

Joseph Greco, Chair

Michelle Kelly, ACST
Secretary-Treasurer



**Sault Ste. Marie
Committee of Adjustment
Minutes of Hearing
October 15, 2025
Livestreamed**

Call to Order

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

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

Member Absent: W. Greco

Official Present: M. Kelly, Secretary-Treasurer

Staff Present: S. Marchese, Planning Representative

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

Opening Remarks

Chair Greco welcomed the participants & introduced the Committee members & staff present

Land Acknowledgement – Secretary-Treasurer

Approval of Minutes of September 17, 2025

Moved by M. McGregor, seconded by F. Bruni,

"THAT the Minutes of the Committee of Adjustment hearing of September 17, 2025, be approved as circulated.

CARRIED."

➤ Disclosure of Pecuniary Interest and the General Nature Thereof

- Chair Greco disclosed an indirect pecuniary interest in application A31/25 & B16/25 concerning Civic No. 1077 Lake Street advising that he is a partner in another development with a person who has a direct pecuniary interest in these applications. Chair Greco will vacate the Chambers the during when the Committee deliberates of these matters & Member Rossi will assume the Chair.

- **Notice of Withdrawal or Request for Deferral** – none recorded
- **Matters To Be Considered**

New Applications

- A29/25 Civic No. 1032 Great Northern Road
- A30/25 Civic No. 391 Second Line West
- A31/25 Civic No. 1077 Lake Street
- B14/25 Civic No. 1015 Queen Street East
- B15/25 Civic No. 1032 Great Northern Road
- B16/25 Civic No. 1077 Lake Street

TAB 1

Application A29/25-113-(1-128)-24072-HZ, M2, RA, S288

1201261 ONTARIO INC. is the owner of Plan H737 Pt Lot 37 Pt RCP and RP 1R2568 Pt Parts 1 and 2 and RP 1R9857 Pt Parts 1 and 2 and RP 1R13070 Part 8, former Township of Tarentorus municipally addressed as **CIVIC NO. 1032 GREAT NORTHERN ROAD**. It is located on the east side of Great Northern Road between Third Line East and Fourth Line East. It is designated Commercial in the Official Plan and is zoned HZ, Highway Zone, M2, Medium Industrial & RA, S288, Rural Area with a special exception.

INTENT OF THE APPLICATION:

Subject to final consent approval of application **B15/25**, the following variance is requested:

	By-Law 2005-150 Requires	Proposed Variance
14.2.2	Minimum frontage 30m	Reduce the minimum required frontage to 20.1168m for the proposed northerly parcel only.

PURPOSE & EFFECT:

The proposed frontage reduction is intended to facilitate the future development of the M2 zoned lands to the rear.

The Secretary-Treasurer advised that this application is part of a two-fold application and will be considered in conjunction with consent application B15/25.

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

Engineering staff had no concerns but wished to make the applicant aware of the following:

- These properties are subject to Site Plan Control, as such, development related concerns will be addressed as part of the approval process in the future.
- The severed lands are serviced by a 150mm PVC sanitary lateral located approximately 31m south of the northernmost property line of the ingress/egress easement of the largest parcel.
- A gas main appears to traverse the largest parcel along the southern property line.

Planning staff does not object to the proposed minor variance. The reduction to frontage of the property will allow the minimum frontage of a M2 parcel to be met while also permitting an additional use should the severance be granted. This will increase the utilization of the lands, while maintaining the intended zoning that has been applied to the parcel.

This application supports Official Plan policies that promote maintaining an adequate supply of industrial land while maintaining the policies of providing services to the travelling public adjacent to Great Northern Road. The zoning of this property is maintained and provides for additional options for better utilization of the land. For these reasons this is desirable for the community, and the request is considered minor in nature.

As a condition of approval Planning recommends that no industrial use be permitted in the reduced frontage area that is zoned highway zone.

