Provide a registered copy of the transfer of abutting property to the subject property, as referred to in consent application B17/24
- Payment of 5% Cash-in-lieu of Parkland
- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official
- Provide a lot grading and drainage plan completed by a Lot Grading Professional for approval by the Director of Engineering or his designate
- Provide reference plan.
- Provide \$500 tree payment
- Provide a sanitary lateral for the proposed parcel
- Obtain a new culvert permit for the proposed parcel
- Provide PIN abstract & PIN map.
- Minor Variance application approval if required.
- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes



Application Map Series <input checked="" type="checkbox"/> Subject Property	
Property Information Civic Address: 277 East Balfour Roll No. 060 007 066 00 0000 Map No.: 54/1-70 Application No.: B18/24	

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

This map is for general reference only
 Orthophoto: None
 Projection Details:
 NAD 1983 UTM Zone 18N
 GCS North American 1983

N



New Lot "B"

East Balfour Street

New Lot A

BUILDING SCHEDULE
 BUILDING TYPE: A (PROPOSED BY CLIENT)
 FLOOR AREA = 1382.50 SF
 FOOTPRINT AREA = 1324.80 SF
 + 124.14 SF

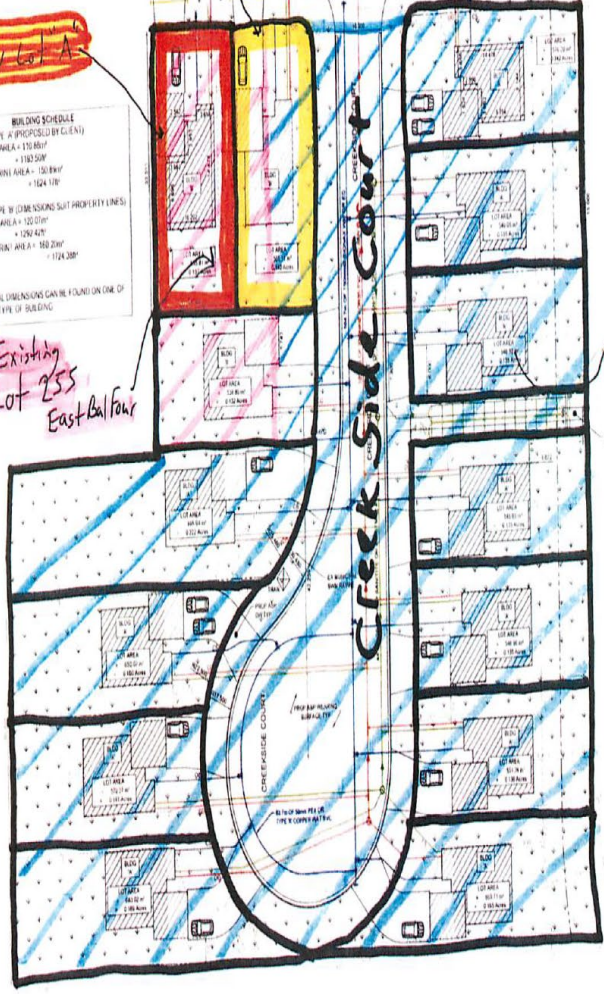
BUILDING TYPE: B (EXISTING SUB PROPERTY LINES)
 FLOOR AREA = 122.07 SF
 FOOTPRINT AREA = 102.29 SF
 + 119.38 SF

