

Joseph Greco, Chair

Michelle Kelly, ACST
Secretary-Treasurer



**Sault Ste. Marie
Committee of Adjustment
Minutes of Hearing
May 13, 2025
Livestreamed/Zoom**

Call to Order

The Chair called the hearing to order at 2:00 p.m.

Members' Present: J. Greco, Chair
M. McGregor
A. Rossi

Virtual Attendance: F. Bruno

Members Absent: W. Greco

Official Present: M. Kelly, Secretary-Treasurer

Staff Present: N. Cicchini, Planning Representative

The Secretary-Treasurer confirmed that a quorum was in attendance.

Opening Remarks

Chair Greco welcomed the participants & introduced the Committee & staff

Land Acknowledgement – Secretary-Treasurer

Approval of Minutes of April 30, 2025

Moved by Rossi, seconded by McGregor,

“THAT the Minutes of the April 30, 2025, Committee of Adjustment hearing be approved as circulated.
CARRIED.”

Disclosure of Pecuniary Interest and General Nature Thereof – none declared

Applicant/Agent/Staff Advisement of Withdrawal or Request for Deferral

Matters Circulated but Not Appearing on the Agenda - none

➤ Matters Considered

Deferred Applications

- A8/25 - Civic No. 683 John Street

TAB 1

Application A8/25-58-(1-73)-32967-M2

2355288 ONTARIO LTD. is the owner of **CIVIC NO. 683 JOHN STREET** further described as Pt 1, 1R7481 being PIN 31569-0244. It is located westerly side of John Street approximately 17m south of the Bainbridge Street intersection. The property is irregular in shape. It is designated Industrial in the Official Plan and is zoned M2, Medium Industrial and is subject to site plan control.

INTENT OF THE APPLICATION:

The following variances are requested:

	By-Law 2005-150 Minimum Requirement	Proposed Variance
14.2	Rear Yard 8.0m	Reduce the rear yard to 3.43m
	Interior Side Yard 5m	Reduce the south interior side yard to 3.84m
	Landscaped open space 75% of required front yard	Reduce required front yard landscaped open space to 28.8%

PURPOSE & EFFECT:

To facilitate the construction of a new 398.54m² building to support the permitted use as a contractor's yard.

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 or objections. Site plan review required to assess for development permit
Engineering & Construction	X	See below
Fire Services	X	No comment or concerns
Legal Department	X	No comment
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns. See below
Public Utilities Comm. (Water)	X	No concerns. See below
Public Works		No comment

Additional Staff Comments/Recommendations(s)

Engineering staff advised that vehicular access to Carmen's Way is not allowed. They noted that as this is under development control, details such as driveway width, grading and servicing will be addressed during that approval process.

Planning staff have no objection to the setback reduction of the Required Interior Side Yard. This reduction is consistent with the general intent of the zoning by-law.

There are no objections to reducing the Required Rear Yard from 8.0m to 3.43m, conditional on the reduced rear yard being enhanced as a landscaped buffer consistent with the streetscape of Carmen's Way to the satisfaction of the Director of Planning or his designate.

It should be noted that Planning does not consider the proposed reduction from 75% to 28.8% to be minor and therefore, does not support the request. However, Planning is prepared to support a reduction from 75% to 37%, provided an additional 3m wide landscaped area is provided, in the required front yard as illustrated on the attached informational site plan. The said area is to contain enhanced landscaping. The landscaping design must be to the satisfaction of the Director of Planning or their designate.

Planning staff wish to note that they are supportive of the new site plan 2025-04-22 which incorporates their comments above. We have no objection to an amended request to reduce the landscaped area requirement from 75% to 40%.

PUC Distribution Inc. (Electric Utility)

The owner is encouraged to contact PUC Engineering early in the process to determine electrical servicing requirements.

Public Utilities Commission (Water Utility)

The owner is encouraged to contact PUC Engineering early in the process to determine water servicing requirements.

Recommended Conditions

Amend the requested reduction to landscaping from 75% to 40%.

Provide an additional 3m wide enhanced landscaped area in the required front yard as illustrated on the informational site plan.

Provide an enhanced landscape buffer in the reduced rear yard which is consistent with the streetscape of Carmen's Way.

Landscape design must be to the satisfaction of the Director of Planning or his designate.

Proceedings

Paul DeClerck, agent for the owner, attended and advised that the nature of his client's business is interior renovations and additions. The proposed building will be used in conjunction with his construction business. Approximately 40% of the building would be office space with the remaining space used for interior material storage. His clients have incorporated the recommendations into their new site plan and have increased the landscape component to 40% in the required front yard. He advised that they would maintain a landscaped rear buffer as suggested by planning staff. Mr. DeClerck indicated that there is no intent to store heavy construction equipment on site as they have off-site storage space.

Robert Streich of 113 Bainbridge Street attended and voiced his concerns with the state of the outside yard in the future. He questioned how refuse would be managed, what type of outside storage of materials and equipment could be expected on site. Mr. Streich advised that he did not want to be looking down on an unsightly, unkempt property.

The Secretary-Treasurer advised that the property is subject to site plan control which will define how the outside of the site would be governed. She called on the planning staff member in attendance to explain the site plan control process.

N. Cicchini, Junior Planner, advised that through a Site Plan Control Agreement, the location of refuse containers, placement of materials, snow storage, parking, and landscaping are some of the matters that are fixed in the agreement & must be adhered to.

The Chair called for comments.

The Chair called for discussion noting that the Committee of Adjustment does not police by-law enforcement. The Committee's consideration must be on the request & evidence before them and not on a potential future by-law infraction. The Secretary-Treasurer

advised that if a resident opines that a property is not being maintained as it should, they are able to lodge a complaint with Property Standards By-law enforcement staff in the Building Division & they will investigate.

The Chair closed discussion.

Decision

In making this decision, the Committee took into consideration all the relevant materials including plans submitted, information provided by the applicant, staff and interested parties. The applicant's willingness to amend their request to incorporate planning staff recommendations was acknowledged. The members have unanimously determined that the general intent and purpose of the PPS, the Zoning By-law and the Official Plan are maintained.

Moved by Bruni, seconded by Rossi,

"RESOLVED THAT in accordance with Section 45(2) of the Planning Act the request to reduce the required front yard landscaped open space to 28.8% is **REFUSED.**

CARRIED."

"FURTHER BE IT RESOLVED THAT in accordance with Section 45(2) of the Planning Act the application be amended to,

- 1. Reduce to the rear yard requirement from 8.0m to 3.43m,**
- 2. Reduce to the south interior side yard from 5m to 3.84m,**
- 3. Reduce the required front yard landscaped open space from 75% to 40%,**

And that the Amended application be **Approved** subject to the following conditions.

- 1. Provide an enhanced landscape buffer in the rear yard to the satisfaction of the Director of Planning or his designate.**
- 2. Development of the site to reflect the site plan dated 2025-02-26 to the satisfaction of the Director of Planning or his designate.**

CARRIED".

DATE OF NEXT HEARING – May 28, 2025

ADJOURNMENT

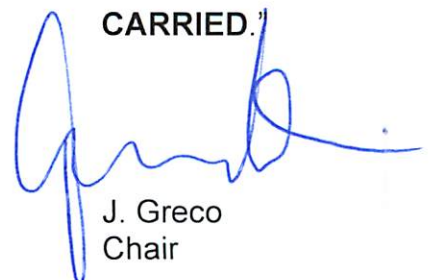
Moved by McGregor, seconded by Rossi,

"RESOLVED THAT we adjourn at 2:15 p.m.

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer

CARRIED."



J. Greco
Chair