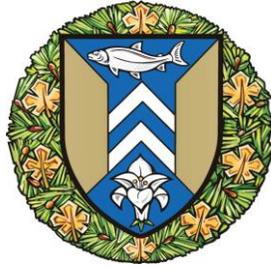


The Corporation of the  
City of Sault Ste. Marie



Committee of Adjustment  
January 24, 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 Minutes of November 29, 2023
- Disclosure of Pecuniary Interest and the General Nature Thereof
- Applicant/Agent Requests for Withdrawal or Deferral
  - Application A3/24-320-(2-5)-23757-R1E, PR  
Civic 312 Pine Shore Drive  
Applicants have requested a deferral to February 21, 2024

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

### TAB 1

### Application A1/24-97-(1-111)-20268-R2

**MANUEL & LINA OLIVEIRA** are the owners of **140 WESTRIDGE ROAD** described as Lots 143, Fort Creek Subdivision, Plan H669, former Township of Tarentorus. It is located on the southside of Westridge Road approximately 90m east of the North Street intersection. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

### INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the east side yard requirement to facilitate the construction of a 4.26m x 8.53m attached carport.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>9.1.5</b>	Minimum distance from interior side lot line 1.2m	<b>Reduce</b> the minimum distance from east interior side lot line to <b>0.6m</b> to the carport wall and to <b>0.3m</b> to the eave

**TAB 2**

**Application A2/24-29-(1-32)-282-R2**

**CHRISTOPHER MACEWAN** is the owner of **75 NORDEN CRESCENT** described as Lot 35, Moluch “B” Subdivision, Plan H470 former Township of St. Mary’s. It is located on the south side of Norden Crescent between Moluch Street and Lindstedt Street. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by allowing a 28-foot travel trailer to be in the required front yard.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>4.2</b>	Unless otherwise noted in this By-Law, every part of a required yard shall remain open and unobstructed by any building or structure, from the ground to the sky.	<b>Allow</b> a 28-foot travel trailer to be in the required front yard approximately <b>3.65m from the front property line.</b>

**TAB 3**

**Application A3/24-320-(2-5)-23757-R1E, PR**

**RYAN HARNDEN & JASMINE GASSI HARNDEN** are the owners of **312 PINE SHORE DRIVE** described as Pt. of Sec 24 former Township of Parke. It is located on the south side of Pine Shore Drive between Dalgleish Road and Sand Road. The subject property runs north to Pointe Aux Pins Drive. The subject property is designated Rural Area in the Official Plan & is zoned R1E, Estate Residential and PR, Parks & Recreation.

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the rear yard requirement to facilitate the construction of a 466.3m<sup>2</sup> addition to the westerly side of the existing home.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>9.5.2</b>	Minimum rear yard requirement abutting St. Mary’s River is <b>15m</b>	<b>Reduce</b> the minimum rear yard requirement abutting St. Mary’s River to <b>5.79m</b> from the high-water mark illustrated on the submitted plan, for the existing house and the proposed addition.

**TAB 4**

**Application A4/24-54-(1-70)-32785-R3**

**ELIZABETH FILICE** is the owner of **597 DOUGLAS STREET** described as Lot 212 & Pt. of Lot 213, Wilding Park Subdivision, Plan 6541 further described as Part 2, 1R-14049, former Township of Korah. It is located on the southwest corner of Douglas Street and Wilding Avenue. The subject property is designated Residential in the Official Plan & is zoned R3, Low 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 portion of the exiting fence.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>7.2</b>	<b>Maximum</b> fence height in an interior side yard <b>1.8m</b>	<b>Increase</b> the maximum height for the rear <b>7+m</b> portion of fence to <b>2.43m</b> .

**TAB 5**

**Application A5/24-22-(1-22)-1336-R2**

**TYLER & AMY SIMPSON** are the owners of **100 INDIANA DRIVE** described as Lot 56 Poplar Grove Subdivision, Plan H450, former Township of St. Mary's. It is located on the easterly side of the east leg of Indiana Drive between Shannon Road and Idaho Drive. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

**INTENT OF THE APPLICATION:**

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the required front yard to facilitate the construction of a 22.6m<sup>2</sup> front entrance/mudroom addition.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>9.6.2</b>	<b>Minimum</b> required front yard is <b>7.5m</b>	<b>Reduce</b> the minimum required front yard to <b>6m</b> for the proposed 22.6m <sup>2</sup> addition only.

**TAB 6**

**Application B1/24-52-(1-68)-33400-R2, EM**

**1644385 ONTARIO LTD.** is the owner of Lot 57, Brookfield Subdivision Plan M112 designated as Parts 1 & 2, 1R-14063, former Township of Korah, and municipally identified as **CIVIC NO. 184 ROOSEVELT AVENUE**. It is located on the east side of the easterly leg of Roosevelt Avenue between North Eden Square and Whitney Avenue The

subject property is designated Residential in the Official Plan and is zoned R2, Single Unit Residential & Environmental Management.

## INTENT OF THE APPLICATION

The applicant is seeking the Committee's consent to sever the subject property into two parcels both fronting on Roosevelt Avenue. The proposed lot configuration is:

Frontage (approximate)	Depth (approximate)	Area (approximate)
36.6m	66.479.6m	0.243ha
30.586m	66.479m	0.202ha

The intent of the application is to provide autonomous title to each semi-detached unit.

- **Deferred Application**

### TAB 7

#### Application B29/23-33-(1-36)-15887-R2, R4

**DANIEL FREMLIN HOLDINGS INC.** is the owner of LT 9 RECP H715 RANKIN LOCATION EXCEPT 1, 1R6097 & PL 1M479, EXCEPT PT 1, 1R13989; S/T T301089; S/T T425210 BEING PIN # 31492-0475 (LT), municipally identified as **CIVIC NO. 153 DACEY ROAD**. It is located on the south westerly side of Dacey Road between Hardwood Street and Chambers Avenue. The subject property is designated Residential in the Official Plan and is zoned R2, Single Detached Residential & R4, Medium Density Residential.

## INTENT OF THE APPLICATION

The applicant is seeking the Committee's consent to sever and convey an irregular shaped parcel fronting on Dacey Road as follows,

Frontage (approximate)	Depth (approximate)	Area (approximate)
20.5m (Dacey Road)	irregular	576.6m (severed parcel)
79.73m (Dacey Road)	irregular	688.8m (retained parcel)

The intent of the application is to provide autonomous title to the residential development currently under construction.

## OTHER BUSINESS

Election of Chair

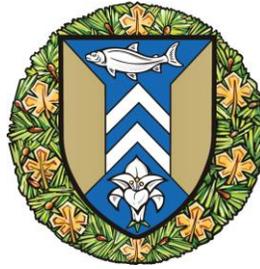
### TAB 8

**DATE OF NEXT HEARING** – February 21, 2024

## ADJOURNMENT

*Michelle Kelly*

Michelle Kelly, ACST  
Secretary-Treasurer



## MINOR VARIANCE APPLICATION

### **Application A1/24-97-(1-111)-20268-R2**

**MANUEL & LINA OLIVEIRA** are the owners of **140 WESTRIDGE ROAD** described as Lots 143, Fort Creek Subdivision, Plan H669, former Township of Tarentorus. It is located on the southside of Westridge Road approximately 90m east of the North Street intersection. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

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

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the east side yard requirement to facilitate the construction of a 4.26m x 8.53m attached carport.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>9.1.5</b>	Minimum distance from interior side lot line 1.2m	<b>Reduce</b> the minimum distance from east interior side lot line to <b>0.6m</b> to the carport wall and to <b>0.3m</b> to the eave

#### **Public Response**

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. Conservation Authority, Engineering, Fire Services, Planning had no objections. Building, and Legal Divisions did not respond.

**Building Division** staff has no objections to this application, however advised that based on the proposed proximity to the site lot line, little used sections of the Ontario Building Code will likely apply that will require additional design requirements. These requirements will limit openings (possibly allow none) in the wall nearest to the property line as well as require protective measures to combat against the possible spread of fire from one building to the next.

**Planning Division** staff had no concerns advising that a number of properties in the neighbourhood have carports or garages situated close to the lot line between the

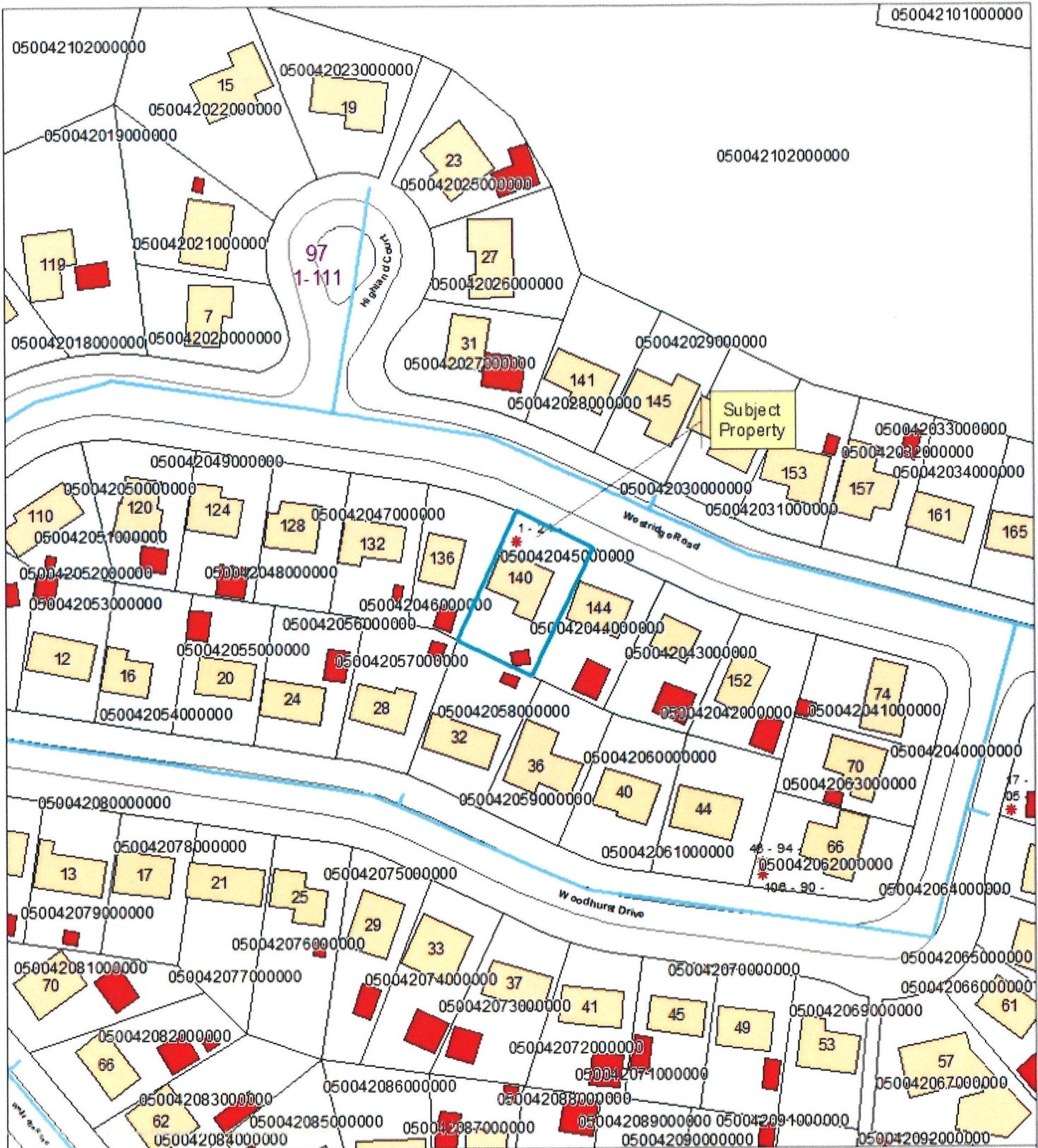
subject property and the abutting property; thus, the requested variance does not represent a significant deviation from the neighbourhood character. Planning staff do not expect any nuisance or privacy issues with the carport and are comfortable with the carport assuming building requirements are adhered to.

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.

### **Considerations**

No objections from staff.

There is no evidence to suggest that approval would have a negative impact.



**Application Map Series**  
 Subject Property

**Legend**  
 URBAN SERVICE LINE  
 Subject Property

**Property Information**  
 Civic Address: 140 Westridge Road  
 Roll No. 050 042 045 00 0000  
 Map No.: 97/1-111  
 Application No.: A1/24

 **SAULT STE. MARIE**  
**Committee of Adjustment**  
 Planning and Enterprise Services Division  
 99 Foster Drive, Sault Ste Marie, ON P6A 5X6  
 saultstearie.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

0 5 10 20 Meters



C E R T I F I C A T E

I, Lawrence A. Miller of the City of Sault Ste. Marie, in the District of Algoma an Ontario Land Surveyor hereby certify that I have made a survey of the following land.