NOTE:
 TYPICAL DIMENSIONS CAN BE FOUND ON ONE OF EACH TYPE OF BUILDING

Existing Lot 255 East Balfour

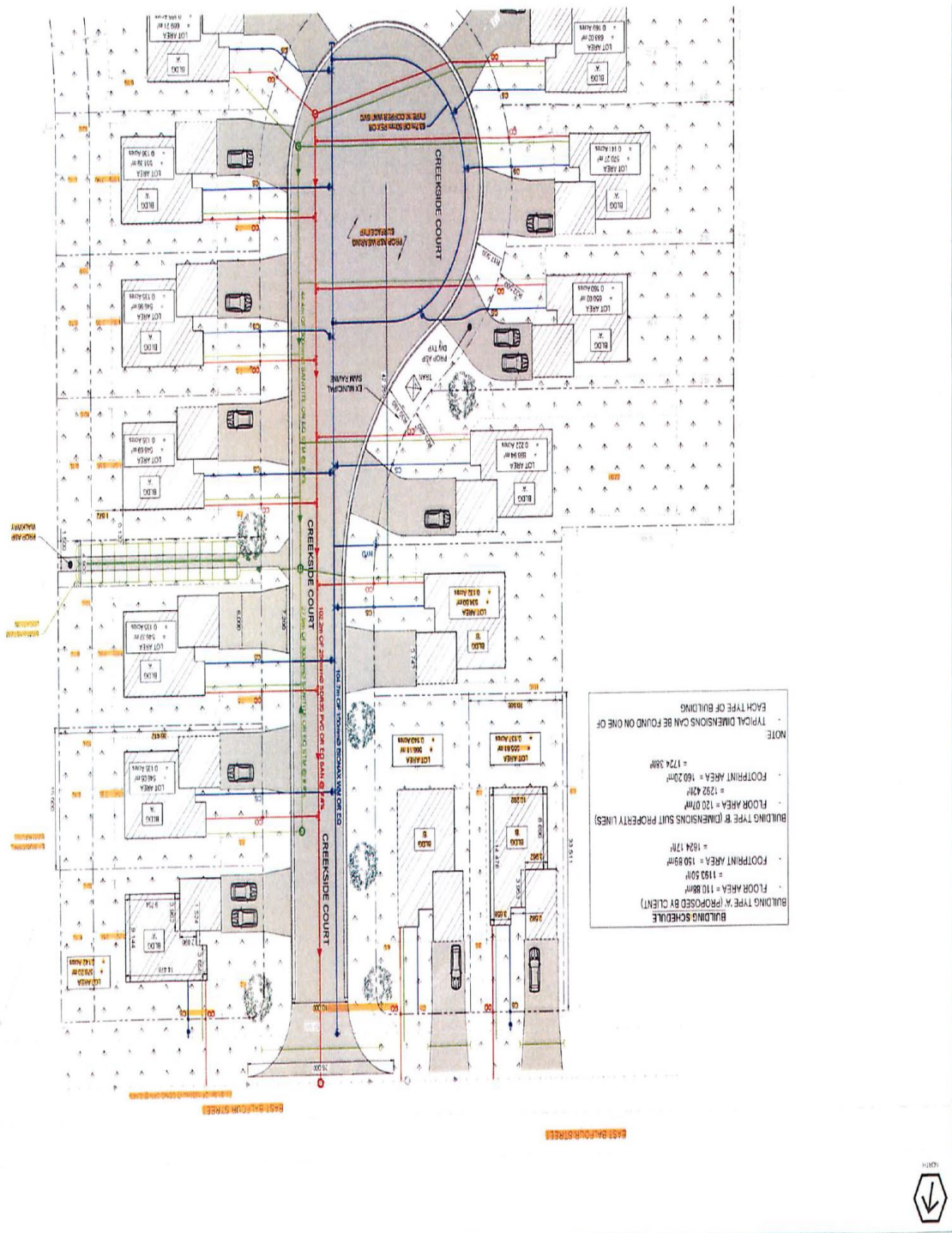
Creek Side Court

Existing Lot 27 East Balfour



New Lot A
 Frontage: 16.586
 Depth: 34.607
 Area: 555.81

New Lot B
 Frontage: 17.024
 Depth: 34.607
 Area: 566.11



BUILDING SCHEDULE

BUILDING TYPE "A" (PROPOSED BY CLIENT)
 - FLOOR AREA = 1100 SQ FT
 - FOOTPRINT AREA = 100 SQ FT

BUILDING TYPE "B" (DIMENSIONS SUIT PROPERTY LINES)
 - FLOOR AREA = 1200 SQ FT
 - FOOTPRINT AREA = 100 SQ FT
 - LOT AREA = 1200 SQ FT

BUILDING TYPE "C" (DIMENSIONS SUIT PROPERTY LINES)
 - FLOOR AREA = 1300 SQ FT
 - FOOTPRINT AREA = 100 SQ FT
 - LOT AREA = 1300 SQ FT

NOTE:
 - TYPICAL DIMENSIONS CAN BE FOUND ON ONE OF EACH TYPE OF BUILDING

Application B20/24-85-(1-95)-33419-R2

DANIEL FREMLIN HOLDINGS INC. is the owner of PT SEC 29, former Township of Tarentorus, further described as PT 3, 1R-14097 and municipally identified as **CIVIC NO. 215 OLD GARDEN RIVER ROAD**. It is located on the easterly side of Old Garden River Road between Second Line East and Millcreek Drive. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential.

INTENT OF THE APPLICATION

The applicant is seeking the Committee’s consent to sever the subject property into two independent parcels described below, providing autonomous title to each semi-detached unit.