Staff Comments/Recommendations(s)

Staff and outside agencies are supportive of the request. No submitted comments from neighbouring property owners. Planning staff requests that any approval be conditional on no prohibiting any industrial use in the easement area.

The Committee is encouraged to attach the following condition to any approval.

1. THAT industrial use is prohibited in, on or along the requested easement.

Proceedings

Matthew Battisti from Wishart Law attended on behalf of their client.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion.

Decision

The Committee, after carefully reviewing the evidence, the illustrations presented, and the submissions made by the parties, finds that the criteria set out in subsection 51(24) of the Planning Act have been satisfied. Based on all the evidence, the Committee finds that the proposed severance does not conflict with any provincial plan or plans, is consistent with any policy statements made under Subsection 3(1) of the Planning Act, is in keeping with the City's Official Plan and Zoning By-law(s), will provide orderly development of the City, and a plan of subdivision is not necessary.

Moved by Rossi, seconded by McGregor,

"RESOLVED THAT in accordance with Section 45(2) of the Planning Act this application be **Approved** conditional on the following,

1. **"THAT industrial use is prohibited in, on or along the access/egress easement identified in consent of application B15/25.**

CARRIED."

TAB 2

Application A30/25-55-(1-71)-15906-R3

PUC SERVICES INC. is the owner of PINs 31591-0266 (LT) & 31591-0269 (LT) & the **CORPORATION OF THE CITY OF SAULT STE. MARIE** is the owner of PINs 31591-0267 (LT) & 31591-0268 (LT) municipally addressed as **CIVIC NO. 391 SECOND LINE WEST**. It is located on the south side of Second Line West and flanks First Avenue to the west and Second Avenue to the east. It is designated Residential in the Official Plan and is zoned R3, Low Density Residential.

INTENT OF THE APPLICATION:

The following variance is requested to facilitate the construction of a 1.8m high fence in the required front yard abutting Second Line West.

	By-Law 2005-150 Requires	Proposed Variance
7.2	Maximum fence height permitted in the required front yard 0.9m	Increase maximum fence height permitted in the required front yard to 1.8m

EFFECT OF THE APPLICATION:

A new 1.8m x 310m steel chain-link fence, complete with new swing-gates is to be erected around the subject property and well house to maintain well site security and public safety. The proposed fence is to replace the existing damaged steel chain-link security fence and swing-gates.

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

Planning staff does not object to the proposed minor variance. Protection of water sources is discussed in the Official Plan. The limiting height of fences in the front yard is in part tied to avoiding creating visual walls that have a tunnelling effect through a neighbourhood. Given this property has public streets adjacent to the property, the use of a chain link fence will soften this effect. Ensuring that water sources are secured and protecting the area from the public is desirable for the community. The requested relief from the front yard fence is minor in nature.

Planning recommends that this variance apply to a chain link fence only.

Staff Comments/Recommendations(s)

There has been no objection to the request. No evidence has been presented to indicate that approval would create an adverse impact.

It is recommended that any approval be conditional as follows,

- 1. THAT the variance applies to a chain link fence only.**

Proceedings

Kyle McKeachnie, P. Eng with PUC Services attended.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion.

Decision

The Committee, after carefully reviewing the evidence, the illustrations presented, and the submissions made by the parties, finds that the criteria set out in subsection 51(24) of the Planning Act have been satisfied. Based on all the evidence, the Committee finds that the proposed severance does not conflict with any provincial plan or plans, is consistent with any policy statements made under Subsection 3(1) of the Planning Act, is in keeping with the City's Official Plan and Zoning By-law(s), will provide orderly development of the City, and a plan of subdivision is not necessary.

Moved by Bruni, seconded by Rossi,

"RESOLVED THAT in accordance with Section 45(2) of the Planning Act this application be **Approved** conditional on the following,

- 1. THAT the variance applies to a chain link fence only.**

CARRIED."