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and being composed of Lot number 143 in the Fort Creek Highland Subdivision according to a plan thereof registered in the Registry Office for the said District of Algoma as plan number H-669.

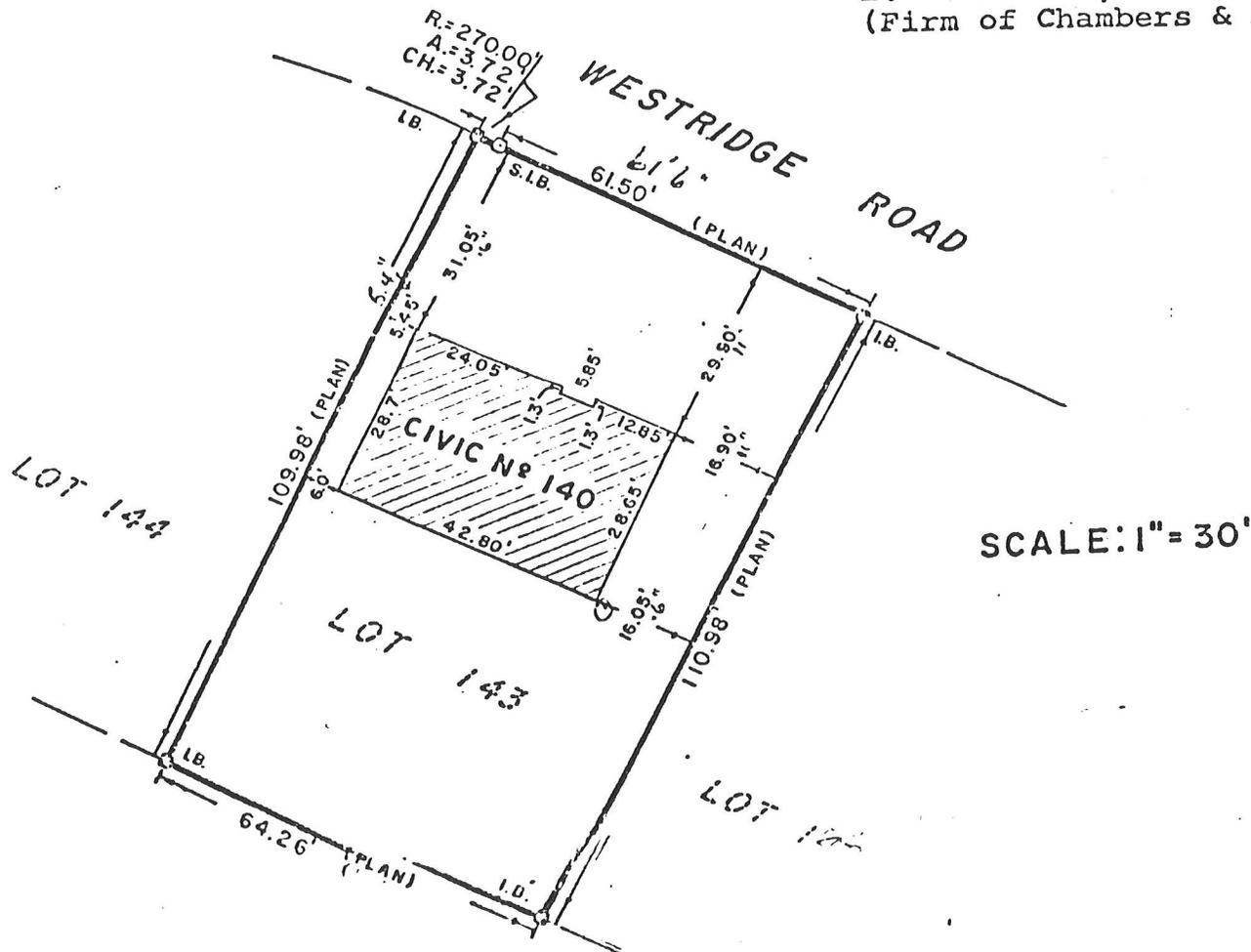
The building is entirely within the limits thereof and there are no encroachments.

The location of the building within the limits of the said parcel is shown on the plan of survey herewith which forms a part of this Certificate.

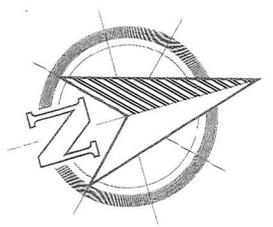
The dwelling is known as Civic number 140 Westridge Road.

Sault Ste. Marie, Ontario.  
July 25th, 1974

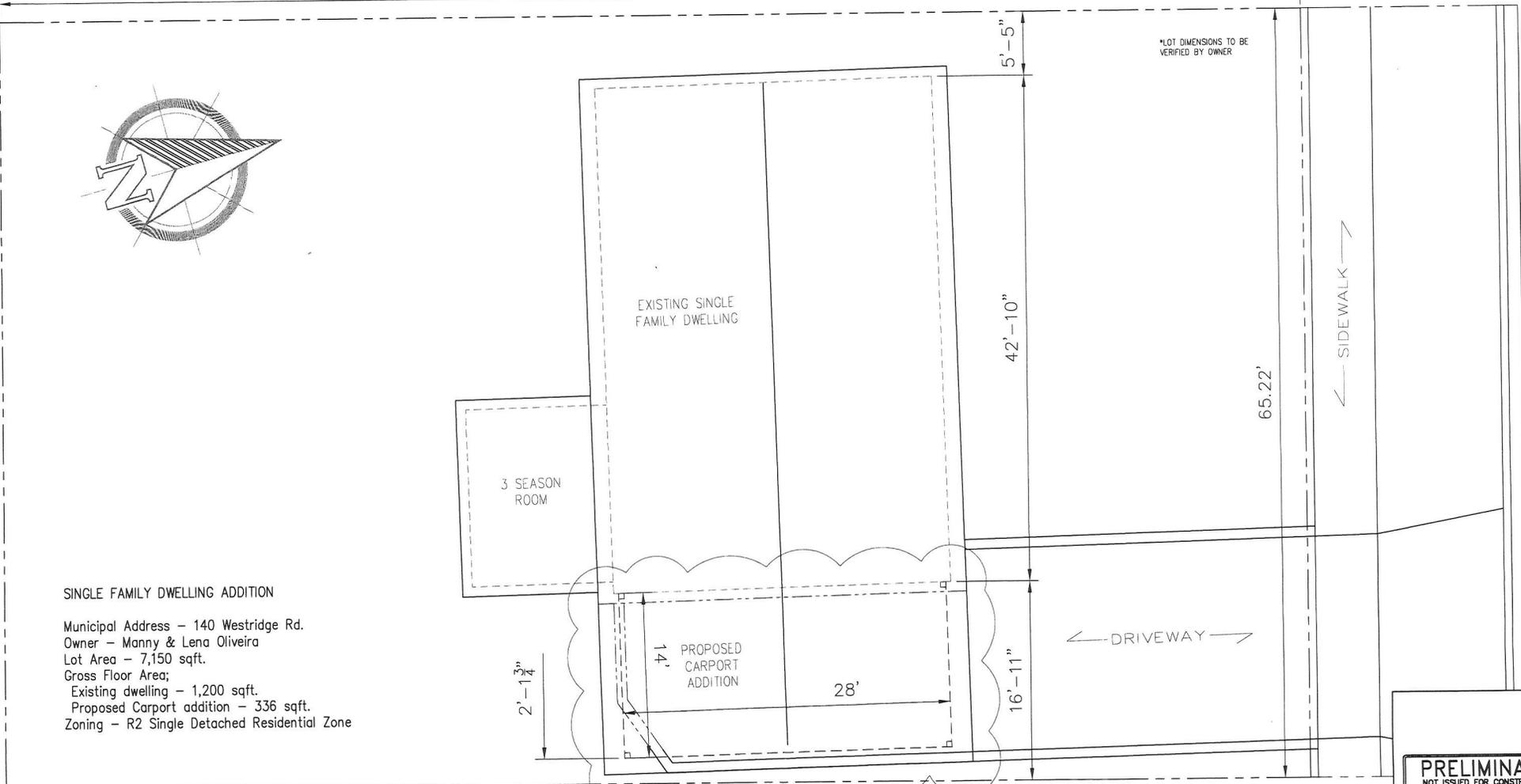
  
L. A. MILLER, O.L.S.  
(Firm of Chambers & Miller, O.L.S.)



10d 1st P01 115-09102 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17



109.98'



**SINGLE FAMILY DWELLING ADDITION**  
 Municipal Address - 140 Westridge Rd.  
 Owner - Manny & Lena Oliveira  
 Lot Area - 7,150 sqft.  
 Gross Floor Area;  
 Existing dwelling - 1,200 sqft.  
 Proposed Carport addition - 336 sqft.  
 Zoning - R2 Single Detached Residential Zone

**PRELIMINARY**  
 NOT ISSUED FOR CONSTRUCTION  
 21/11/2023  
 AVELLANO ENGINEERING LTD.

R	△	Extended carport width by 2' and changed roof to match existing	△
V	△	21/11/2023 P. Egidio	△

**NOTES:**  
 -DIMENSIONS TAKEN FROM WALL FINISH UNLESS OTHERWISE NOTED.  
 -CONSTRUCTION DOCUMENTS MUST PASS PLAN EXAMINATION PRIOR TO CONSTRUCTION OF BUILDING.  
 -A/E DOES NOT TAKE RESPONSIBILITY FOR CONTRACTOR CONSTRUCTION METHODS AND/OR TECHNIQUES.  
 -THE CONTRACTOR SHALL TAKE RESPONSIBILITY FOR ALL DIMENSIONING AND CONDITIONS SHOWN ON THESE DOCUMENTS.  
 ANY DEVIATIONS SHALL BE NOTED AND REPORTED TO A/E BEFORE COMMENCEMENT OF CHANGES.  
 -THESE DOCUMENTS ARE NOT VALID UNLESS EACH PAGE IS STAMPED AND SIGNED BY THE AUTHORIZED DESIGNER.

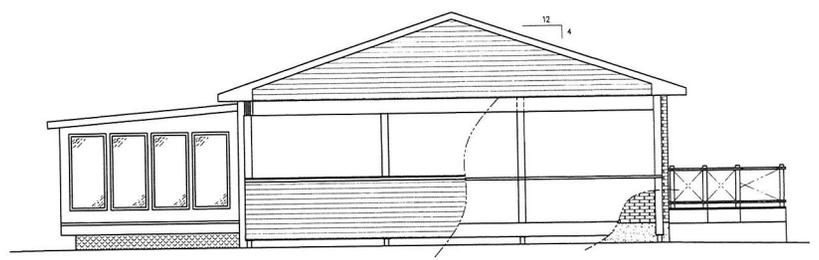
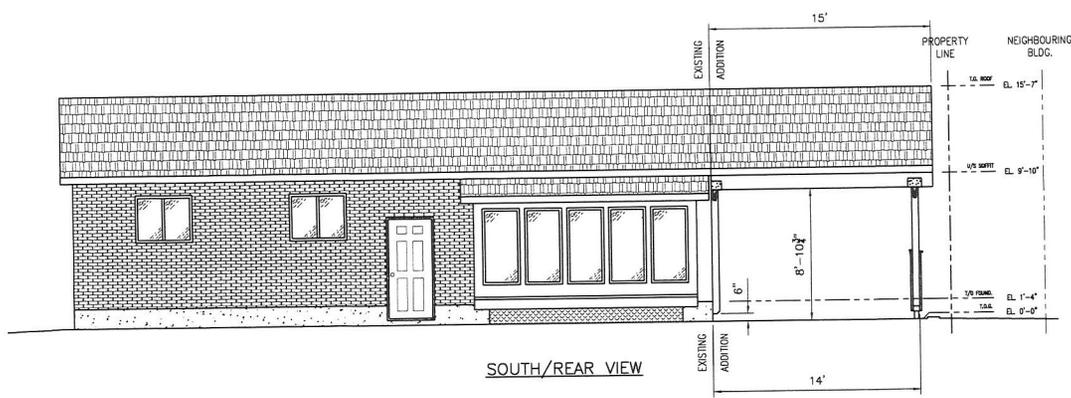
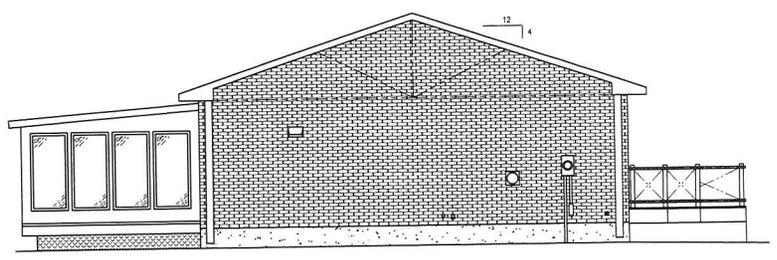
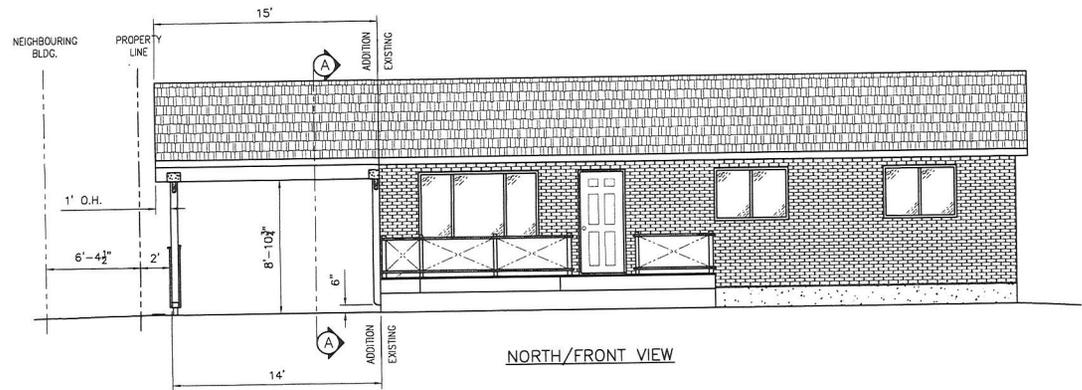
**AVELLANO ENGINEERING LTD.**  
 SAULT STE. MARIE, ONTARIO, CANADA