Width (approximate)	Length (approximate)	Area (approximate)
9.144m (sever)	40.8m	0.037ha
9.144m (retain)	40.8m	0.037ha

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. No public input was received on this application as of the time of writing this report.

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 objections
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	See comments below
Fire Services	X	No comments or concerns
Legal Department	X	No comment
Planning Division	X	No objection, see comments below
PUC Distribution Inc. (Electric)	X	No concerns however separate electric services will be required and remain on their respective properties, or an easement will be required
Public Utilities Comm. (Water)	X	No response
Public Works	X	No comments or concerns

Engineering staff advised that all requirements as outlined in the Lot Development and Drainage Agreements must be complied with including but not limited to certification that services and rear yard drainage works have been installed per the approved drawings.

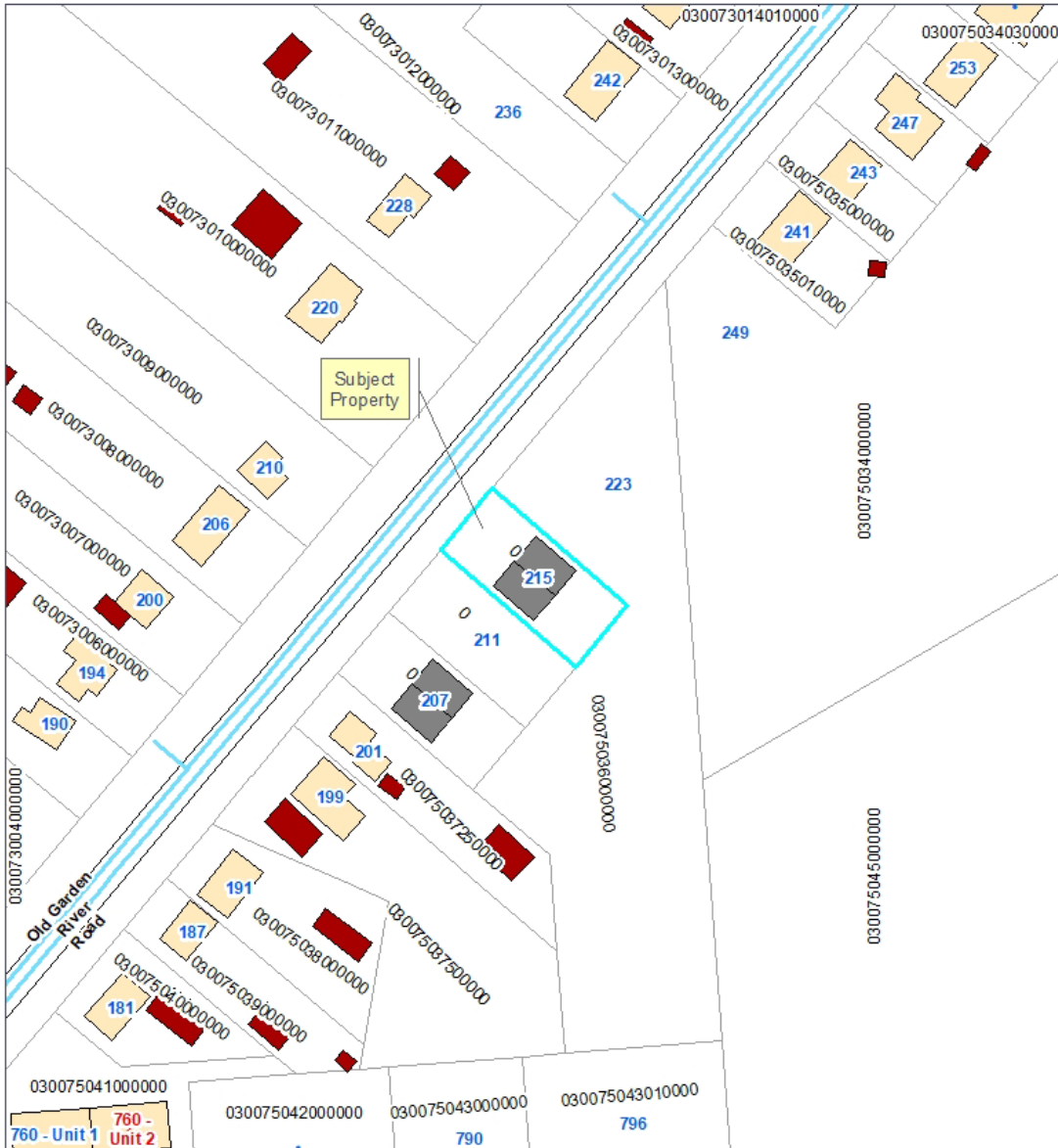
Planning staff noted that the retained and severed portions will have sufficient frontage and continue to lawfully exist in accordance with Sec. 4.14.10 of Zoning By-law 2005-150.