TAB 3

Application A31/25-62-(1-62)-28765-R2

Having declared an indirect pecuniary interest, Chair Greco vacated the chambers at 2:12 p.m. Member Rossi assumed the Chair.

1001044358 ONTARIO INC. is the owner of PCL 23-1 Lt 23, Cambrian Heights Subdivision Plan 1m471, former Township of St. Mary's municipally addressed as **CIVIC NO. 1077 LAKE STREET**. It is located on the west side of Lake Street between Pentagon Boulevard and Pawating Place. It is designated Residential in the Official Plan and is zoned R2, Gentle Density Residential.

INTENT OF THE APPLICATION:

Subject to final consent approval of application **B16/25**, the following variance is requested:

	By-Law 2005-150 Requires	Proposed Variance
4.14.10	Minimum frontage 9.2m for each unit	Reduce the minimum required frontage to 8.8m for the north unit & to 8.4m for the south unit.

PURPOSE & EFFECT:

The proposed frontage reduction is intended to assist in providing autonomous title to each unit.

The Secretary-Treasurer advised that this application is part of a two-fold application and will be considered in conjunction with consent application B16/25.

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	X
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	No concerns
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	No objections.
PUC Distribution Inc. (Electric)	X	No concerns. Separate services are required
Public Utilities Comm. (Water)	X	No concerns. Separate services are required
Public Works	X	No comment

Staff Comments/Recommendations(s)

There has been no objection to the request. No evidence was submitted to suggest that approval would create an adverse impact. The request is subject to final approval of Consent to Sever application B16/25.

Proceedings

David Toppan, attended in support of his application.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion.

Decision

All written submissions relating to this application made to the Committee of Adjustment before its decision and any oral submissions made at the public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

The Committee after considering the submissions put forward and having reviewed the plans and comments received, is satisfied that the request is desirable for the appropriate development of the subject property. The Committee is satisfied that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained. The Committee is of the opinion that the requested variance is minor in nature in this instance.

It is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Moved by McGregor, seconded by Bruni,

“RESOLVED THAT in accordance with Section 45(2) of the Planning Act this application be **Approved** conditional on the following,

1. **“THAT final consent of application B16/25 is obtained.**

CARRIED.”

Member Greco resumed the Chair at 2:19 p.m.

TAB 4

Application B14/25-9-(1-4)-13146-R2

JIM & JACOB BROGNO are the owners of Pt. Lot 14, Con.1, former Township of St. Mary's & Pt. Water lot in front of same being Pt. 1, 1R11096 municipally addressed as **CIVIC NO. 1015 QUEEN STREET EAST**. It is located on the south side of Queen Street East between Lucy Terrace and Hadley Park. 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 a southerly 30860m² 3251.7m² portion of the subject property illustrated as Pts 2, & 3 on the submitted illustration and

attach it as a lot addition to the westerly abutting property municipally known as 1009 Queen Street East.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands			2612.4m ²
Retained Lands	21.29m (Queen St. E)	44m	771.6m ²

Purpose & Effect

The purpose of the application is to increase the land holding at Civic No. 1009 Queen Street East.

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.

For clarification purposes, riparian rights are described as common law property rights belonging to landowners whose property borders a natural body of water, like a river or lake. These rights include reasonable use of the water and access to it. They also come with responsibilities, such as maintaining the water's quality and ensuring its natural flow is not unreasonably altered. In Ontario, while these rights are protected by common law, they are also subject to federal, provincial, and municipal regulations.

Susan Derby of 1029 Queen Street East submitted the following comments and her objection to the application. Each of her comments are followed by the Secretary-Treasurer's response in italics.

As a nearby property owner and long-time observer of this area, I am deeply concerned that this application—if approved—may create lasting negative consequences for the integrity of the waterfront, the surrounding environment, and neighbouring properties. Given the sensitivity of this corridor along the St. Mary's River, I believe the proposal warrants a much more thorough review before any decision is rendered. In that regard, I ask that the following questions and concerns be addressed and included on the public record.