DESIGNED BY	P. EGIDIO	DATE	2023-10-30
APPROVED BY			

**SINGLE FAMILY - CARPORT ADDITION**  
 MANNY & LENA OLIVEIRA  
 140 WESTRIDGE RD.  
 SITE PLAN  
 SCALE: 1/4"=1'-0" RATIO: 1:48

ABSTRACT NUMBER:	- - -	FORM	D+ (34.5x22)
CLIENT INFORMATION:			
PROJECT NAME:			
	091023-1115		REV. 01
SUBJECT: P01	COM: P02		

091023-1115 SH. P02



**PRELIMINARY**  
NOT ISSUED FOR CONSTRUCTION  
21/11/2023  
AVELLANO ENGINEERING LTD.

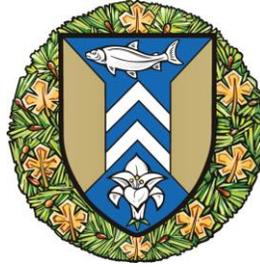
R	△	Extended carport width by 2' and changed roof to match existing	△		△
V		21/11/2023	P. Egidio		
R	△				
B					
V					

**NOTES:**  
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-ALL DOES NOT TAKE RESPONSIBILITY FOR CONTRACTOR CONSTRUCTION METHODS AND/OR TECHNIQUES.  
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-THESE DOCUMENTS ARE NOT VALID UNLESS EACH PAGE IS STAMPED AND SIGNED BY THE AUTHORIZED DESIGNER.

<b>AVELLANO ENGINEERING LTD.</b> SAULT STE. MARIE, ONTARIO, CANADA	
DESIGNED BY: P. EGIDIO	DATE: 2023-10-30

**SINGLE FAMILY - CARPORT ADDITION**  
MANNY & LENA OLIVEIRA  
140 WESTRIDGE RD.  
ELEVATION VIEW & NOTES  
SCALE: 1/4"=1'-0" RATIO: 1:48

ABSTRACT NUMBER: - -	FORM NO: D+ (34-3x22)
CLIENT INFORMATION: - -	
PROJECT NAME: 091023-1115	REV. 1
SHEET: P02	COUNT: -



## MINOR VARIANCE APPLICATION

### **Application A2/24-29-(1-32)-282-R2**

**CHRISTOPHER MACEWAN** is the owner of **75 NORDEN CRESCENT** described as Lot 35, Moluch "B" Subdivision, Plan H470 former Township of St. Mary's. It is located on the south side of Norden Crescent between Moluch Street and Lindstedt Street. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

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

Relief is requested from the provisions of By-law 2005-150, as amended, by allowing a 28-foot travel trailer to be in the required front yard.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>4.2</b>	Unless otherwise noted in this By-Law, every part of a required yard shall remain open and unobstructed by any building or structure, from the ground to the sky.	<b>Allow</b> a 28-foot travel trailer to be in the required front yard approximately <b>3.65m from the front property line.</b>

#### **Public Response**

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

Steve & Angela Walls of 79 Norden Crescent advised that the travel trailer that was parked at 75 Norden Crescent did not bother us in any season and in any way.

Kathy Smith of 70 Norden Crescent submitted the following comments.

I reside at 70 Norden Crescent directly across the street from the applicant. I acquired my property in November 2021 and immediately moved in. I enjoy living in the neighbourhood and my neighbours but have not had the pleasure of getting to know the applicants. My comments are based on what I have observed from my property. I did witness for a number of months, a large travel-trailer stored in the front yard at 75 Norden. The trailer occupied most of the front yard and blocked views of the house from the street. It was only when the trailer was moved off the property that I could see what the front of the house looked like.

Since it was a very long trailer, I also saw how it took skill, and the use of the neighbour's property, to move the trailer from the property. Now that I see this application, I am wondering if storage of the trailer would be allowed to be permanent in the front yard. I also wonder about the precedent that could be set in our neighbourhood by the granting of this application. I've seen the visual impact this trailer can have on our street. There are better places for trailer storage.

### **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. Building, Conservation Authority, Engineering, Fire Services, had no comment or objection. Bell Canada, and Legal Divisions did not respond.

**Planning Division** staff opined that approval of this variance would allow for the trailer to be stored indefinitely within the required front yard of the lot, with no obligation to ever move the trailer as long as it is in working order.

Although not specifically defined as a building or structure, the travel trailer will have the same visual impact as an accessory building/structure if allowed to permanently occupy a space in the required front yard. The Zoning By-law prohibits accessory buildings and structures, such as storage units, sheds, etc. in the front yard, and also prohibits required parking spaces within the required front yard area.

The setbacks in the zoning bylaw for the R2 zone implement controls which support and protect the immediate spacing, privacy, density, light, and air of the buildings, and gives the neighbourhood its built form and character. Long-term outdoor storage of a travel trailer within the required front yard is not consistent with the streetscape and the character of the neighbourhood. As such, Planning is of the opinion that this variance is not minor and does not maintain the intent of the Zoning By-law regarding required front yards.

Upon undertaking a scan of zoning By-laws in other municipalities in Ontario, it was found that a few similar sized municipalities explicitly permit the storage of travel trailers in the driveway, however restrictions are placed on the length and height of the trailer, the storage location (not in the front yard) and/or a period of storage (typically less than 72 hours or only within the spring/summer months). No examples of similar-sized municipalities permitting the indefinite storage of a 28' travel trailer within the required front yard was found.

Therefore, Planning is of the opinion that the requested variance is not minor, is not desirable for appropriate use of the property, and does not maintain the general intent and purpose of the Zoning By-law and the Official Plan.

However, it is noted that the properties along the south side of Norden Crescent have particularly wide boulevards and the applicant does not have an alternative option to storing the trailer in the required front yard when it is parked on-site. It is also understood

that there have been no objections to this application submitted from neighbourhoods at the time this report was written.

Should the Committee of Adjustment choose to approve this application, it is recommended that a condition of approval be that, when the trailer is present, the westerly portion of the circular driveway be blocked with a planter, bollards or a similar kind of obstruction that renders car parking physically unavailable in that portion of the required front yard.

### **Considerations**

- The easterly abutting property owners support the request.
- A property owner on the opposite side of the street has some concerns.
- Planning Division staff opine that the variance does not meet the tests for a minor variance.
- Should the Committee approve the application, planning staff recommends that it be made conditional on the westerly portion of the circular driveway being blocked to prevent vehicles parking in that area when the trailer is on site.



Subject Property

**Application Map Series**  
 Subject Property

**Property Information**

Civic Address: 75 Norden Crescent  
 Roll No. 020 030 043 00 0000  
 Map No.: 29/1-132  
 Application No.: A2/24

**Legend**

-  URBAN SERVICE LINE
-  Subject Property



**SAULT STE. MARIE**  
 Committee of Adjustment

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

*This map is for general reference only*

Ortho photo: None  
 Projection Details  
 NAD 1983 UTM Zone 18N  
 GCS North American 1983



SURVEYOR'S REAL PROPERTY REPORT  
**PART 1 - PLAN OF**  
**LOT 35 AND**  
**PART OF LOT 36**  
 REGISTERED PLAN No. H-470  
 (MOLUCH 'B' SUBDIVISION)  
 IN THE CITY OF  
**SAULT STE. MARIE**  
 DISTRICT OF ALGOMA  
 SCALE: 1 INCH = 30 FEET  
 L.A. MILLER O.L.S.  
 1992

**PART 2**  
 THIS REPORT MUST BE READ IN CONJUNCTION  
 WITH SURVEY REPORT DATED JUNE 19, 1992

THIS REPORT WAS PREPARED FOR PHILIP & CAROLINE RADKE  
 AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE  
 BY OTHER PARTIES

**BEARING NOTE**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
 SOUTHERLY LIMIT OF NORDEN CRESCENT AS SHOWN ON  
 REGISTERED PLAN H-470 HAVING A BEARING OF N 89°59' W

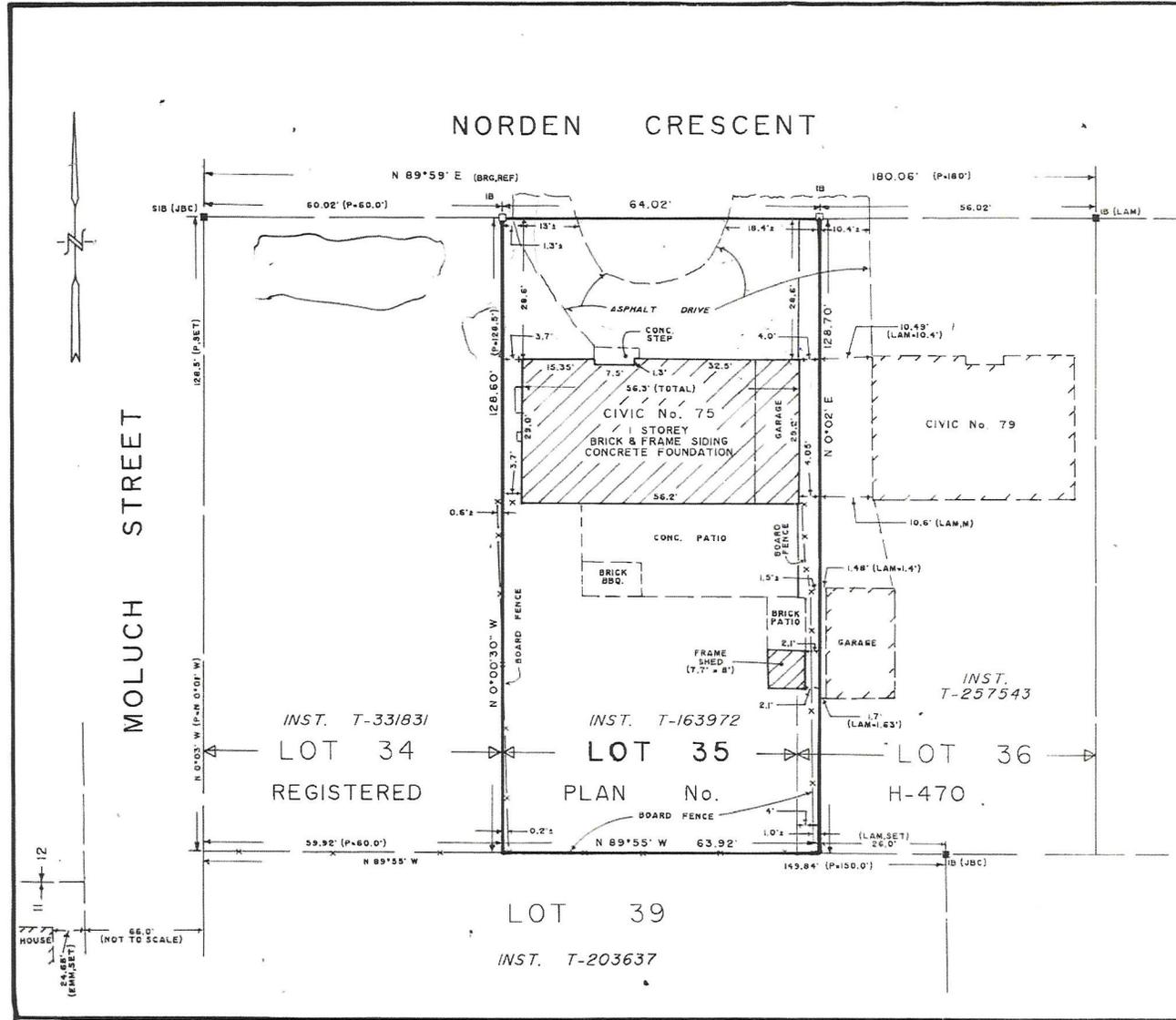
- LEGEND**
- DENOTES FOUND MONUMENT
  - DENOTES PLANTED MONUMENT
  - IB DENOTES IRON BAR
  - SIB DENOTES STANDARD IRON BAR
  - P DENOTES PLAN H-470
  - M DENOTES MEASURED
  - JBC DENOTES J.B. CHAMBERS O.L.S.
  - LAM DENOTES L.A. MILLER O.L.S.
  - EMM DENOTES E.M. MacQUARRIE O.L.S.
  - X DENOTES FENCE

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS  
 COMPLETED ON THE 16th DAY OF JUNE 1992

June 19 1992  
 L.A. MILLER  
 Ontario Land Surveyor  
 Firm of:  
 Chambers Miller & Wall Ltd.  
 © 1992

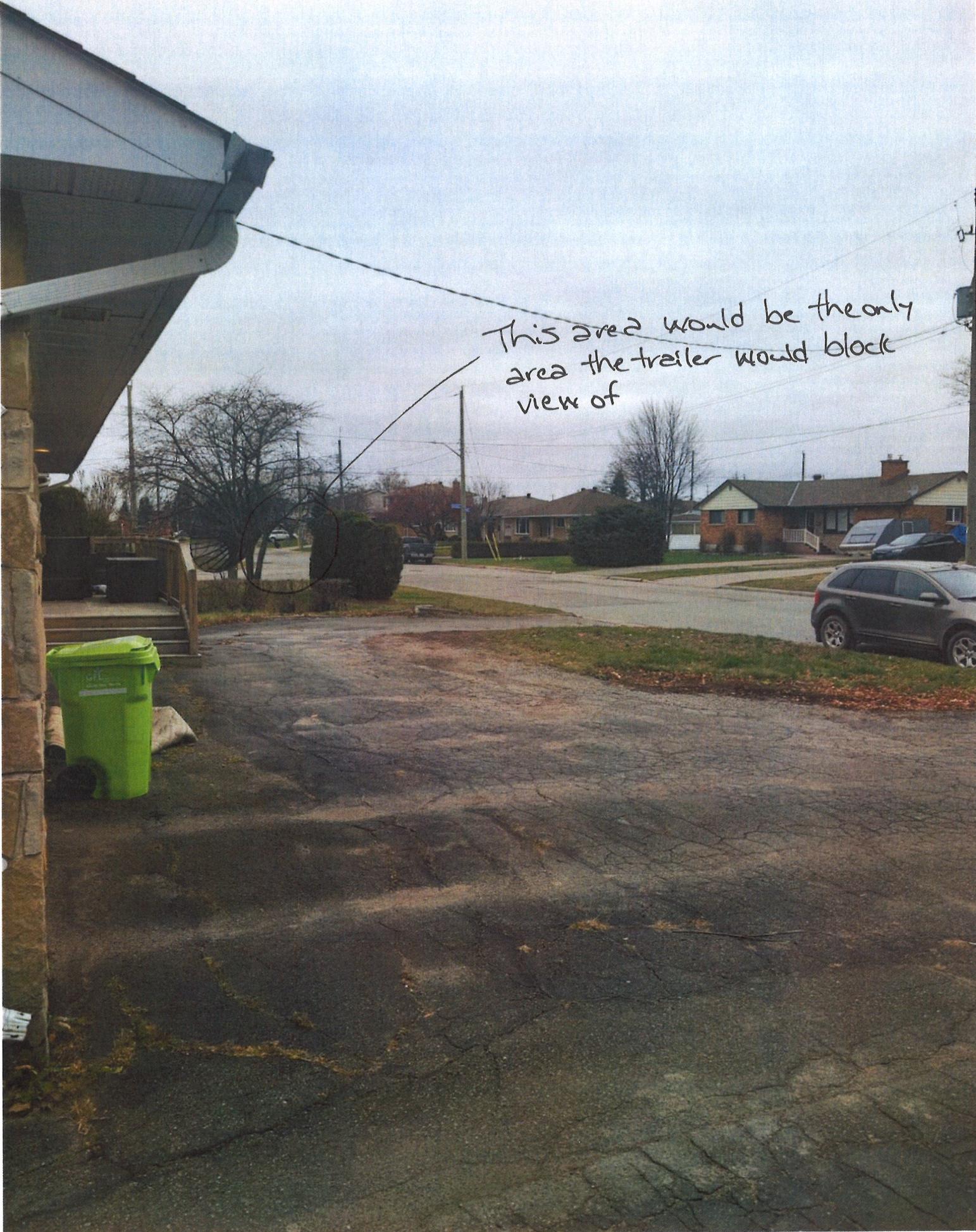
NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL

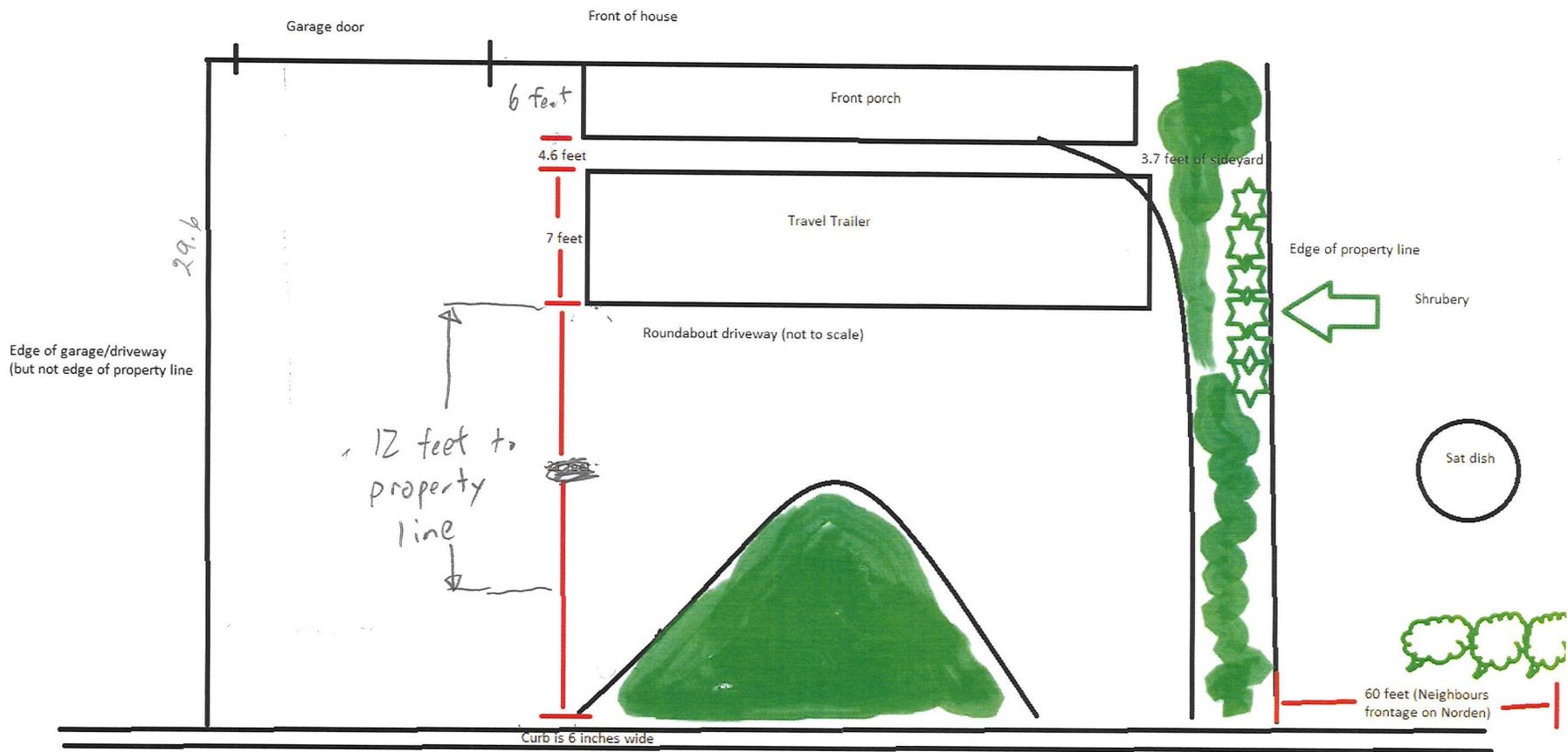
**NOTES:**  
 BUILDING TIES SHOWN ON THIS PLAN ARE TO THE FACE  
 OF THE CONCRETE FOUNDATION UNLESS OTHERWISE NOTED  
 NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER  
 THIS PLAN IN WHOLE OR IN PART WITHOUT THE  
 WRITTEN PERMISSION OF CHAMBERS MILLER & WALL LTD.





This area would be the only  
area the trailer would block  
view of

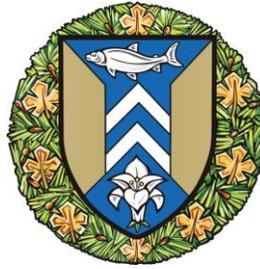




Norden Crescent - Public Road



Explain  
that  
this isn't  
our  
Vehicle



## MINOR VARIANCE APPLICATION

### **Application A4/24-54-(1-70)-32785-R3**

**ELIZABETH FILICE** is the owner of **597 DOUGLAS STREET** described as Lot 212 & Pt. of Lot 213, Wilding Park Subdivision, Plan 6541 further described as Part 2, 1R-14049, former Township of Korah. It is located on the southwest corner of Douglas Street and Wilding Avenue. The subject property is designated Residential in the Official Plan & is zoned R3, Low 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 portion of the existing fence.

	<b>By-Law Requirement 2005-151</b>	<b>Proposed Variance</b>
<b>7.2</b>	<b>Maximum</b> fence height in an interior side yard <b>1.8m</b>	<b>Increase</b> the maximum height for the rear 7+m portion of fence to <b>2.43m</b> .

#### **Public Response**

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**

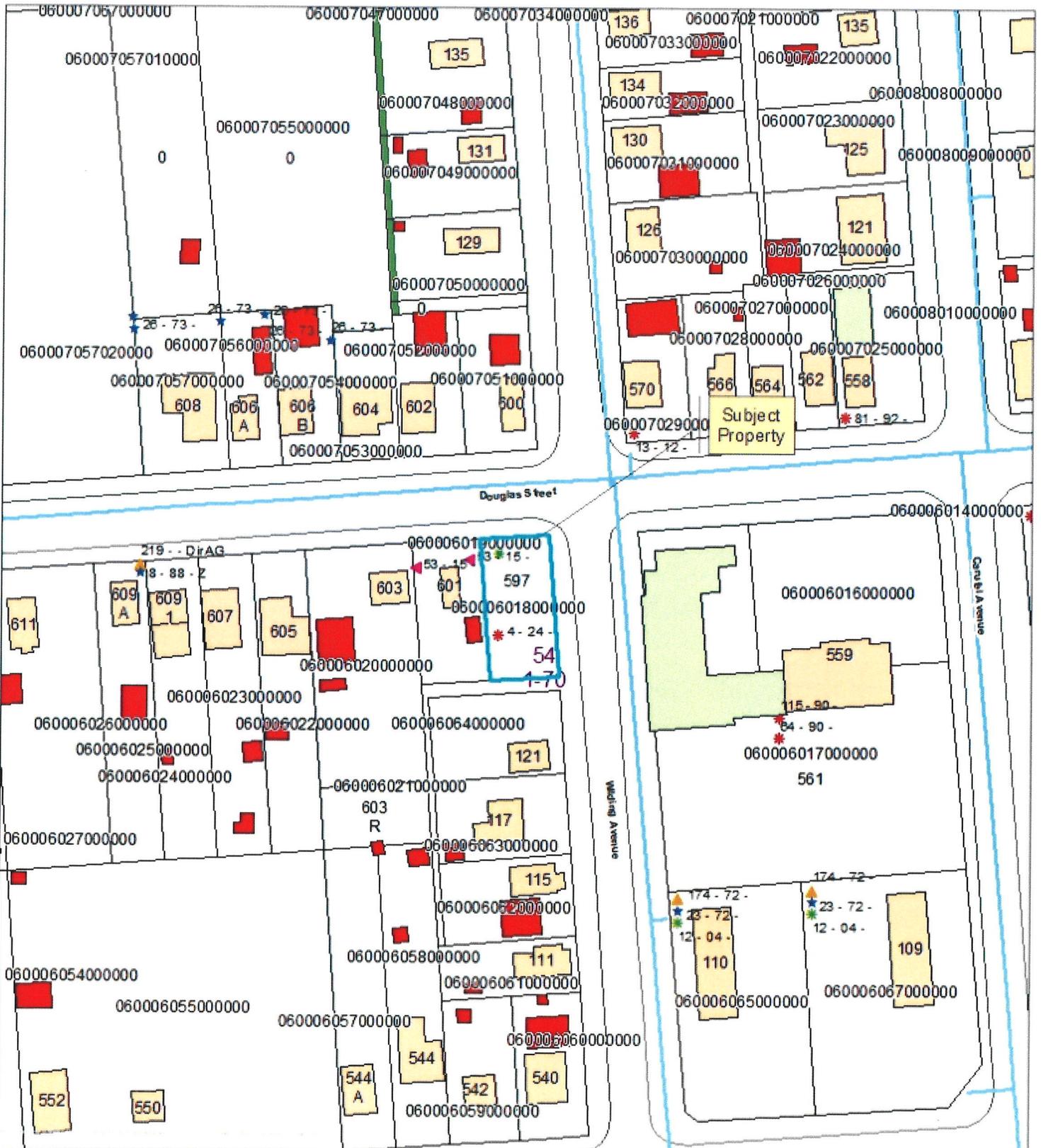
As part of the application review, this proposal was circulated to the following internal departments and external agencies for their review. Building, Conservation Authority, Engineering, Planning, & PUC Fire Services, had no comment or objection. Legal Divisions did not respond.