Staff Comments/Recommendations(s)

No evidence of any opposition to the request.

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 approval from the Director of Engineering and/or the Chief Building Official or their designates that all requirements as outlined in the Lot Development and Drainage Agreement are complied with to their satisfaction.



Application Map Series
 Subject Property


Property Information
 Civic Address: 215 Old Garden Rvr Rd
 Roll No. 030 075 036 04 0000
 Map No.: 851-95
 Application No.: B20/24

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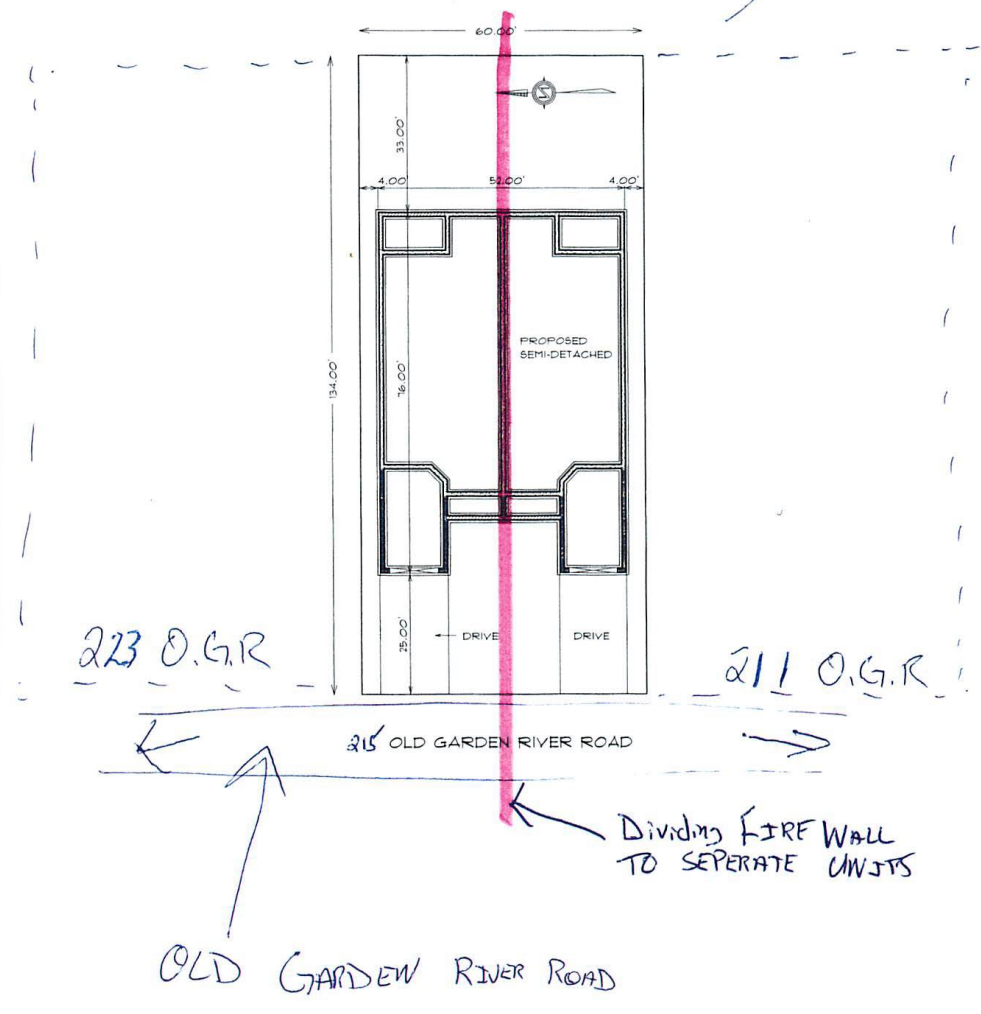


Committee of Adjustment
 Planning and Enterprise Services Division
 99 Foster Drive, Sault Ste Marie, ON P6A 5X6
 saultstemarie.ca | 705-759-5411 | m.kelly@cityssm.on.ca

This map is for general reference only
 Orthophoto: None
 Projection Details:
 NAD 1983 UTM Zone 18N
 GCS North American 1983



- REAR LAND TOWN,
SEPERATE PARCEL



➤ **Deferred Applications**

OTHER BUSINESS

TAB 7

DATE OF NEXT HEARING – October 2, 2024

ADJOURNMENT

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer