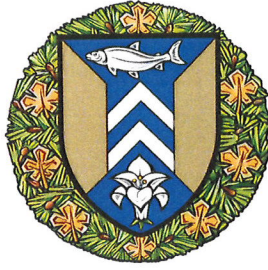


The Corporation of the  
City of Sault Ste. Marie



Committee of Adjustment  
October 2, 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 September 19, 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**
    - **A25/24 - Civic 206 Alagash Drive**
    - **A26/24 - Civic 1524 Trunk Road**
    - **A27/24 - Civic 1246 Goulais Avenue**
    - **A28/24 - Civic 48 St. Michael's Square**
    - **A29/24 - Civic 493 Sunnyside Beach Road**
    - **A30/24 – Civic 44 Great Northern Road**
  - **Deferred Applications**
  - **Other Business**
  - **Adjournment**
-

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

**TAB 1**

**Application A25/24-320-(2-3)-23850-R1**

**RICHARD & CARLY TOMAS** are the owners of Pt of the NE1/4 of Section 24 municipally identified as **CIVIC NO. 206 ALAGASH DRIVE**. It is located on the south side of Alagash Drive and abuts St. Mary's River. It is designated Rural Area in the Official Plan and is zoned R1, Estate Residential

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the east interior side yard and increasing the height of new 9.14m x 13.76m detached garage having an upper-level cold storage area. (***advisement**; the existing garage will be demolished*)

	<b>By-Law Requirement 2005-150</b>	<b>Proposed Variance</b>
<b>9.5.2</b>	<b>Minimum</b> interior side yard <b>3.5m</b>	<b>Reduce</b> the easterly side yard to <b>1.2m</b> for the proposed garage only, and
	<b>Maximum</b> height for accessory buildings <b>6m</b>	<b>Increase</b> maximum permitted height for the proposed garage to <b>8.25m</b>

**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.

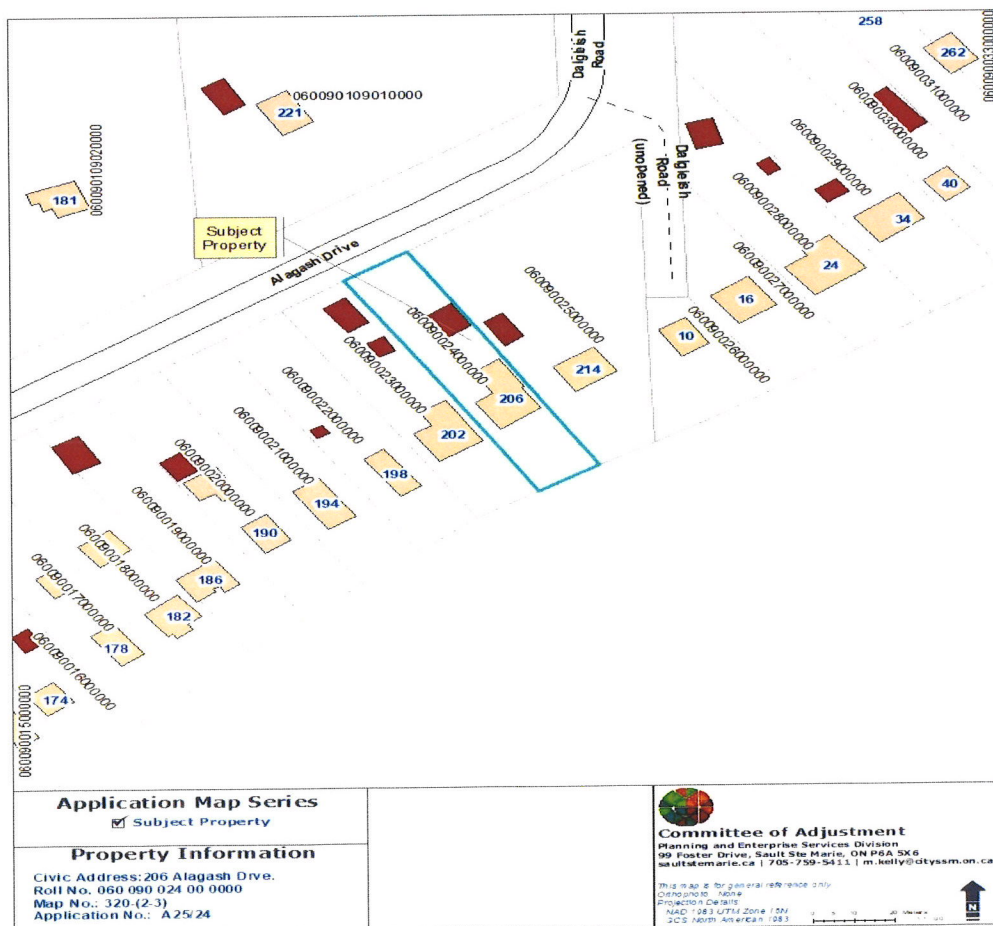
Division/Agency	Circulated	Response
Algoma Public Health	X	
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)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

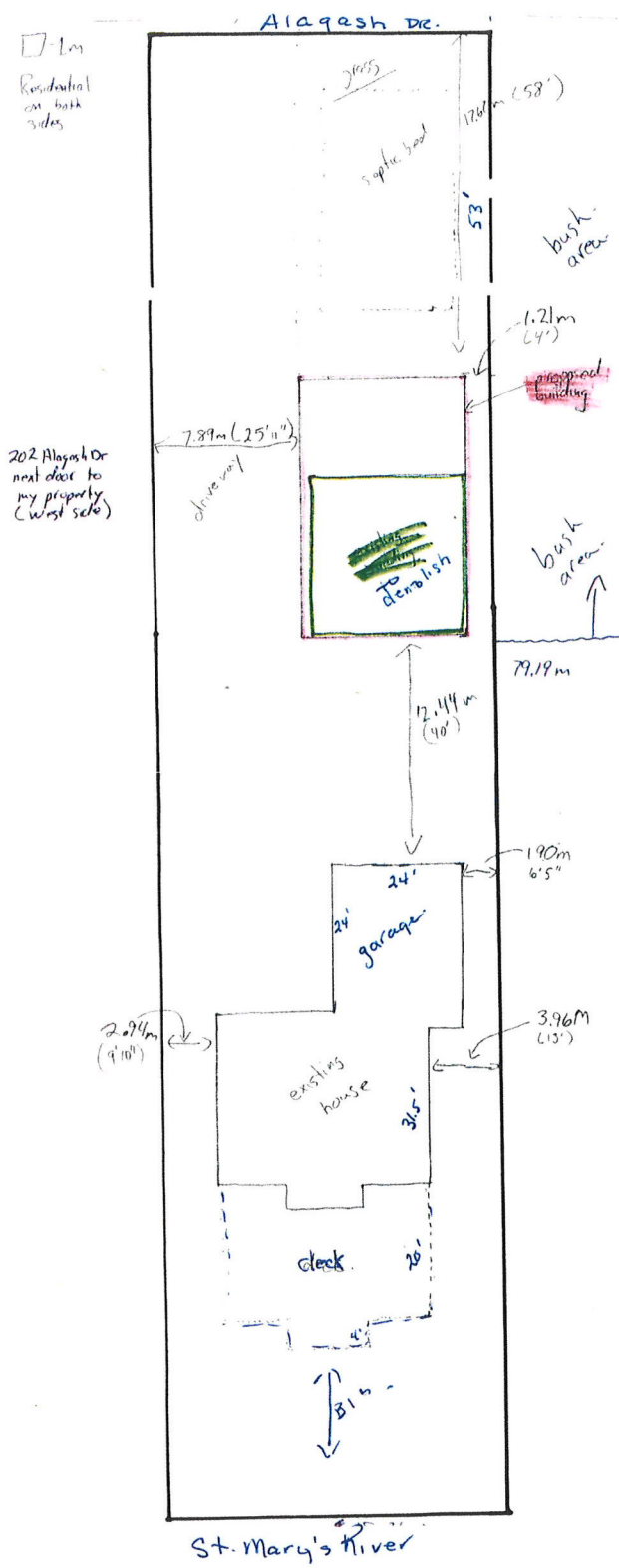
Planning staff have no objections to this application.

- This neighbourhood is generally characterized with houses/cottages situated closely together and it is quite typical for properties to not conform to the 3.5m setback requirements for interior side yards. Furthermore, the new garage will generally be in line with the existing attached garage on the same property.
- There are several other examples of similar two-storey accessory structures along Alagash Drive and within the surrounding area.
- As such, the proposal does not represent a significant deviation from the neighbourhood character. Planning staff is of the opinion that the requested variances are minor, is desirable for appropriate use of the property, and maintains the general intent and purpose of the Official Plan and Zoning By-law.

### **Staff Comments/Recommendations(s)**

The request has planning staff support. There is no evidence of objections to the request.

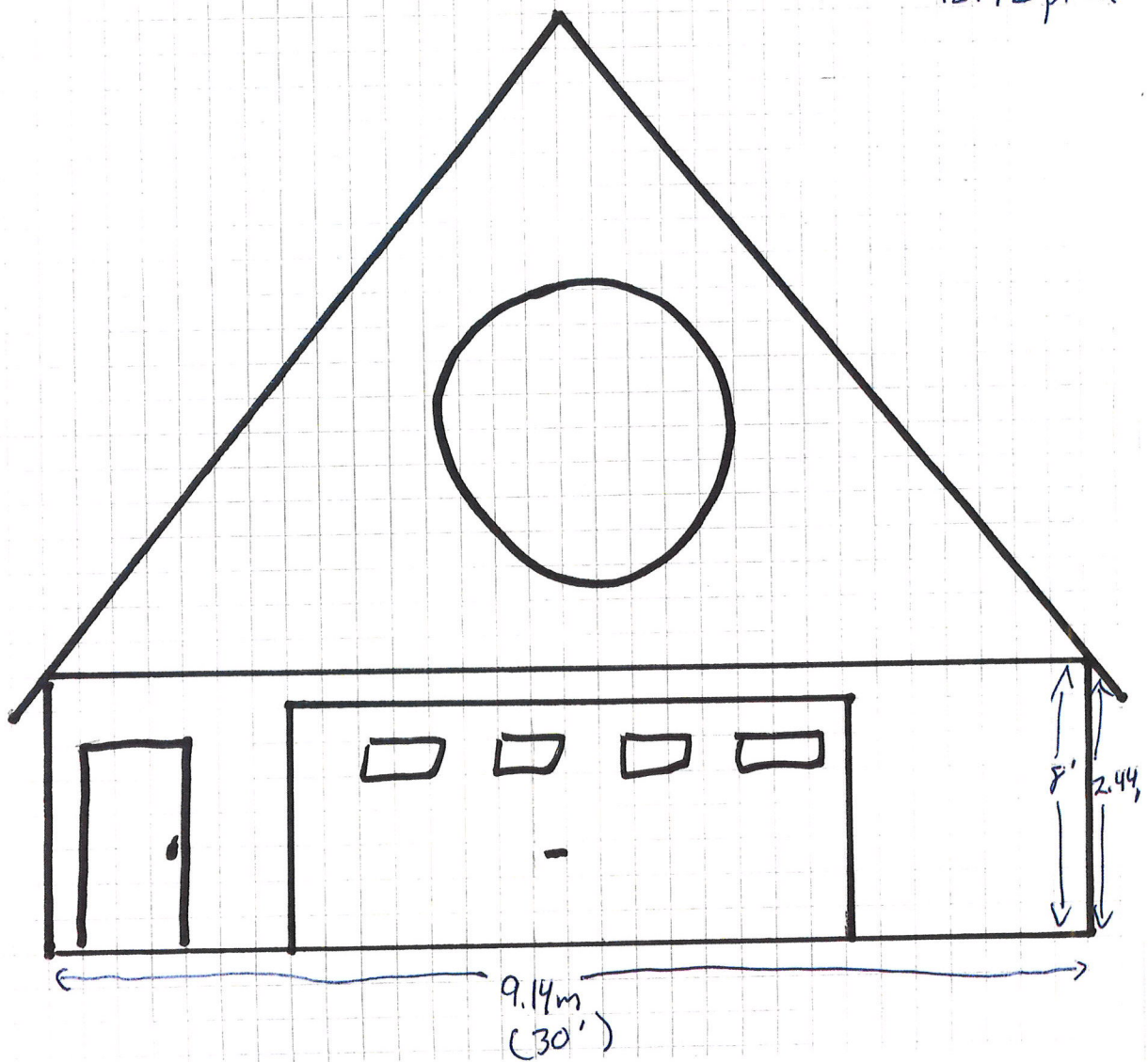






Facing original Residence  
(front side)  
(south side).

12/12 pitch.



## TAB 2

### Application A26/24-68-(1-45)-28829-R1, HZ, S254

**2062111 ONTARIO LIMITED** is the owner of Blk 15 Plan 1M604 former Township of Rankin, municipally identified as **CIVIC NO. 1525 TRUNK ROAD**. It is located on the southerly side of Trunk Road Alagash Drive approximately 165m east of the Trunk Road/Fournier Road intersection. It is designated Commercial and Rural Area in the Official Plan and is zoned R1, Estate Residential & Highway Zone with a special exception.

#### **INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150 & 2005-151, as amended, by reducing the east interior side yard and increasing the height of new 9.14m x 13.76m detached garage having an upper-level cold storage area. (***advisement**; the existing garage will be demolished*)

	<b>By-Law Requirement 2005-150 &amp; 151</b>	<b>Proposed Variance</b>
<b>4.9</b>	Where a non-residentially zoned lot abuts a residential or rural zoned lot, the <b>non-residentially zoned lot shall provide</b> and maintain a planting strip along the full extent of the common boundary of such lots, or provide buffering	<b>Remove</b> the requirement for a planting strip or buffering between the HZ & R1 zones as the entire property will function as a single personal storage facility.
<b>Sp. 254 (c)</b>	Private storage facility on Block 46 is for the <b>Exclusive use</b> of the residents living on Blocks A & B	<b>Remove</b> the exclusive use restriction and <u>private</u> storage facility & <b>Permit</b> Block 46 to be utilized as a personal storage facility.

#### **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	X	
Bell Canada Right-of-Way		

Building Division	X	No objection
Canada Post	X	
Conservation Authority		
Engineering & Construction	X	
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works		

**Planning** staff are supportive of this application.

The buffering requirement is intended to provide a visual screen between a non-residentially zoned lot and a residential lot for the purpose of improved aesthetics, safety, enhanced privacy, and land use compatibility. The subject property is split zoned with a non-residential portion (zoned HZ) and residential portion (zoned R1) on the same lot. The applicant is proposing to use the R1 portion of this property for the same non-residential purpose as the HZ zoned portion (storage facility). Therefore, there will be no residential/non-residential interface on this lot. Thus, it is appropriate to remove the buffering requirement where the zones bisect the lot.

Personal storage facilities employ few, if any, on-site employees, are seldom used during evening hours and have no defined peak use periods. The site plan control process, as well as the including of visually solid buffering where the storage facility abuts a neighbouring residential property will mitigate against the common impacts associated with storage facilities. As such, there are no anticipated privacy issues that will arise from removing the exclusive use restriction in Block 46.