The Sault Ste. Marie Region Conservation Authority advised that any development on the subject property will require a site plan review and may require a permit from SSMRCA.

Planning staff have no objections. It is understood that the application for relief is due to variations of grade along the proposed fence line and most of the proposed fence will adhere to the Zoning By-law regulations. Relief is requested for the interior side-yard at the back of the property, more than 35m away from the street intersection. The requested relief is minor and will not adversely impact the streetscape of the abutting properties.

**Considerations**

No objections from staff or neighbouring property owners.  
No evidence that approval would have a negative impact.



**Application Map Series**

Subject Property

**Property Information**

Civic Address: 597 Douglas Street  
 Roll No. 060 060 018 00 0000  
 Map No.: 54/1-70  
 Application No.: A4/24

**Legend**

 URBAN SERVICE LINE

 Subject Property



**SAULT  
STE. MARIE**

**Committee of Adjustment**

Planning and Enterprise Services Division  
 99 Foster Drive, Sault Ste Marie, ON P6A 5K6  
 saultstmarie.ca | 705-759-5411 | m.kelly@cityssm.on.ca

This map is for general reference only

Ortho photo: None

Projection Details

NAD 1983 UTM Zone 18N  
 GCS North American 1983





3438  
3874

N88°41'15"E  
N88°42'00"E

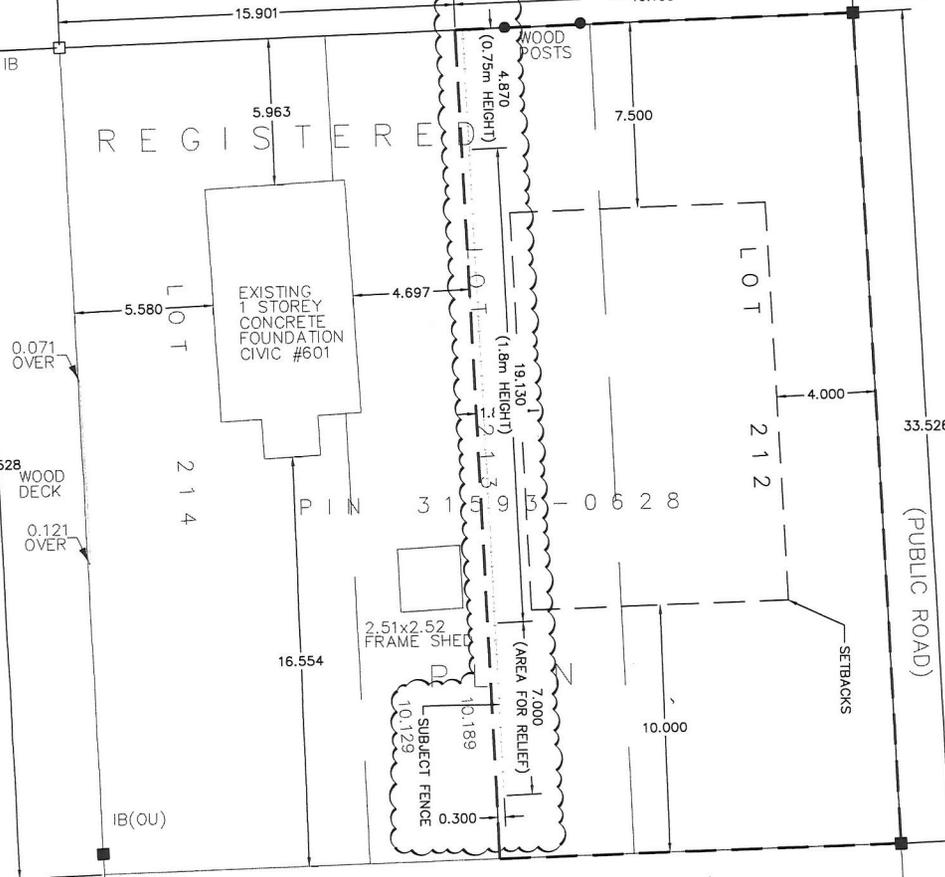
DOUGLAS STREET  
(PUBLIC ROAD)

IB(OU)  
AS SHOWN  
ON (P1)

REGISTRAR'S  
PLAN  
COMPILED  
H-628

LOT 19

REGISTERED



WOOD DECK  
0.071 OVER  
0.121 OVER

EXISTING 1 STOREY CONCRETE FOUNDATION CIVIC #601

2.51x2.52 FRAME SHED

SUBJECT FENCE

AREA FOR RELIEF

LOT 212

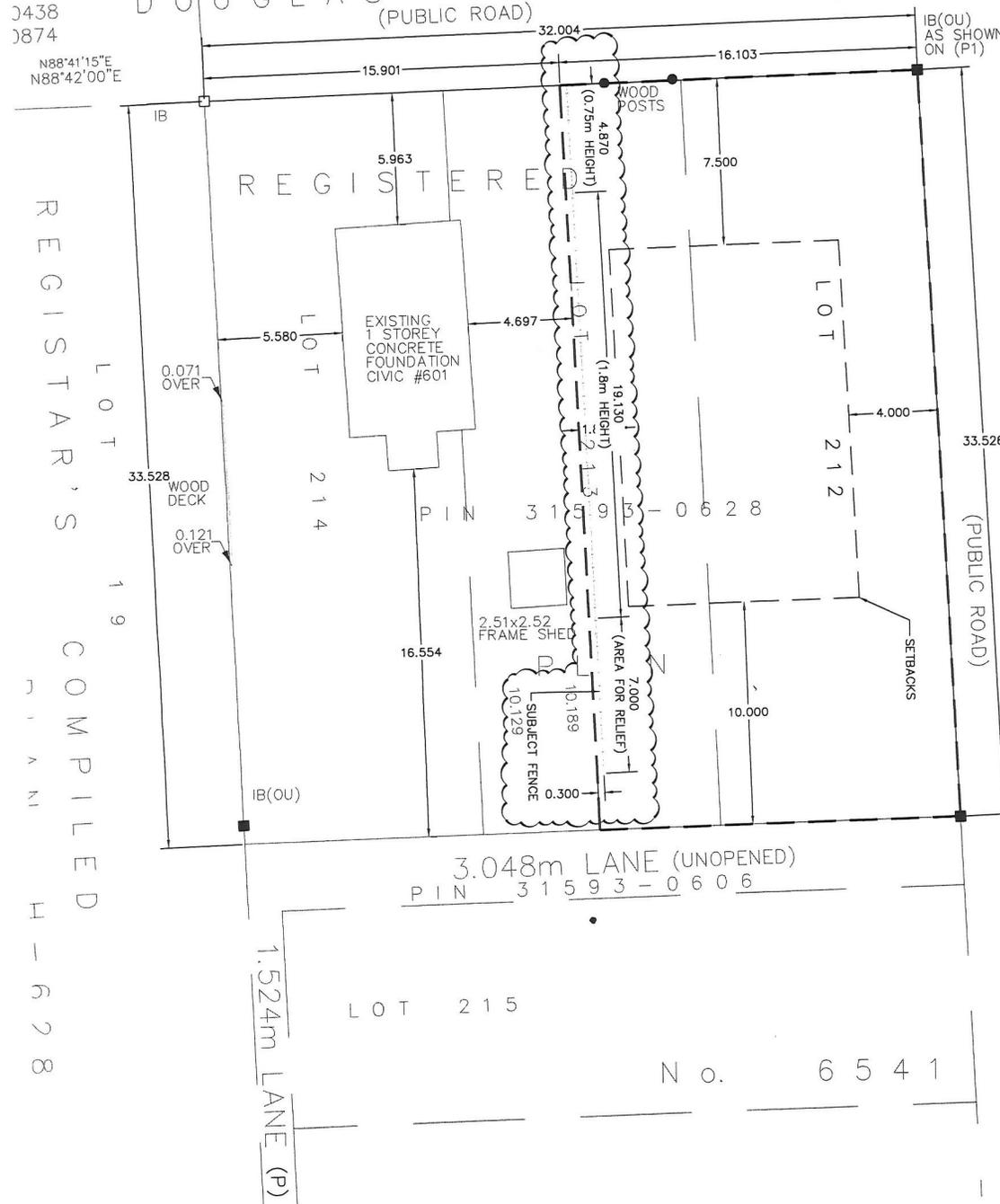
1.524m LANE (P)

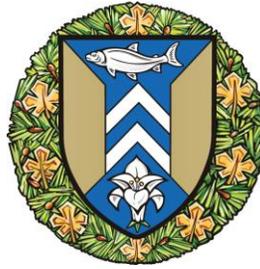
LOT 215

3.048m LANE (UNOPENED)  
PIN 31593-0606

No. 6541

WILDING AVENUE  
PIN 31593-0288





## MINOR VARIANCE APPLICATION

### Application A5/24-22-(1-22)-1336-R2

**TYLER & AMY SIMPSON** are the owners of **100 INDIANA DRIVE** described as Lot 56 Poplar Grove Subdivision, Plan H450, former Township of St. Mary's. It is located on the easterly side of the east leg of Indiana Drive between Shannon Road and Idaho Drive. The subject property is designated Residential in the Official Plan & is zoned R2, Single Unit Residential.

#### INTENT OF THE APPLICATION:

Relief is requested from the provisions of By-law 2005-150, as amended, by reducing the required front yard to facilitate the construction of a 22.6m<sup>2</sup> front entrance/mudroom addition.

	By-Law Requirement 2005-151	Proposed Variance
9.6.2	Minimum required front yard is 7.5m	Reduce the minimum required front yard to 6m for the proposed 22.6m <sup>2</sup> addition only.

#### Public Response

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. Building, Engineering, Planning, Fire Services, Public Works & PUC Fire Services, had no comment or objection. Bell Canada, Conservation Authority & Legal Division did not respond.

Building Division noted that this structure will require a building permit. It is also noted that there are overhead conductors within proximity of the proposed addition which may affect the proposed location. A swing calculation will be required at time of permit application, to determine if the proposed location will meet the requirements of Subsection 3.1.19 of the Ontario Building Code

Planning staff have no objections. The residential units along Indiana Drive and elsewhere in the neighbourhood were typically built offset from adjacent residential units by 1 to 3 metres. This gives the appearance of a somewhat staggered streetscape, rather than one where all homes were uniformly built to the same setback. Therefore, the addition does not alter the character or visual interest of the neighbourhood and blends in with the streetscape.

**Considerations**

No objections from staff or neighbouring property owners.

No evidence that approval would have a negative impact.