1. Waterfront Ownership and Expansion of Rights

- Will the subject severance effectively grant the applicant additional waterfront property or enhanced riparian rights that were not originally part of 1009 Queen Street East?
- If so, what verified survey evidence or title documentation confirms that this transfer is lawful and does not encroach upon Crown shore allowances or public waterfront access?

- *Yes, it will include additional waterfront property and the rights that come with owning waterfront property. Structures such as docks, boathouses, retaining walls require Conservation Authority approvals and in some cases Ministry of Natural Resource approval and building permit approvals.*
- *One of the conditions of consent approval is that a survey is done which illustrates the Committee's decision.*

2. Purpose and Future Intent

- What is the stated purpose of the land transfer, and will the applicant clearly disclose any plans for future development, shoreline alteration, or expanded waterfront use (e.g., docks, boathouses, or retaining walls)?
- If the intent is not purely for boundary clarification, what assurances exist that this transfer will not lead to further applications for development or intensification inconsistent with the character of the area?
 - *The intent/purpose of the land transfer is to add to the land holding of the abutting property. The landowner/applicant is not obligated to disclose future plans. The Committee cannot consider future development in making their decision. The Committee's decision must be based on the application before them, that is to say a transfer for lot addition purposes.*
- *No assurances exist. Neither the Committee nor Council have the authority to take away a person's right to submit further applications. The Zoning By-law determines what development can occur and anything outside of permitted uses or other provisions in the zoning by-law will require Council approval or in some cases Committee of Adjustment approvals.*

3. Environmental Impact and Due Diligence

- Have any **environmental or shoreline stability studies** been conducted to evaluate the impact of this severance on natural drainage, erosion, wildlife habitat, or tree coverage?
- If no studies have been performed, will the City require an **Environmental Impact Study** or similar assessment as a condition of approval?
- What **contingency measures** will be in place should adverse environmental effects—such as erosion, runoff, or vegetation loss—occur as a result of this land alteration?
 - *No. This is a conveyance of property only.*
 - *An environmental impact study is not required with this requested transfer of property.*
 - *The same contingency measures that are currently in place will continue.*

4. Planning and Policy Conformity

- How does this proposal align with the City's Official Plan and the Waterfront Development Guidelines intended to protect the natural shoreline?
- Will the retained parcel at 1015 continue to meet zoning and lot size requirements after the transfer, or will this create an undersized, non-conforming lot contrary to the Planning Act?
 - *The Official Plan does not contain policy that would be in conflict with the severance of a lot on the river. In addition, the Waterfront Development*

Guidelines, by which I assume you are referring to the Waterfront Design Plan, do not apply to this area, however the plan would not be affected by a severance. The severance of a lot in itself does not put the natural shoreline at risk.

- *The retained parcel at 1015 will continue to meet zoning and lot size requirements after the transfer.*

5. Neighbourhood Precedent and Cumulative Impact

- Has City staff considered the **precedent** this approval would set for neighbouring property owners, and whether it could trigger further requests to alter or consolidate waterfront boundaries along Queen Street East?
- Has the City assessed the **cumulative environmental and aesthetic impacts** that could arise from similar applications over time?
 - *The approval or denial of an application does not set a precedence for future applications. They are reviewed based on the single application that has been presented. If further applications should be proposed they will be evaluated at that time.*

Cumulative environmental and aesthetic impacts would arise from development which would have to meet the requirements that apply to the property as set out in the Zoning By-Law and requirements of the Conservation Authority where applicable. A severance is a change in property boundaries and does not in itself have an environmental or aesthetic change.

6. Transparency and Accountability

- Will all studies, surveys, and staff reports be made available to the public prior to any final decision?
- If the Committee grants provisional consent, will conditions be imposed to ensure **no physical work, alteration, or development** occurs until all environmental and legal matters are verified by the appropriate authorities?
 - *Staff reports, illustrations, maps etc. are available on request prior to the hearing and are considered as part of the decision-making process.*
 - *No conditions of the nature mentioned would be imposed on consent. It is the responsibility of all property owners to follow all provisions governing their properties from all applicable authorities. Prior to the commencement of any work.*

Lastly, this section of Queen Street East represents one of the few remaining areas where historic shoreline character has been largely preserved. Any action that may alter this balance should be supported by comprehensive studies, clear evidence of conformity, and full transparency for the community. For these reasons, I urge the Committee to defer or deny this application until the questions above are satisfactorily answered and all potential environmental, legal, and precedent-setting consequences are properly evaluated.

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

Staff Comments/Recommendations(s)

The request is for lot addition purposes. The proposed retained land complies with the Zoning By-law regulations. Any approval should be made conditional on the applicant providing the following,

Transfer/Deed of Land

Certificate Application fee

Reference Plan

PIN abstract and PIN map

Minor Variance application if required

Discharge of Charge/Mortgage or

Partial Discharge of Charge/Mortgage

Payment of Municipal taxes

Subsection 50 (3 or 5) of the Planning Act will apply

Proposed severed parcel must merge with Civic No. 1009 Queen Street East

A consolidation transfer is required

Proceedings

Bill Webb of Urso-Monument Surveying attended on behalf of their client.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion on Ms. Derby's request for a denial or deferral. No motion was put to the floor

The Chair called for a motion on the application as requested.

Reasons for Decision

The Committee, after carefully reviewing the evidence, illustrations presented, and the submissions made by the parties, finds that 50(12) does not apply in respect of the parcel

of land that is the subject of this consent and that either subsection 50 (3) or (5) shall apply to any subsequent conveyance or transaction involving this parcel of land.

Decision

Moved by McGregor, seconded by Rossi.

“RESOLVED THAT *provisional* consent is **AUTHORIZED** for the severance and conveyance of the parcel of land described in the application, subject to the following conditions which must be, in the opinion of the Secretary-Treasurer, completed within two-years from the date of this Decision failing which consent shall be deemed to be refused/lapsed in accordance with Section 53(41) of the Planning Act, R.S.O. 1990, as amended.

1. TRANSFER/DEED OF LAND

That the Secretary-Treasurer is provided with one (1) copy of the “electronic registration in preparation documents”, prior to registration on title. These documents must be accompanied by a schedule identifying the transferor and the transferee for certification. Said schedule and Certificate of Official must be registered with the “electronic registration transfer.

NOTE: Any alterations to the legal description after the Secretary-Treasurer has issued the Certificate will deem the document(s) invalid and must be returned to the Secretary-Treasurer. A new Certificate containing the Registrar approved legal description will have to be endorsed by the Secretary-Treasurer prior to registration of the document(s). An issuance fee will apply.

2. LOT ADDITION/MERGE CLAUSE

That the parcel intended to be severed be merged on title with the abutting land to the immediate west, municipally known as Civic No. 162 Connor Road. 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. The Secretary-Treasurer’s Certificate shall contain reference to this stipulation.

3. APPLICATION TO CONSOLIDATE PARCELS

An Undertaking from a solicitor authorized to practice law in the Province of Ontario, and in good standing with the Law Society of Upper Canada, as follows.

“I undertake on behalf of the Owner, within 10 days of the registration on title of the transfer document or upon notification from Land Titles that it has been receipted, to file an Application to Consolidate Parcels including the severance land and the abutting land. This PIN consolidation is intended to reinforce the Planning Act stipulation that both parcels have merged on Title and cannot be conveyed separately in the future.”

A copy of the registered document must be provided to the Secretary-Treasurer.