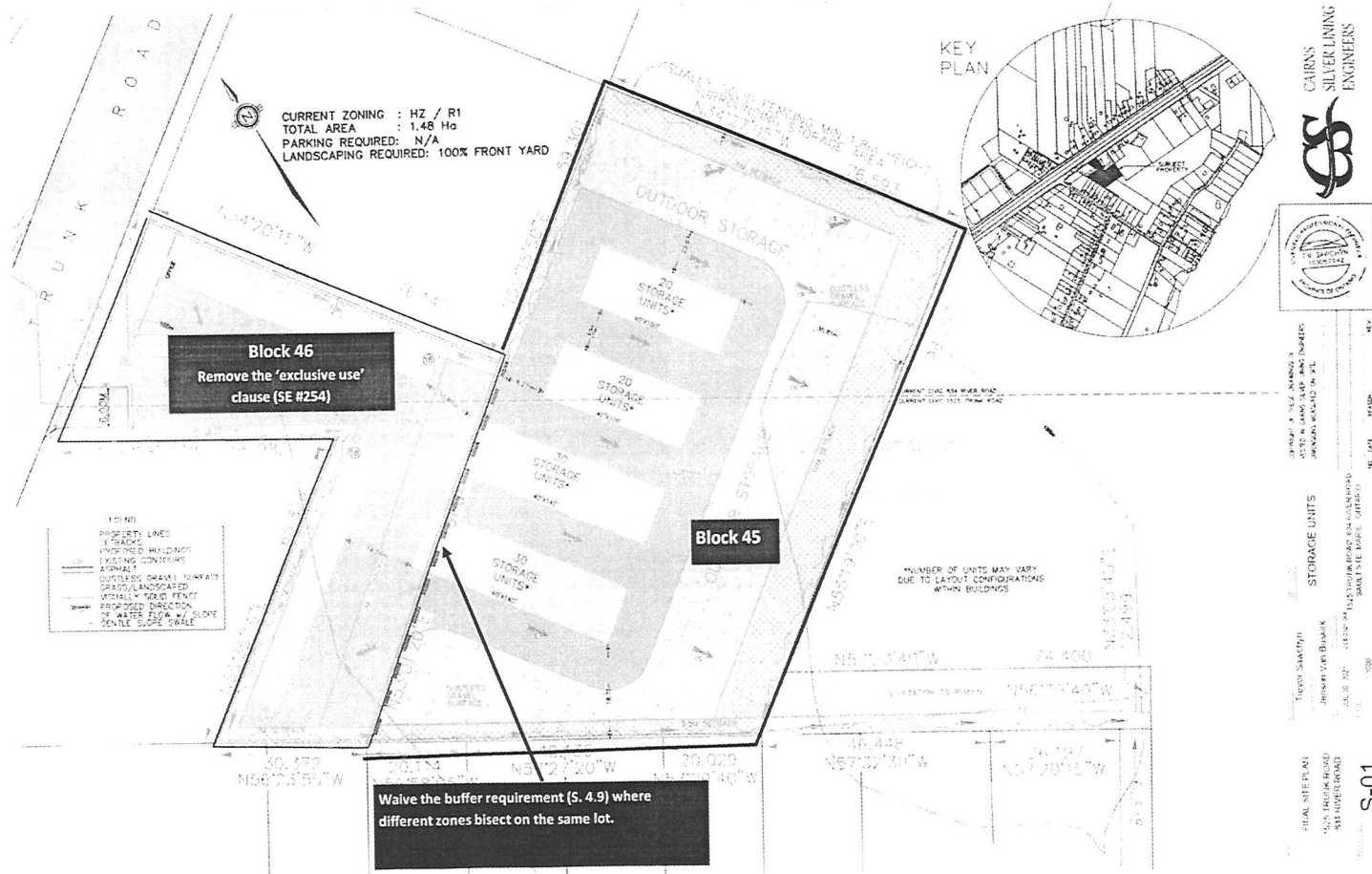
Therefore, Planning staff is of the opinion that the requested variances are minor, desirable for appropriate use of the property, and maintain the general intent and purpose of the Official Plan and Zoning By-law.

**Staff Comments/Recommendations(s)**

The request has planning staff support. No evidence of objections to the request.









### **TAB 3**

#### **Application A27/24-121-(1-136)-28312-RA**

**DAVID PACIOCCO** is the owner of Pt. of Sec. 23 being Pt. 2, 1R6556 former Township of Korah municipally identified as **Civic No. 1246 Goulais Avenue**. It is located on the east side of Goulais Avenue approximately 63m south of the Goulais Avenue/Fourth Line West intersection. It is designated Rural Area in the Official Plan and is zoned RA, Rural Area.

#### **INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the rear yard setback to facilitate the proposed construction of a 9.75m x 12.19m detached garage.

	<b>By-Law Requirement 2005-150</b>	<b>Proposed Variance</b>
<b>8.5.2</b>	<b>Minimum rear yard 15m</b>	<b>Reduce</b> the rear yard setback to <b>5.5m</b> for the proposed 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	X	
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works		

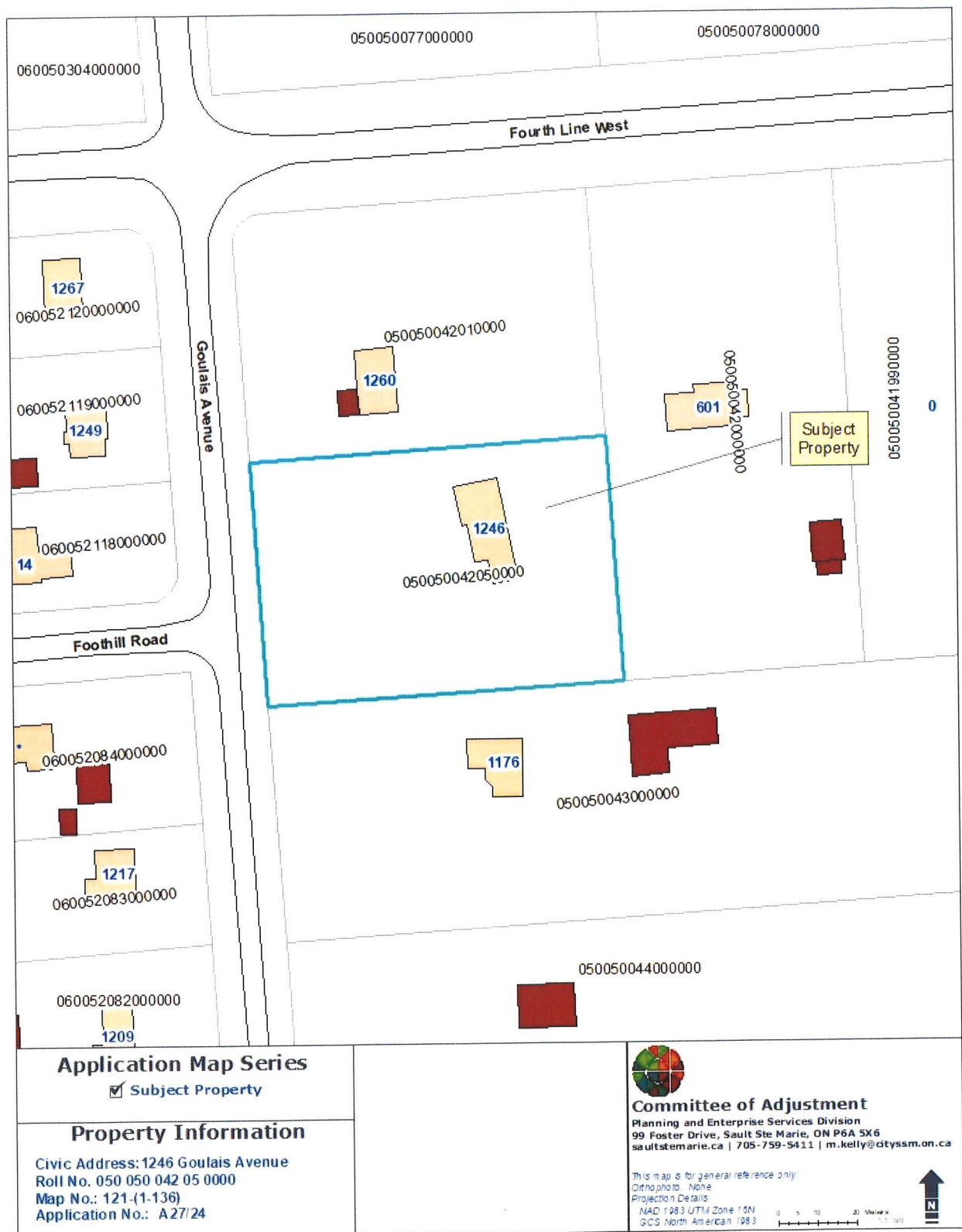
**Planning** staff are supportive of this application.

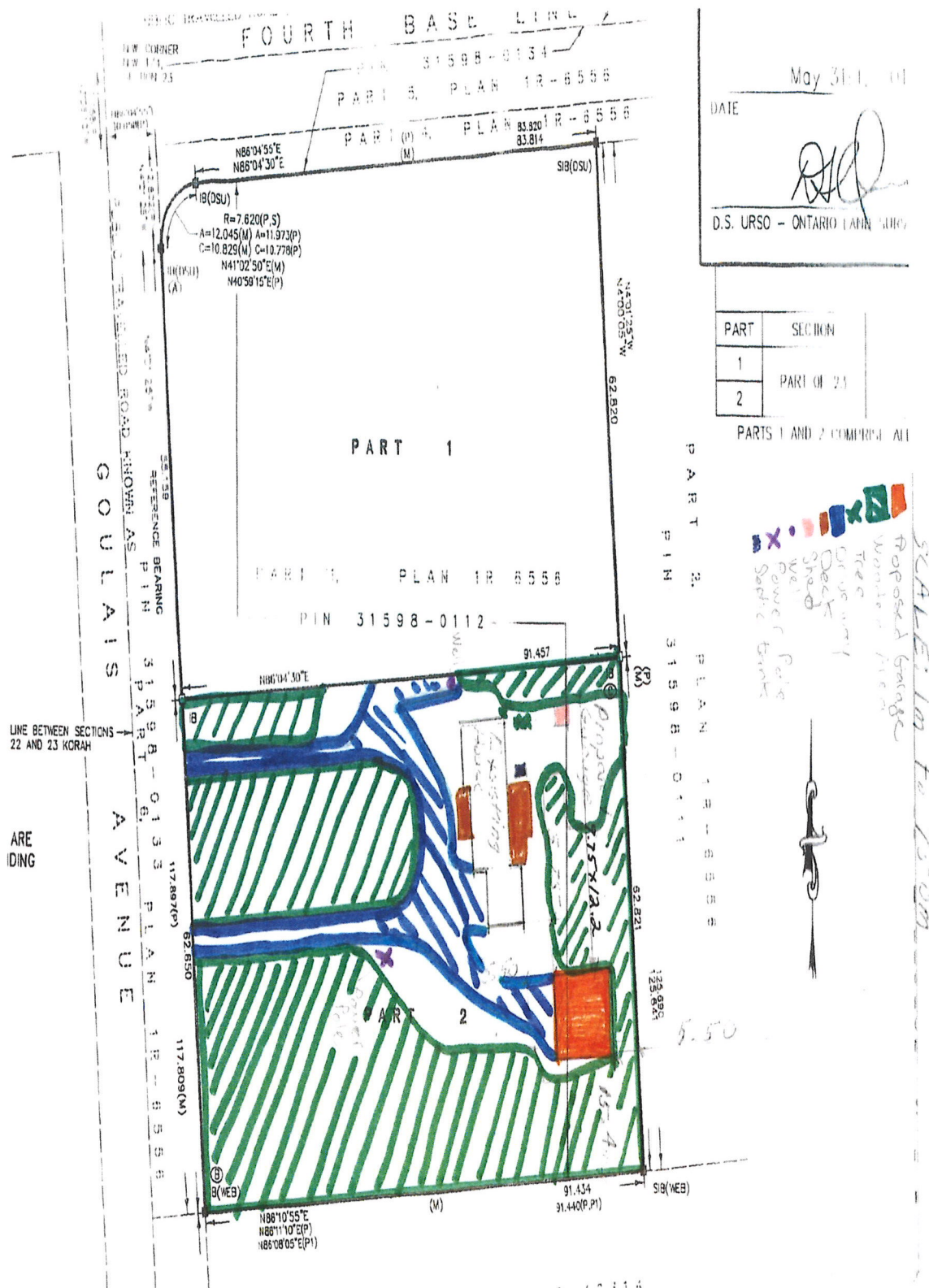
- A mature wooded area exists to the rear and sides of the proposed garage which minimizes the visual impact of the building to the abutting properties.
- Although this lot is zoned RA Rural Area, it is similar in size, character, and use to many R1 zoned lots located nearby. The nearby R1 lots permit single-storey buildings to be built 1.2m from the rear yard lot line. Planning staff is of the opinion that a rear yard setback of 5.5m (for the garage only) does not significantly change the character of the neighbourhood.
- Therefore, Planning is of the opinion that the requested variance is minor, is desirable for appropriate use of the property, and maintains the general intent and purpose of the Zoning By-law and the Official Plan.

**Staff Comments/Recommendations(s)**

The request has planning staff support. No evidence of objections to the request.

-





DATE May 31, 01

D.S. URSO - ONTARIO LAND SURVEYOR

PART	SECTION
1	PART OF 23
2	

PARTS 1 AND 2 COMPREHEND ALL

PART 2. PLAN 1R-8558







**Application A28/24-78-(1-88)-18390-R2**

**JEFFREY LEONARD** is the owner of Lot 181, Plan H514 former Township of Korah municipally identified as **Civic No. 48 St. Michaels Square**. It is located on the north east corner of Goulais Avenue and Westgate Drive. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential.

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by increasing the height of a fence.

	<b>By-Law Requirement 2005-150</b>	<b>Proposed Variance</b>
<b>7.2</b>	<b>Maximum</b> height in any other yard adjacent to a public street <b>1.8m</b>	<b>Increase</b> the maximum height of a fence along the rear yard adjacent to Goulais Avenue to <b>2.4m</b> .
<b>7.3.1</b>	<b>Maximum</b> fence height <b>0.75m</b> above established grade, within <b>9m</b> from the intersecting lot lines	<b>Reduce</b> the sightline setback from a public street intersection to <b>0</b> & <b>permit</b> the proposed fence to extend to the intersecting lot lines at Goulais Avenue and Westgate Drive.

**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.

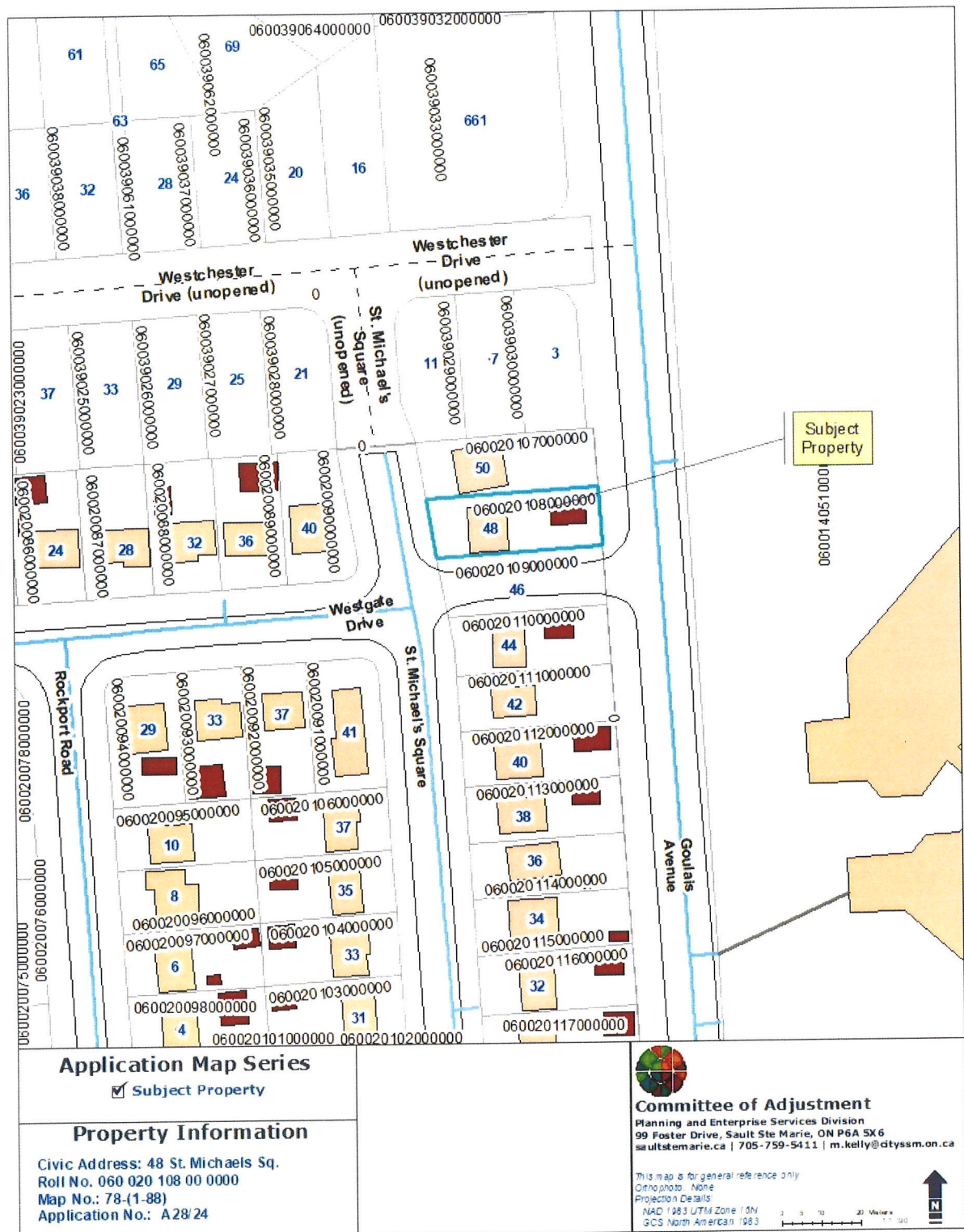
Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority		
Engineering & Construction	X	
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)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

**Planning** staff have no objection to this application.

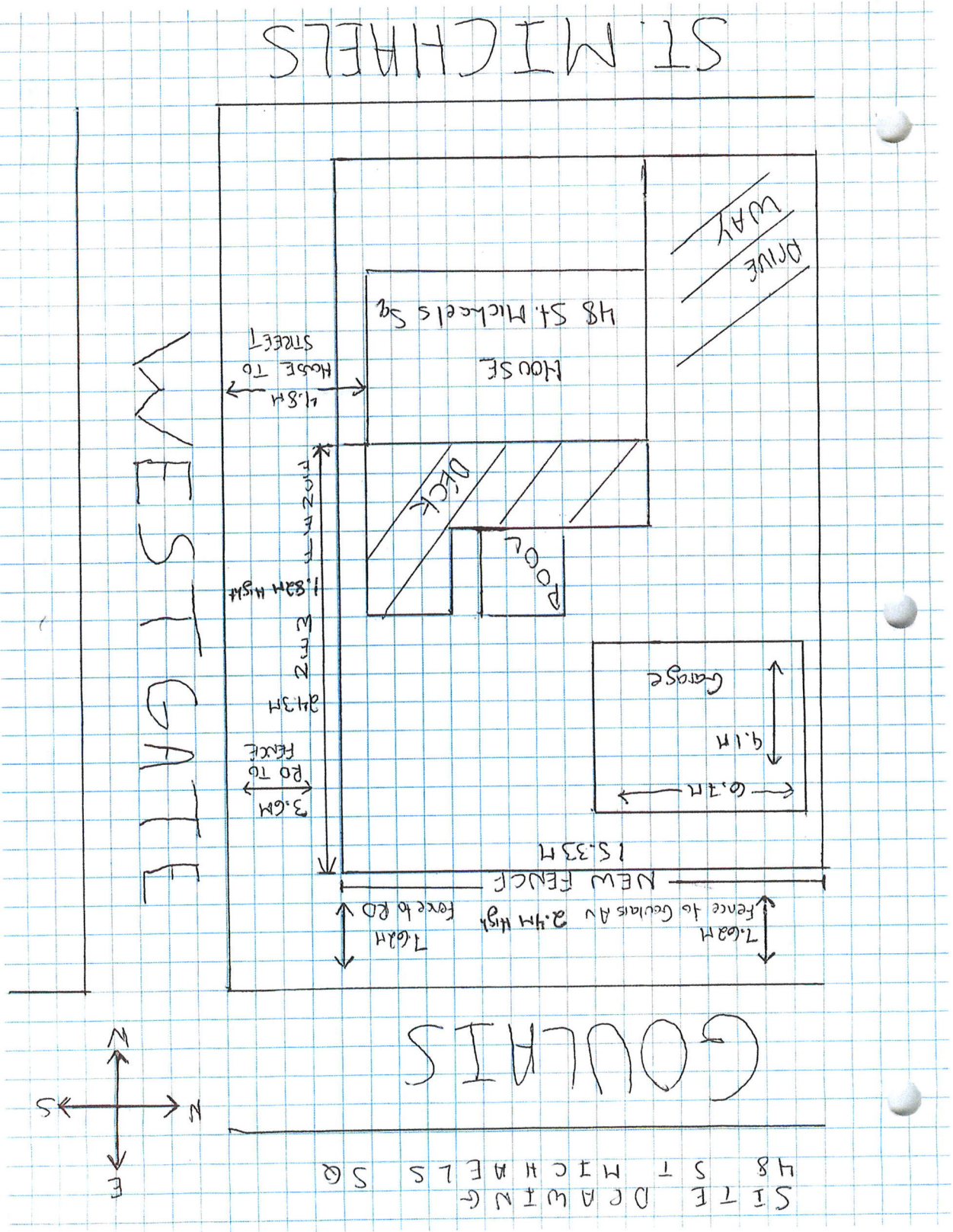
- The proposed 2.4m fence in the rear yard of the subject property will abut the City owned boulevard on Goulais Avenue. The proposed fence is anticipated to have minimal impact on neighbouring properties.
- The boulevard on Goulais Avenue is fairly large, measuring approximately 7.5m from the road edge to the subject property's rear yard lot line. It is understood that a fence previously existed at this location for many years without issues related to corner visibility. As such, there should be minimal impact on sightlines for traffic turning onto Goulais Avenue from Westgate Drive.
- Therefore, Planning is of the opinion that the requested variance is minor, is desirable for appropriate use of the property, and maintains the general intent and purpose of the Zoning By-law and the Official Plan.

**Staff Comments/Recommendations(s)**

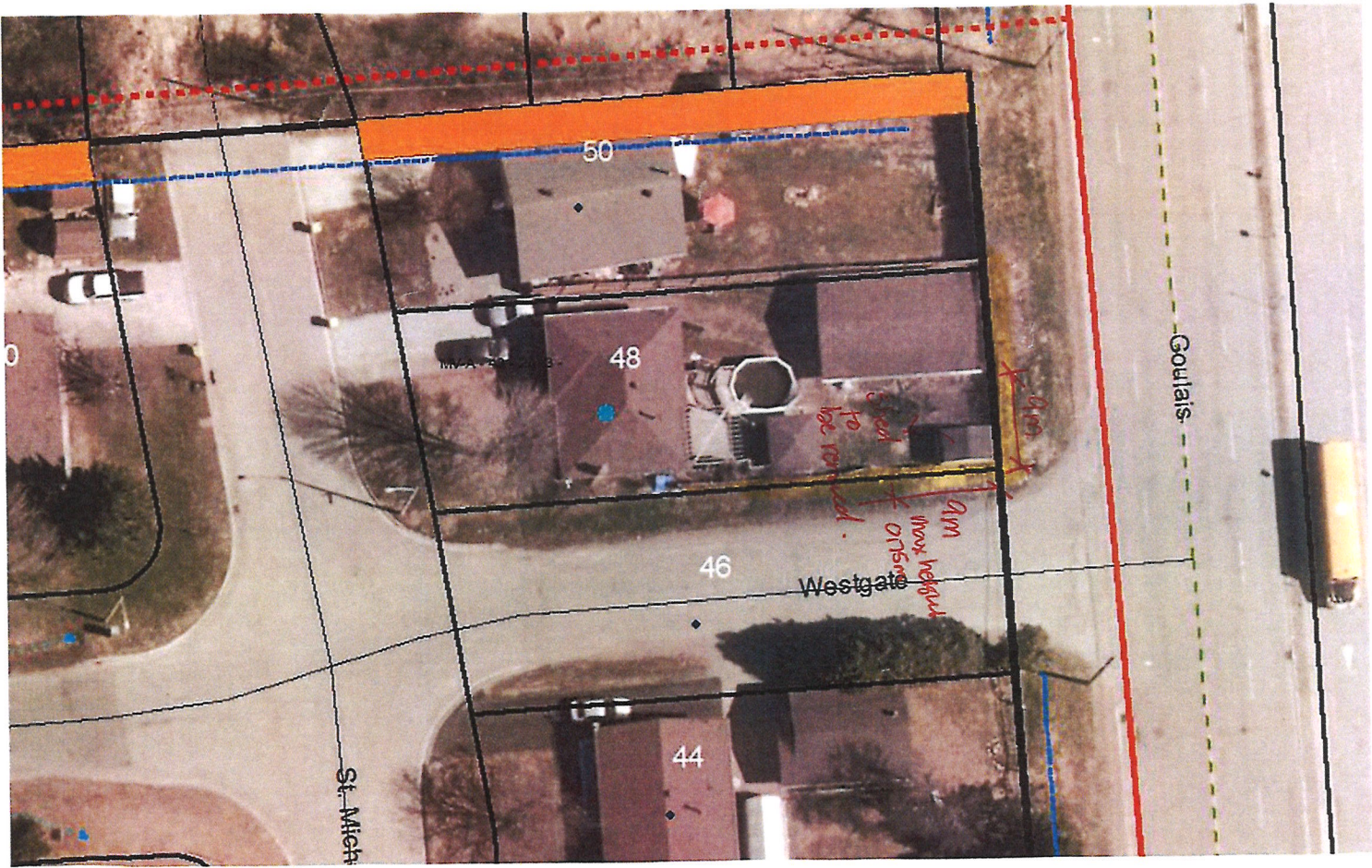
The request has planning staff support. No evidence of objections to the request.