**Application Map Series**  
 Subject Property

**Property Information**  
 Civic Address: 100 Indiana Drive  
 Roll No: 010017031 00 0000  
 Map No: 22/1-22  
 Application No: A5/24

**Legend**

 URBAN SERVICE LINE

 Subject Property

 **SAULT STE. MARIE**  
 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

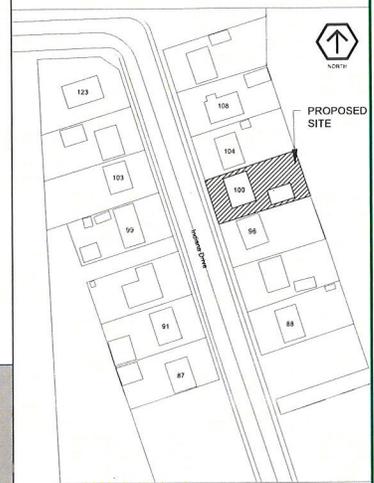
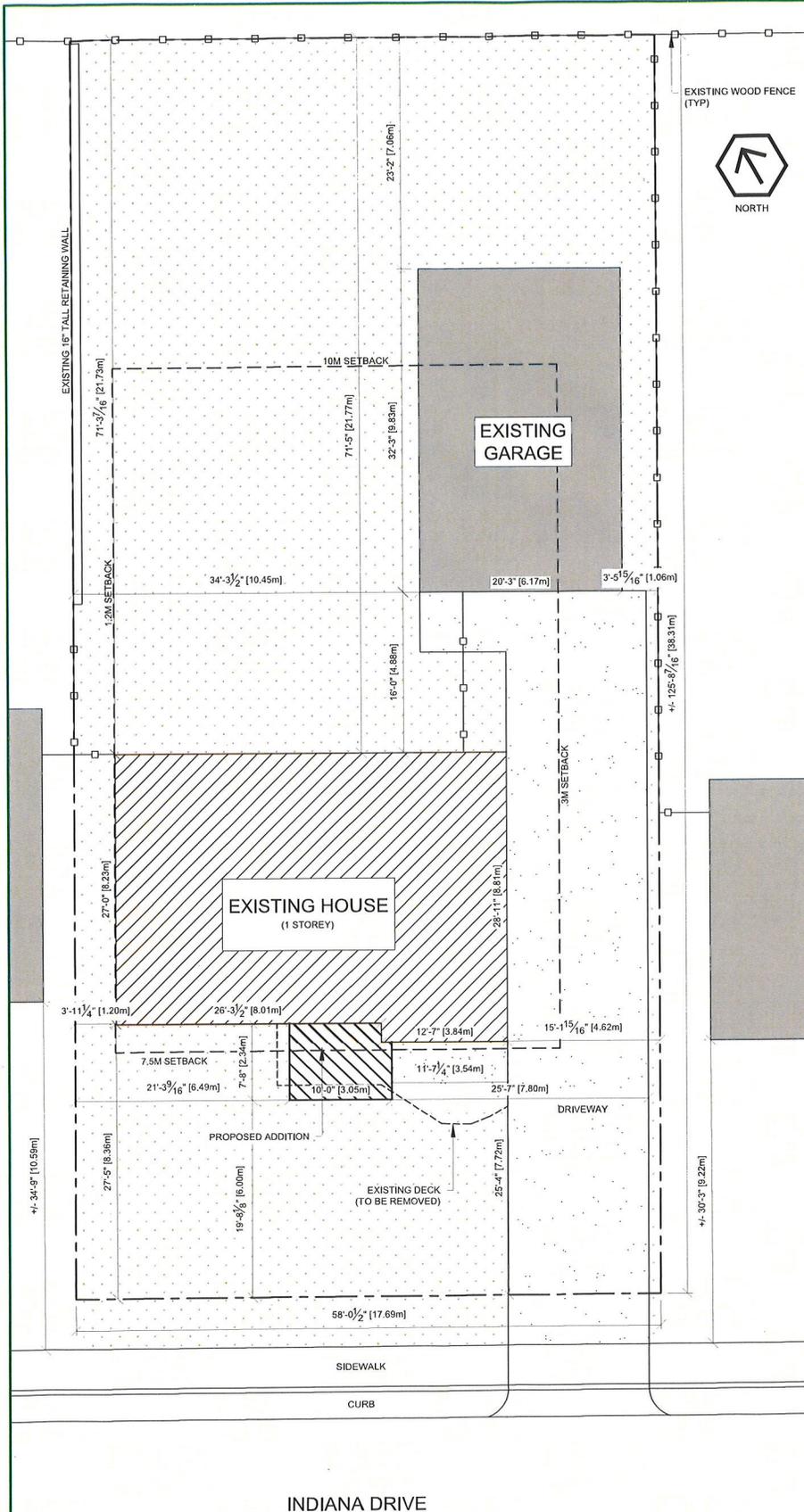


**100 INDIANA DRIVE**  
ZONE : R2

LOT SIZE: 7296' SQ (677.82M SQ)  
 EXISTING BUILDING: HOUSE - 1074'SQ (99.78M SQ)  
 GARAGE - 653'SQ (60.65M SQ)  
 PROPOSED BUILDING: ADDITION - 67'SQ (6.22M SQ)  
 LOT COVERAGE: -24% (EXISTING)  
 -25% (PROPOSED)

THIS IS NOT A LEGAL BINDING SURVEY. THIS PLAN IS TO OUTLINE PROPERTY AND BUILDING MEASUREMENTS ONLY. IT IS NOT A LEGAL DOCUMENT. A TIE IN SURVEY WOULD FINALIZE EXACT BUILDING LOCATION AND DIMENSIONS

THIS DRAWING DOES NOT TAKE INTO ACCOUNT UNKNOWN SITE CONDITIONS, SUCH AS SOIL BEARING CAPACITY, WATER TABLE, DEPTH OF BEDROCK, BURIED STRUCTURES, ETC. NO GEOTECHNICAL WORK HAS BEEN PERFORMED OR IS IMPLIED.



PROJECT: MUDROOM ADDITION AMY SIMPSON	
DRAWING: SITE PLAN	ADDRESS: 100 INDIANA DRIVE, SAULT STE. MARIE, ON
DRAWN: E. PULCINE	SCALE: 3/32" = 1'-0"
CHECKED: P.G. DECLERCK	DATE: AUGUST 17, 2023
SIZE: 11"x17"	BCIN: FIRM# 102327

**PRELIMINARY**  
FOR COMMITTEE OF ADJUSTMENT ONLY

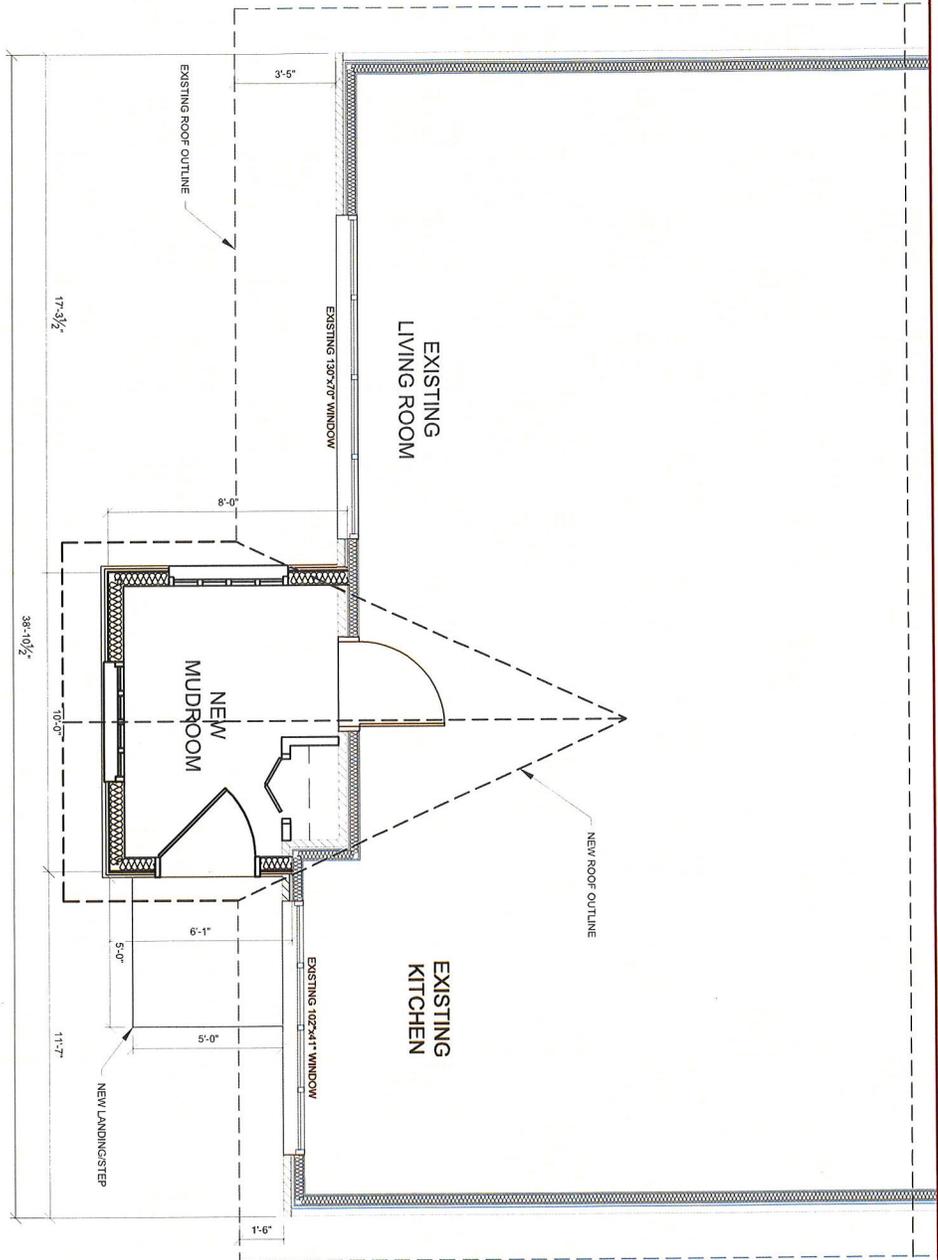
- GENERAL NOTES:
- DO NOT SCALE DRAWINGS.
  - ALL WORK TO BE DONE IN ACCORDANCE TO THE CURRENT VERSION OF ALL PROVINCIAL STANDARDS (OBC, OPSS, OPSD, ETC).
  - CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTIFY NORQUAY ENGINEERING OF CONCERNS OR DISCREPANCIES PRIOR TO CONSTRUCTION.



No.	ISSUANCE	DATE	BY
1	FOR COMMITTEE OF ADJUSTMENT	2023-10-11	EP

A0.1  
1 OF 3

**FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



PROJECT: MUDROOM ADDITION AMY SIMPSON	
DRAWING:	PLAN VIEWS
ADDRESS:	100 INDIANA DRIVE, SAULT STE. MARIE, ON
DRAWN:	E. PULCINE
CHECKED:	P.G. DECLERCK
SIZE:	11"x17"
SCALE:	1/4" = 1'-0"
DATE:	AUGUST 17, 2023
BCIN:	FIRM# 102327
PROJECT NUMBER:	23074
DRW No.	CA2
3 OF 3	

PRELIMINARY  
FOR COMMITTEE OF  
ADJUSTMENT ONLY

**GENERAL NOTES:**

- DO NOT SCALE DRAWINGS.
- ALL WORK TO BE DONE IN ACCORDANCE TO THE CURRENT VERSION OF ALL PROVINCIAL STANDARDS (OBC, OPSS, OPSD, ETC).
- CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTIFY NORQUAY ENGINEERING OF CONCERNS OR DISCREPANCIES PRIOR TO CONSTRUCTION.

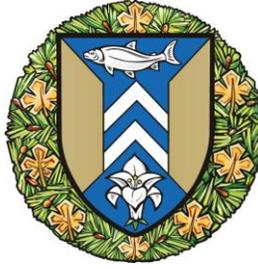
**NORQUAY HOME DESIGN**

DIV. OF NORQUAY ENGINEERING LTD.

No.	ISSUANCE	DATE	BY
1	FOR COMMITTEE OF ADJUSTMENT	2023-10-11	EP

The Corporation of the  
City of Sault Ste. Marie

Committee of Adjustment



Secretary-Treasurer Report  
Section 53 of the Planning Act  
January 24, 2024

## CONSENT

### **Application B1/24-52-(1-68)-33400-R2, EM**

**1644385 ONTARIO LTD.** is the owner of Lot 57, Brookfield Subdivision Plan M112 designated as Parts 1 & 2, 1R-14063, former Township of Korah, and municipally identified as **CIVIC NO. 184 ROOSEVELT AVENUE**. It is located on the east side of the easterly leg of Roosevelt Avenue between North Eden Square and Whitney Avenue. The subject property is designated Residential in the Official Plan and is zoned R2, Single Unit Residential & Environmental Management.