4. CERTIFICATE APPLICATION FEE

That a certificate application fee be paid to the City Corporation for **each** document presented to the Secretary-Treasurer for certification, at the rate applicable at the time of issuance. (fee for 2025 is \$240 per document)

5. REFERENCE PLAN/SURVEY PLAN/LEGAL DESCRIPTION

That the applicant provides the Secretary-Treasurer with FIVE (5) full size white prints, ONE (1) 11 X 14 copies, & ONE (1) digital copy of a deposited plan of reference prepared by an Ontario Land surveyor registered in the Province of Ontario and bearing the seal of the Land Registrar depicting the entire land which conforms substantially with the application as submitted. At least one copy of a plan of reference must indicate any easement/right-of-way and the locations and dimensions of all buildings and structures on the subject property and their distance to property lines.

6. PIN ABSTRACT & PIN MAP

That a copy of the latest PIN abstract & PIN map accompanies the "electronic registration in preparation documents."

7. MINOR VARIANCE APPLICATION

(After Provisional Consent given)

- a) That a minor variance application is received and approved by the Committee of Adjustment to recognize any applicable deficiencies on the subject lands, including finalization of conditions imposed thereto.

8. DISCHARGE OF CHARGE/MORTGAGE

That any Charge/Mortgage affecting the subject property is discharged and a copy of the Discharge of Charge/Mortgage be provided to the Secretary-Treasurer or written acknowledgement that the holder of the Charge/Mortgage is satisfied with the Consent being finalized.

9. PARTIAL DISCHARGE OF CHARGE/MORTGAGE

That the Secretary-Treasurer is provided with one (1) copy of the Discharge of Charge/Mortgage documents for the parcel for which the Consent relates to and the Discharge refers to for certification. Certificate of Official must be registered with the Discharge of Charge/Mortgage documents. A Solicitor's undertaking must be provided to the Secretary-Treasurer undertaking to register the Discharge and to provide the Secretary-Treasurer with a copy of the registered documents.

10. PAYMENT OF MUNICIPAL TAXES

The owner shall provide to the Secretary-Treasurer confirmation of payment of all current and outstanding taxes to date of consent including any local improvement charges, if applicable.

11. RECEIPTED ELECTRONIC TRANSFER

That the Solicitor for the Owner give a written undertaking to provide to the Secretary-Treasurer within 30 days of registration in the Land Registry/Land Titles Office & prior

to the issuance of any Building Permits, a copy of the Receipted Electronic Transfer document including the Form 2 for Consent.

CARRIED.”

TAB 5

Application B15/25-113-(1-128)-24072-HZ, M2, RA, S288

1201261 ONTARIO INC. is the owner of Plan H737 Pt Lot 37 Pt RCP and RP 1R2568 Pt Parts 1 and 2 and RP 1R9857 Pt Parts 1 and 2 and RP 1R13070 Part 8, former Township of Tarentorus municipally addressed as **CIVIC NO. 1032 GREAT NORTHERN ROAD**. It is located on the east side of Great Northern Road between Third Line East and Fourth Line East. It is designated Commercial in the Official Plan and is zoned HZ, Highway Zone, M2, Medium Industrial & RA, S288, Rural Area with a special exception.

Intent of the Application

Subject to the approval of minor variance application **A29/25**, the applicant is seeking the Committee's consent to sever the subject property into two (2) irregularly shaped, independent parcels together with an easement for ingress/egress purposes in favour of the proposed southerly parcel.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands	20.2m	irregular	36.97ha
Easement	20.2m	393m	0.79ha
Severed Lands	79.89m	395m (north lot line)	Flag shape

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	X	
Bell Canada Right-of-Way		
Building Division	X	X
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	See comments below
Fire Services	X	No comment
Legal Department	X	No comment

Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns
Public Utilities Comm. (Water)	X	No concerns
Public Works		

Engineering staff had no concerns but wished to make the applicant aware of the following:

- These properties are subject to Site Plan Control, and as such, development related concerns will be addressed as part of the approval process in the future.
- The severed lands are serviced by a 150mm PVC sanitary lateral located approximately 31m south of the northernmost property line of the ingress/egress easement of the largest parcel.
- A gas main appears to traverse the largest parcel along the southern property line.