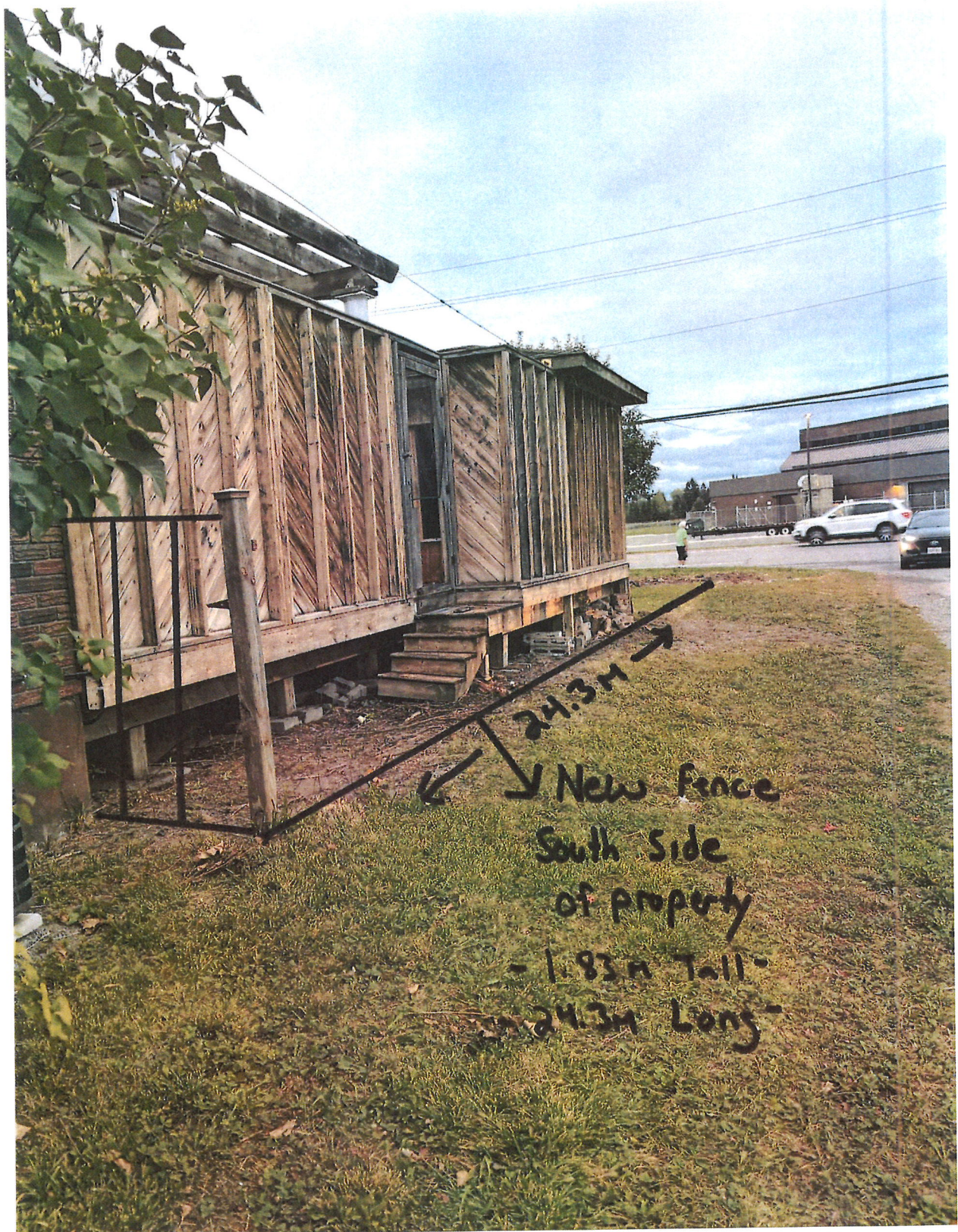




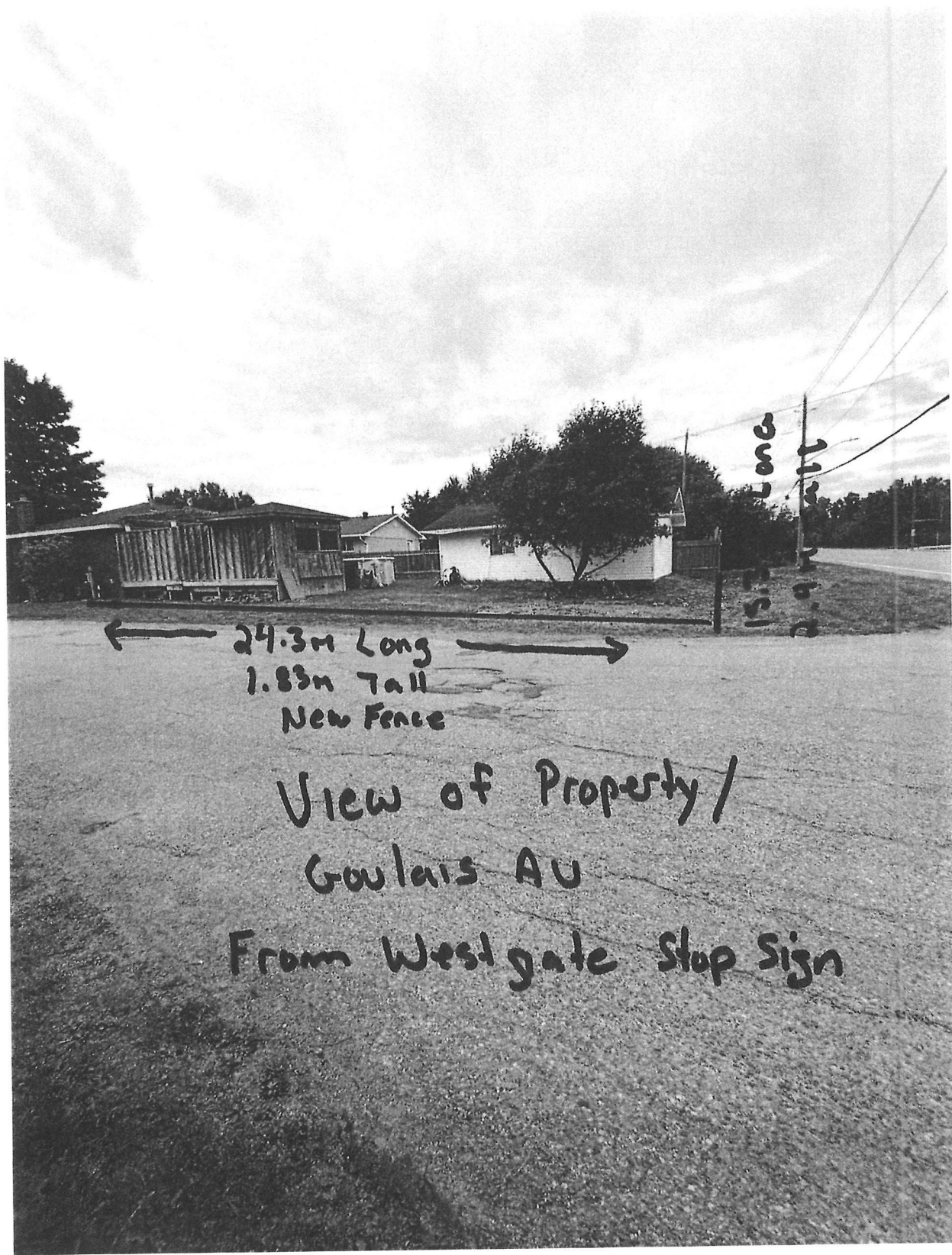












## TAB 5

### Application A29/24-349-(2-10)-23134-R1

**LUKE BRETON & RILEY GRECO** are the owners of the SPT Sec 4, AWS, Pt. 3, AR 643 former Township of Parke municipally identified as **Civic No. 493 Sunnyside Beach Road**. It is located on the south side of Sunnyside Beach Road and abuts Lake Superior. It is designated Rural Area in the Official Plan and is zoned R1, Estate Residential.

#### **INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the rear yard setback and the east side yard setback to legitimize the location of the existing 7.1m x 9.14m detached garage and the proposed 4.87m x 9.14m addition.

	<b>By-Law Requirement 2005-150</b>	<b>Proposed Variance</b>
<b>9.5.2</b>	<b>Minimum</b> front yard setback <b>12m</b>  <b>Minimum</b> interior side yard <b>3.5m</b>	<b>Reduce</b> the front yard setback to <b>1.82m</b> for the existing garage and the proposed addition only. <b>Reduce</b> the east interior side yard to <b>1.82m</b> for the garage and addition 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	X	
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns. Development will require a site plan review and SSMRCA permit application
Engineering & Construction	X	
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns

Public Works	X	
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**Planning** staff have no objection to this application.