### **INTENT OF THE APPLICATION**

The applicant is seeking the Committee's consent to sever the subject property into two parcels both fronting on Roosevelt Avenue. The proposed lot configuration is:

Frontage (approximate)	Depth (approximate)	Area (approximate)
36.6m	66.479.6m	0.243ha
30.586m	66.479m	0.202ha

**The intent of the application is to provide autonomous title to each semi-detached unit.**

### **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**

The following internal departments and external agencies received an invitation to comment. Bell Canada, Building Division, Conservation Authority, Engineering, Planning Division, PUC Services, & Public Works had no concerns or objections.

Bell Canada Right of Way has identified that we require protection for existing facilities.

On the attached sketch, the blue line indicates the approximate location of active, critical infrastructure. Located on the property known municipally as 184 Roosevelt Avenue, Bell Canada's facilities provide essential access to the network. Of major concern is the ability to access our equipment, particularly in the event of an interruption, or emergency, that would require Bell Canada to restore service to regular telephone lines, alarm services, internet access, and most importantly ensure the continuity of 911 service.

Bell Canada requests a 3.0m wide easement, to measure 1.5m on either side of the aerial infrastructure (to extend a minimum of 1.5m from the base of the pole and 0.5m on either side of any guywires, if present), as can be reasonably accommodated within the property boundaries. Since the intention of the requested easement is to protect the integrity of the existing facilities and preserve many services, we request that the cost associated with registration be the responsibility of the landowner.

We hope this proposal meets with your approval and request a copy of the decision. Should our request receive approval, we look forward to the owner's solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

The Building Division had no objections, further advising that their files reveal that a Conditional Permit for a new semi-detached dwelling unit is outstanding. A full permit is required to be obtained and full occupancy issued.

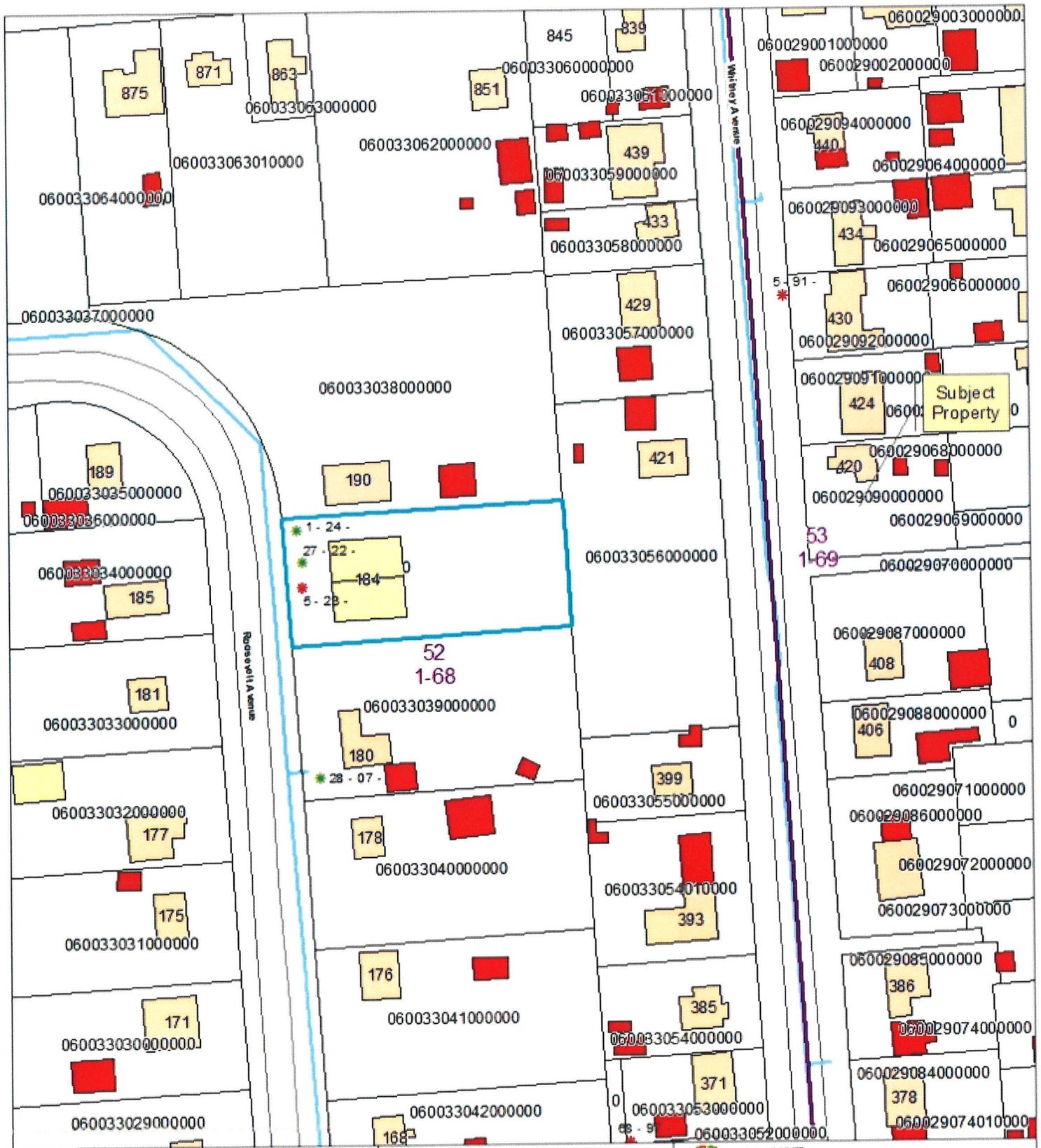
The Conservation Authority advised that any development on the subject property or the severed property will require a site plan review and may require a permit from SSMRCA.

PUC Services advised that water and electric services are individually serviced on their respective properties, therefore have no concern with the severance.

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

Recommended conditions of any approval are,

- Provide a Transfer/Deed of Land for Certificate of Official
- Parks levy
- Provide Certificate of Official application fee
- Provide reference plan.
- Provide PIN abstract & PIN map.
- Minor Variance application approval where required.
- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes
- A 3.0m wide easement, to measure 1.5m on either side of the aerial infrastructure (to extend a minimum of 1.5m from the base of the pole and 0.5m on either side of any guywires, if present), as can be reasonably accommodated within the property boundaries in favour of Bell Canada.



**Application Map Series**  
 Subject Property

**Legend**

 URBAN SERVICE LINE  
 Subject Property



**SAULT STE. MARIE**  
 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

**Property Information**

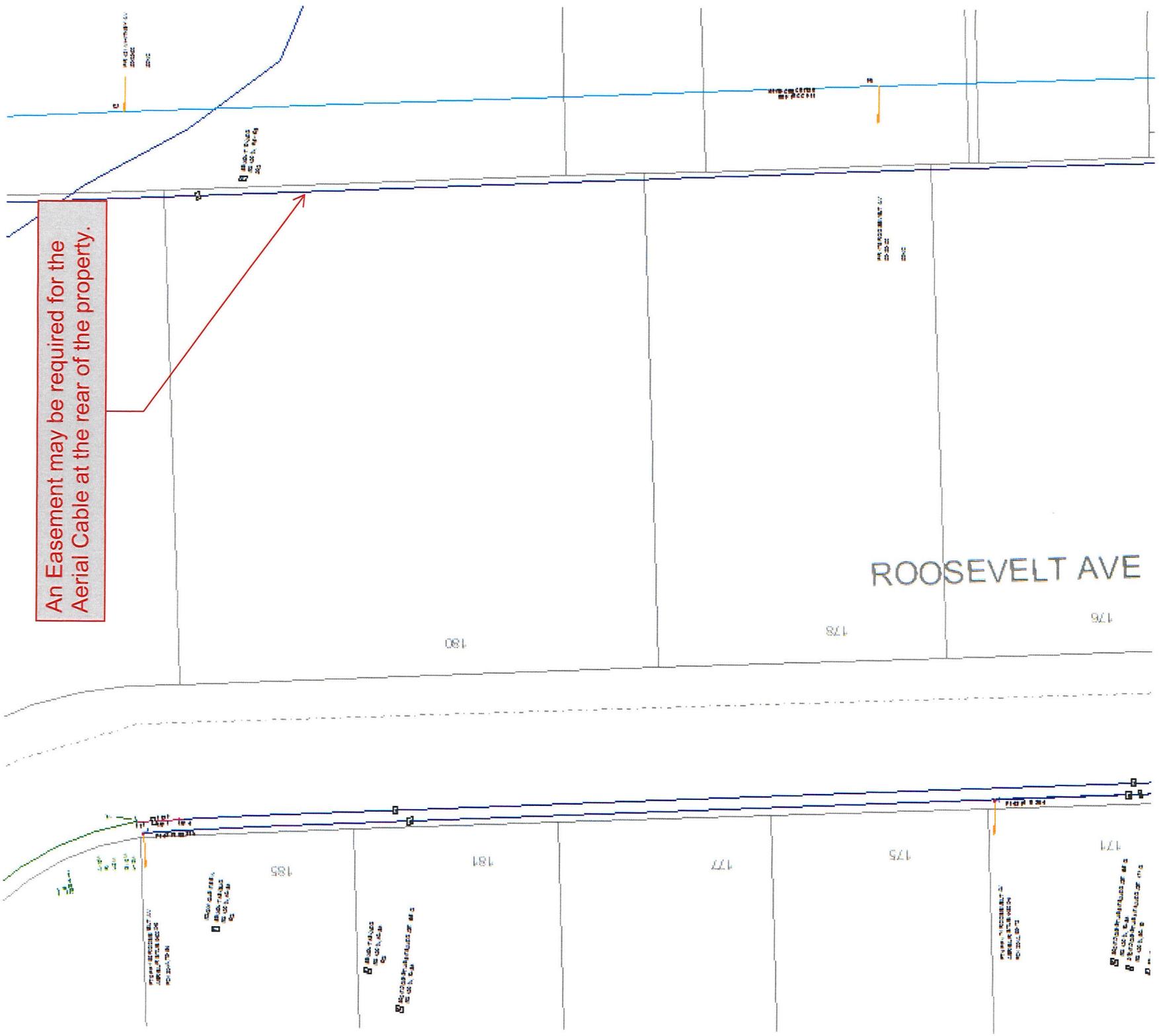
Civic Address: 184 Roosevelt Avenue  
 Roll No:  
 Map No: 52/1-60  
 Application No: B1/24

This map is for general reference only

Orthophoto: None  
 Projection Details:  
 NAD 1983 UTM Zone 18N  
 GCS North American 1983



An Easement may be required for the Aerial Cable at the rear of the property.



SECONDARY HIGHWAY No. 550  
LOCALLY KNOWN AS  
SECOND LINE WEST  
MTO PLAN P-2256-12

I REQUIRE THIS PLAN TO BE DEPOSITED  
UNDER THE LAND TITLES ACT.

PLAN 1R-14063

RECEIVED AND DEPOSITED

DATE May 30, 2023

June 7<sup>th</sup>, 2023

D.S. URSO - ONTARIO LAND SURVEYOR

DATE  
Sach Boland  
REPRESENTATIVE FOR LAND REGISTRAR FOR THE  
LAND TITLES DIVISION OF ALGOMA (N# 1)

SCHEDULE

PART	LOT	PLAN	HECTARES	PIN
1	PART OF 57	REGISTERED PLAN M-112	0.243	PART OF 31607-0037
2			0.202	PART OF 31607-0037

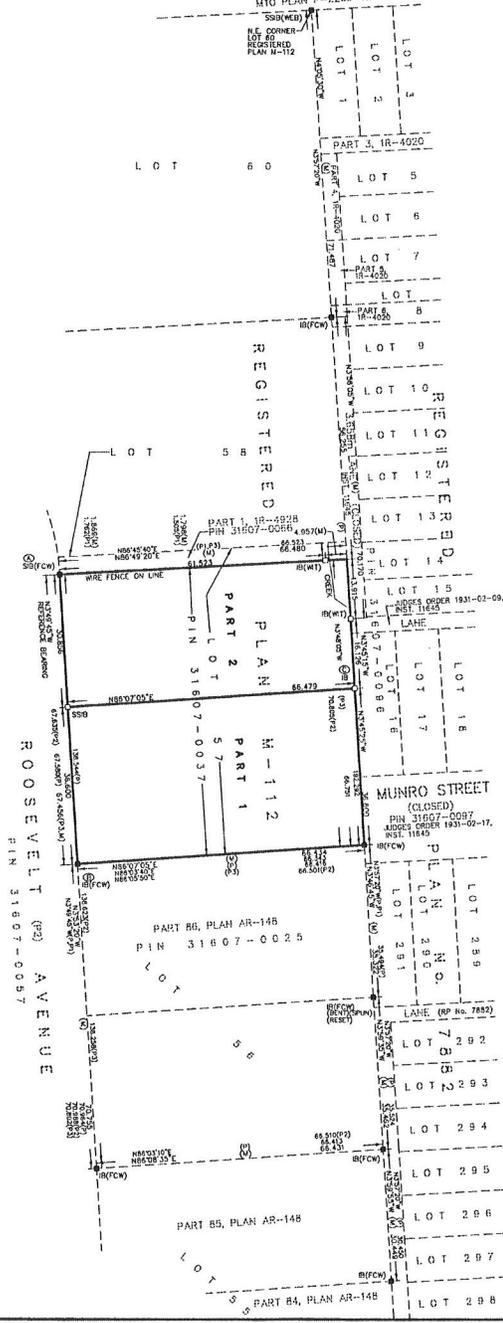
PARTS 1 AND 2 COMPRISE ALL OF PIN 31607-0037

PLAN OF SURVEY OF  
PART OF LOT 57  
REGISTERED PLAN M-112  
CITY OF SAULT STE. MARIE  
DISTRICT OF ALGOMA

SCALE: 1 : 750



Monument Urso Surveying Ltd.