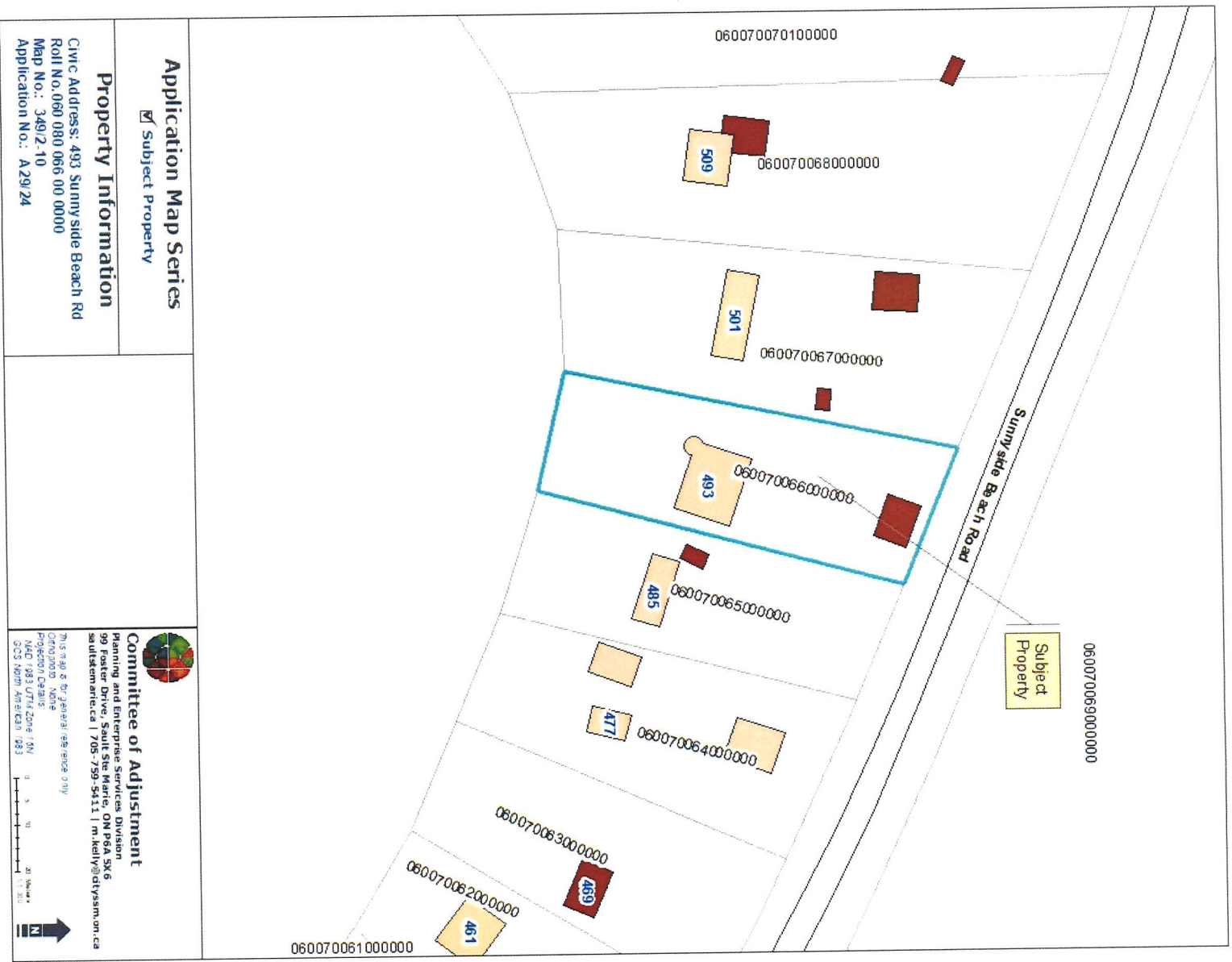
- The Sunnyside Beach area contains numerous examples of accessory buildings not conforming to either the 12m minimum front yard setback requirement or the 3.5m minimum interior yard setback. Thus, the proposed setbacks of 1.82m do not represent a significant deviation from the neighbourhood character.
- The proposed addition to the garage is approximately 45m away from the neighbouring residences. The view from the proposed additions to these residences is either partially or totally obscured by vegetation. As such, it is Planning staff's opinion that this application will result in minimal impacts on adjacent lands.
- That said, the applicants are encouraged to maintain the trees and/or plant additional vegetation on the north and east sides of the garage. This will help reduce the overall visual impact of the garage from the road and neighbouring properties.

#### **Staff Comments/Recommendations(s)**

The request has planning staff support. No evidence of objections to the request.

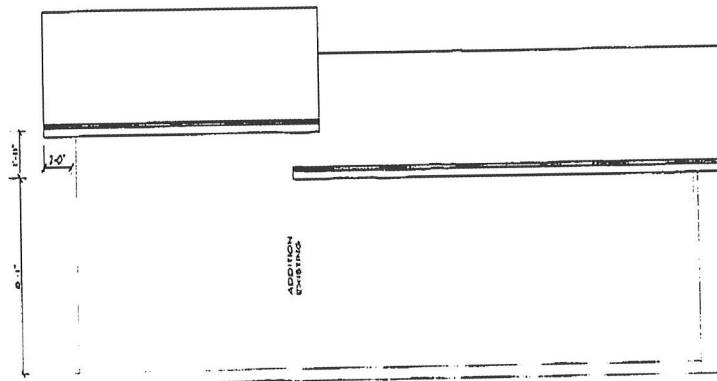
#### **Interested Parties**

Kris and Dominique Ninnes of 501 Sunnyside Beach Road submitted the following comments. *We are direct nieghbours to the west and we fully support the proposed variance and look forward to the updates being made. Mr. Breton & Ms. Greco are wonderful neighbours and we wish them the best with this project.*

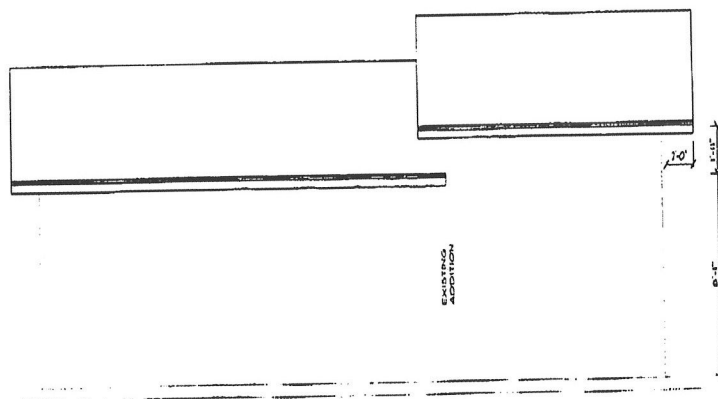




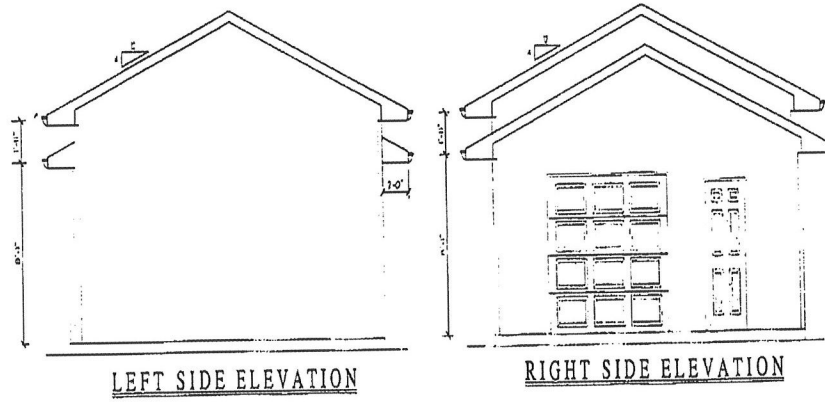




FRONT ELEVATION



REAR ELEVATION



**Application A30/24-43-(1-50)-7009-C5**

**3476847 CANADA INC.** is the owner of PIN 31532-0035 (LT), former Township of St. Mary's, and municipally identified as **CIVIC NO. 44 GREAT NORTHERN ROAD** aka Cambrian Mall. It is located on the east side of Great Northern Road approximately 200m north of the Great Northern Road and McNabb Street intersection. It is designated Commercial in the Official Plan and is zoned C5, Shopping Centre & C4.S (437), General Commercial with a special exception.

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-151, as amended, by increasing the maximum gross floor area for office uses for the proposed new standalone building.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>S437 1.</b>	<b>Maximum</b> gross floor area for office uses outside of the downtown for the proposed standalone building is <b>450m<sup>2</sup></b>	<b>Increase</b> the maximum gross floor area for office use for the proposed standalone building to <b>500<sup>2</sup></b>

**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	No objection
Canada Post		
Conservation Authority		
Engineering & Construction	X	
Fire Services	X	No comment
Legal Department	X	No comment
Planning Division	X	Comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works	X	

**Planning** staff have no objection to this application.



In April 2024, City Council approved Zoning By-law Amendment for the subject property to increase the maximum gross floor area for office uses outside of the downtown from 300m<sup>2</sup> to 450m<sup>2</sup> to accommodate a standalone bank branch.

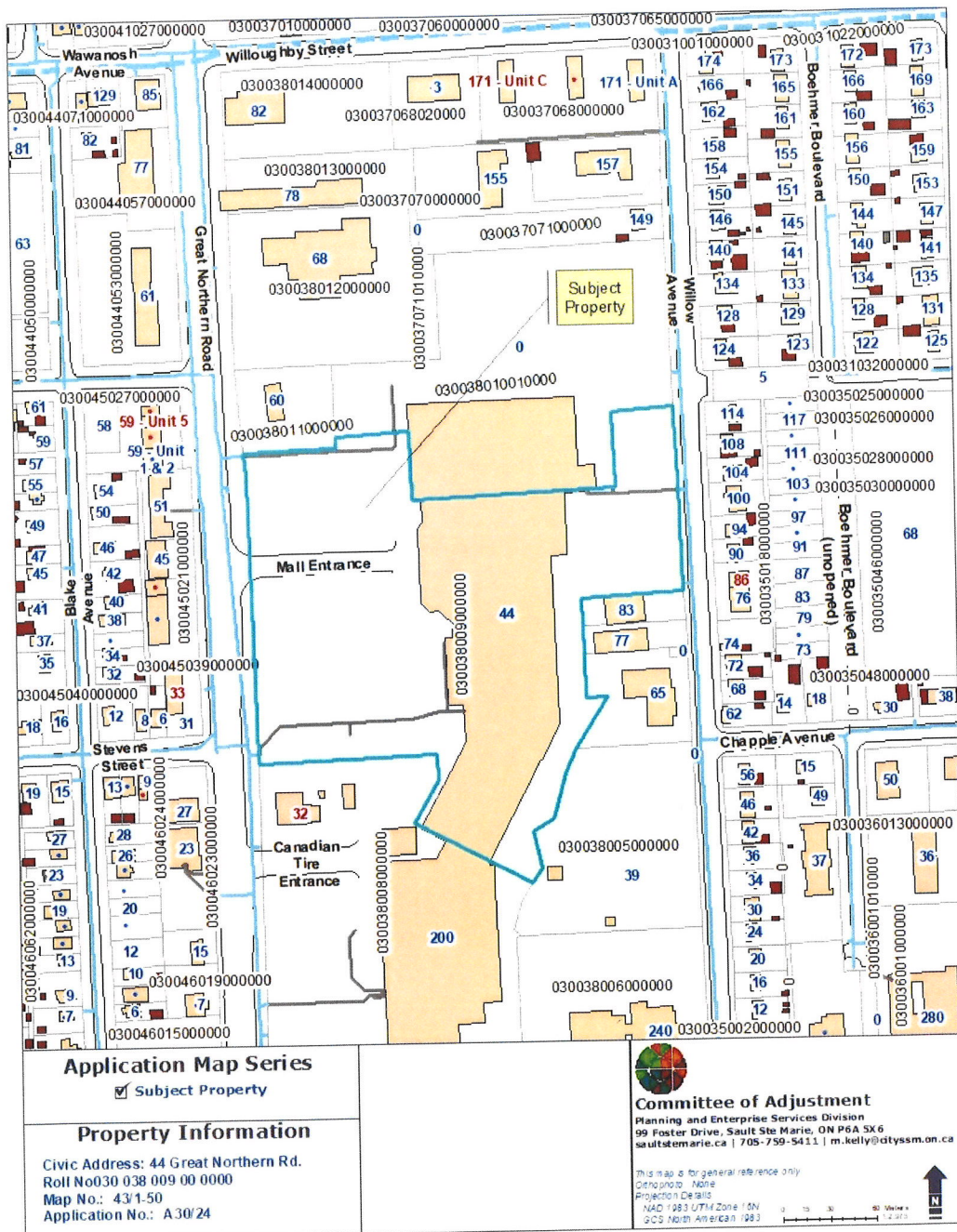
Subsequent revisions to the office building design have increased its size from 450m<sup>2</sup> to approximately 493m<sup>2</sup>. This represents a 9.6% increase in building size, which is a minor change in the in the opinion of Planning staff.

There are number of similar or larger sized office buildings in the neighbouring area and elsewhere on Great Northern Road. These include several other financial institutions. As such, this size office building will not be out of character with the area.

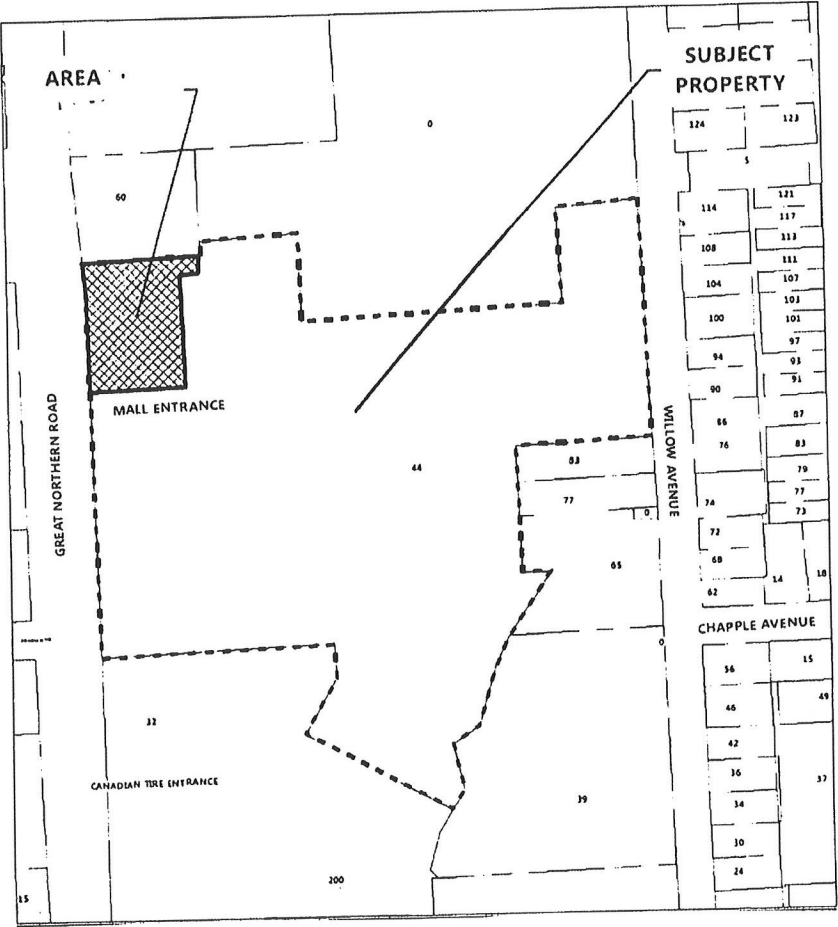
Therefore, Planning is of the opinion that the requested variance is minor, is desirable for appropriate use of the property, and maintains the general intent and purpose of the Zoning By-law and the Official Plan.

**Staff Comments/Recommendations(s)**

The request has planning staff support. No evidence of objections to the request.



SCHEDULE "A" TO BY-LAW 2024-63 AND  
SCHEDULE 437 TO BY-LAW 2005-151



➤ **Deferred Applications**

**OTHER BUSINESS**

**TAB 4**

**DATE OF NEXT HEARING** – October 30, 2024

**ADJOURNMENT**

*Michelle Kelly*

Michelle Kelly, ACST  
Secretary-Treasurer