METRIC NOTE

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

INTEGRATION COORDINATE TABLE

OBSERVED REFERENCE POINTS (ORP's) DERIVED FROM REAL TIME KINETIC OBSERVATIONS USING MONUMENTS 'A' AND 'B' HAVING A BEARING OF N3°49'45"W UTM ZONE 16 NAD 83 (CSRS)(2010.0) COORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.REG. 216/10.

POINT ID	NORTHING	EASTING
ORP A	5156847.049	6999891.849
ORP B	5156779.744	6998896.353
ORP C	5156820.762	699960.237

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SCALE FACTOR NOTE

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.999985.

ROTATION NOTE

FOR BEARING COMPARISONS, A ROTATION OF 1°51'20" COUNTER CLOCKWISE WAS APPLIED TO PLANS 'P' THROUGH 'P3' TO CONVERT TO GRID BEARINGS.

LEGEND

- DENOTES FOUND EVIDENCE
- DENOTES PLANTED MONUMENT
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- M DENOTES MEASURED
- P DENOTES REGISTERED PLAN AR-148
- P1 DENOTES DEPOSITED PLAN IR-4928
- P2 DENOTES REGISTERED PLAN IM-112
- P3 DENOTES PLAN BY S.L. MacDOUGALL, O.L.S., FILE U-7466
- S DENOTES SET
- WT DENOTES WITNESS
- WEB DENOTES W.E. BOLAN, O.L.S.
- FCW DENOTES F.C. WILSON, O.L.S.
- PIN DENOTES PROPERTY IDENTIFICATION NUMBER

BEARING NOTE

BEARINGS ARE UTM GRID DERIVED FROM REAL TIME KINETIC OBSERVATIONS ON MONUMENTS 'A' AND 'B', SHOWN HEREON, HAVING A BEARING OF N3°49'45"W AND ARE REFERRED TO THE CENTRAL MERIDIAN (87° WEST LONGITUDE) OF UTM ZONE 16 NAD 83 (CSRS)(2010.0).

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON MARCH 8, 2023.

May 30, 2023  
SAULT STE. MARIE, ONTARIO

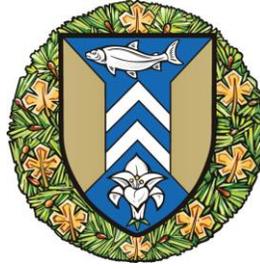
*Sach Boland*  
D.S. URSO  
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER: V-51846

Monument Urso Surveying Ltd. Ontario Land Surveyors & Canada Land Surveyors Planning Consultants		
536 1 <sup>st</sup> FIFTH LINE EAST SAULT STE. MARIE, ONT. P6A 6L8	TEL: (705) 254-7850 FAX: (705) 254-2571	
DRAWN: KF	CHECKED: SB	FILE NO: U-12071

The Corporation of the  
City of Sault Ste. Marie

Committee of Adjustment



Secretary-Treasurer Report  
Section 53 of the Planning Act  
January 24, 2024

## CONSENT

### **Application B29/23-33-(1-36)-15887-R2, R4**

**DANIEL FREMLIN HOLDINGS INC.** is the owner of LT 9 RECP H715 RANKIN LOCATION EXCEPT 1, 1R6097 & PL 1M479, EXCEPT PT 1, 1R13989; S/T T301089; S/T T425210 BEING PIN # 31492-0475 (LT), municipally identified as **CIVIC NO. 153 DACEY ROAD**. It is located on the south westerly side of Dacey Road between Hardwood Street and Chambers Avenue. The subject property is designated Residential in the Official Plan and is zoned R2, Single Detached Residential & R4, Medium Density Residential.

### **INTENT OF THE APPLICATION**

The applicant is seeking the Committee's consent to sever and convey an irregular shaped parcel fronting on Dacey Road as follows,

Frontage (approximate)	Depth (approximate)	Area (approximate)
20.5m (Dacey Road)	irregular	576.6m (severed parcel)
79.73m (Dacey Road)	irregular	688.8m (retained parcel)

**The intent of the application is to provide autonomous title to the residential development currently under construction.**

### **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**

The following internal departments and external agencies received an invitation to comment. No concerns were raised that would preclude this application from moving forward.

Division/Agency	Circulated	Response
Algoma Public Health		
Bell Canada Right-of-Way	X	No response
Building Division	X	No response
Canada Post	X	Arrangements already planned with owner

Level 5, Civic Centre, 99 Foster Drive, Sault Ste. Marie, ON P6A 5X6.

m.kelly@cityssm.on.ca | 705.759.5411 | saultstemarie.ca

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

Engineering has reviewed the application and note the following,

- Easements will be required for shared servicing and access. Operation and maintenance agreements are also recommended to determine cost and responsibilities for shared services,
- An environmental Compliance approval from the MECP is likely required for the SWM facilities,
- The site is subject to an existing site plan and agreement.

PUC Distribution Inc. (Electric Utility) advised the following.

- In order for phases 2 and 3 to proceed, based on the electrical servicing design package received a private electrical service easement will be required from the severed lot (phase 1) for the retained lots (phases 2 and 3) in favour of the retained lots.
- The primary electrical system will be required to be a looped configuration for all phases of the project.
- All electrical infrastructure on either property, other than the pad mounted transformers, will be owned and installed by the owner at the cost of the owner as per PUC specification and with PUC design and inspection approval requirements met. The transformers will be installed as per the OEB economic evaluation process.
- It is recommended that the owners consultant contact PUC Engineering to review before finalizing any plans or designs.

Public Utilities Commission (Water Utility) advised,

- Water servicing for the parent parcel (i.e. both the proposed retained and severed parcels) was approved by PUC under the condition that it services the entire parent parcel. If the property is severed, PUC will consider the Conditions of Water Services Letter dated October 16, 2023, null and void. In addition, a new water service application will be required for both the severed and retained lots.
- If the property is severed, separate water services from the watermain on Dacey Road will be required for each parcel.
- Private easements may be required to facilitate water servicing.

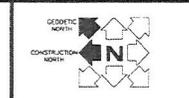
### **Staff Comments/Recommendations(s)**

Recommended conditions of any approval are,

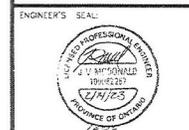
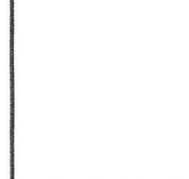
- Provide a Transfer/Deed of Land for Certificate of Official
- Parks levy
- Provide Certificate of Official application fee
- Provide a reference plan.
- Provide current PIN abstract & PIN map.
- Minor Variance application approval where required.
- Provide Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes
- Provide easements as required for shared servicing and access to the satisfaction of Director of Engineering or his designate.
- Enter into operation and maintenance agreements to the satisfaction of the Director of Engineering or his designate.
- Satisfy the Director of Engineering or his designate appropriate arrangements have been made regarding the SWM facilities.
- Amend the existing site plan and agreement where deemed necessary to the satisfaction of the Director of Engineering and/or Planning Director.
- Satisfy PUC water utility and electrical utility and provide any easements deemed necessary.







KEY PLAN



NO.	DATE	BY	DESCRIPTION
2023.02.16	5	JVM	BUDG. DEPT. COMMENTS
2023.02.14	7	JVM	ISSUES FOR BUILDING PERMIT
2023.01.20	1	JVM	ISSUES FOR SITE PLAN CONTROL
2022.12.15	9	JVM	ISSUES FOR CLIENT REVIEW
DATE	REV.	REVISION	BY

CLIENT:

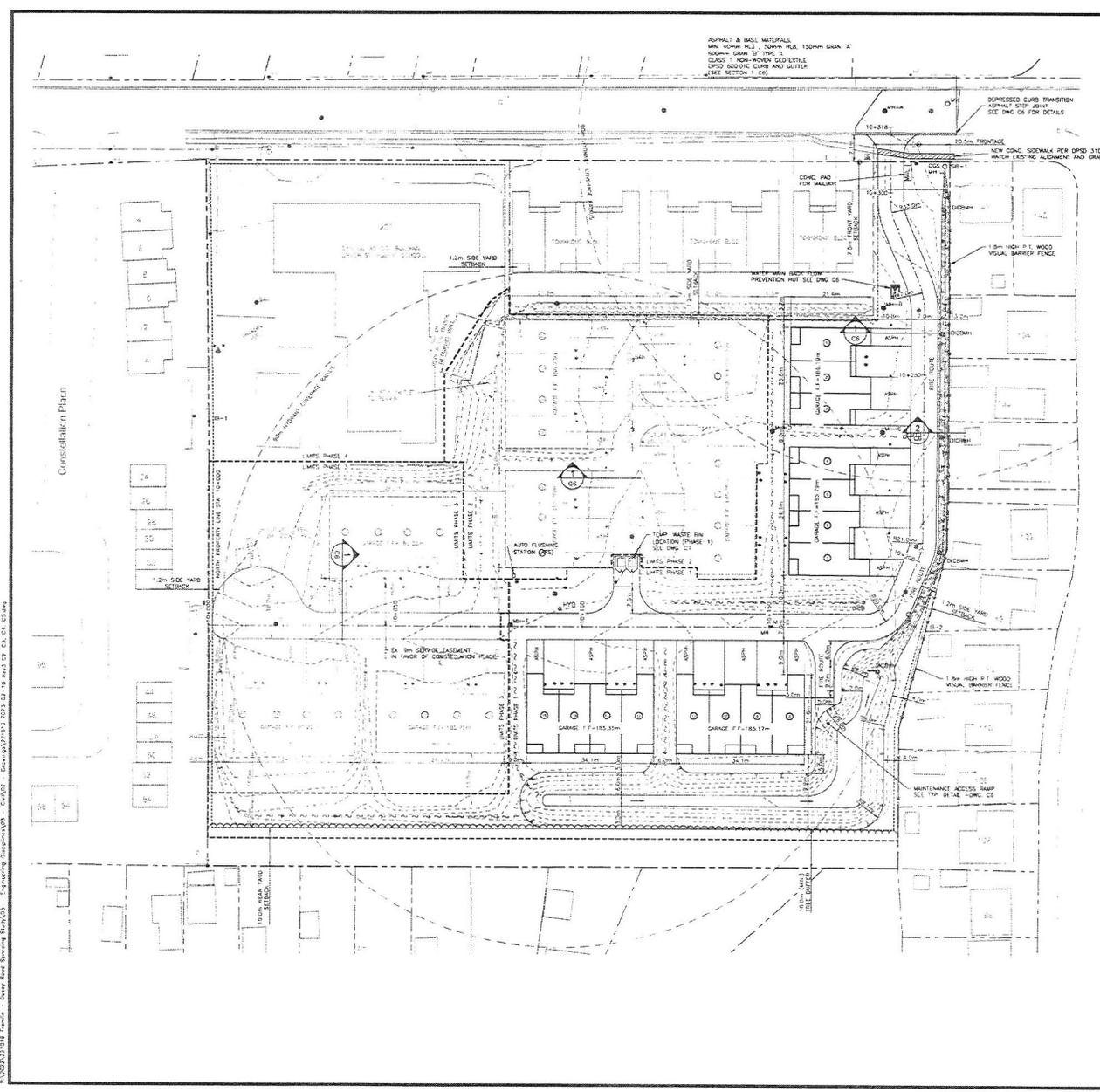
**FREMLIN BUILDING GROUP**  
415 MCGARRIE LANE ROAD  
ECHO BAY, ON



PROJECT TITLE:  
**207 DACEY ROAD  
RESIDENTIAL  
DEVELOPMENT**

DRAWING TITLE:  
**GENERAL  
SITE PLAN**

MB / KN	MJB	JVM	JVM
DRAWN	DESIGNED	CHECKED	APPROVED
SCALE: 1:500		DATE: JAN. 20, 2023	
221019	3	C2	
PROJECT No.	REVISION	DRAWING	



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