Planning staff does not object to the proposed minor variance. The reduction to frontage of the property will allow the minimum frontage of a M2 parcel to be met while also permitting an additional use should the severance be granted. This will increase the utilization of the lands, while maintaining the intended zoning that has been applied to the parcel.

This application supports Official Plan policies that promote maintaining an adequate supply of industrial land while maintaining the policies of providing services to the travelling public adjacent to Great Northern Road. The zoning of this property is maintained and provides for additional options for better utilization of the land. For these reasons this is desirable for the community, and the request is considered minor in nature.

As a condition of approval Planning recommends that no industrial use be permitted in the reduced frontage area that is zoned highway zone.

Staff Comments

There has been no objection to the consent or minor variance request.

Recommended conditions of any approval are,

- Payment of 5% Cash-in-lieu of Parkland for the Rural Area zoned portion of the proposed severed parcel and 2% Cash-in-lieu for the remainder of the proposed severed parcel
- Payment of Transfer Review Fee for each Transfer
- Provide Transfer/Deed of Land for Certificate of Official
- Provide Transfer/Deed for Easement
- Provide draft copy of proposed reference plan for approval prior to registration
- Provide full size white print of registered reference plan
- Provide digital copy of registered reference plan
- Provide PIN abstract & PIN map
- Obtain final approval of a Minor Variance application if required

- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes
- Undertaking to provide a registered copy of Transfers

Proceedings

Matthew Battisti, Solicitor with Wishart Law attended on behalf of their client.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion.

Decision

The Committee, after carefully reviewing the evidence, the illustrations presented, and the submissions made by the parties, finds that the criteria set out in subsection 51(24) of the Planning Act have been satisfied. Based on all the evidence, the Committee finds that the proposed severance does not conflict with any provincial plan or plans, is consistent with any policy statements made under Subsection 3(1) of the Planning Act, is in keeping with the City's Official Plan and Zoning By-law(s), will provide orderly development of the City, and a plan of subdivision is not necessary.

Moved by Rossi, seconded McGregot,

"RESOLVED THAT *provisional* consent is **AUTHORIZED** for the severance and conveyance for the parcel of land and easement described in the application, subject to the following conditions which must be, in the opinion of the Secretary-Treasurer, *complied with within a two years from the date of this Decision failing which consent shall be deemed to be refused* in accordance with Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended;

1. TRANSFER/DEED OF LAND

That the Secretary-Treasurer is provided with one (1) copy of the "electronic registration in preparation documents", prior to registration on title. *These documents must be accompanied by a schedule identifying the transferor and the transferee for certification. Said schedule with stamp or Certificate of Official must be registered with the "electronic registration transfer.*

NOTE: Any alterations to the legal description after the Secretary-Treasurer has issued the Certificate will deem the document(s) invalid and must be returned to the Secretary-Treasurer. A new Certificate containing the Registrar approved legal description will have to be endorsed by the Secretary-Treasurer prior to registration of the document(s). An issuance fee will apply.

2. PARKLAND LEVY

In accordance with Subsection 51.1(1) of Section 50 of the Planning Act the applicant must pay the Corporation 5% cash-in-lieu of land for park purposes for the rural area

zoned property and 2% for any other zoned property or other public recreational purposes for **each** additional lot being created because of this consent to the satisfaction of the Secretary-Treasurer.

If deemed to be required by the Secretary-Treasurer, the applicant shall provide the City of Sault Ste. Marie with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland Levy to the City of Sault Ste. Marie, in lieu of deeding of land for park purposes shall be made. Said levy is to be 5% of the appraised or market value of the subject land as of the day before the day of the giving of consent.

3. CERTIFICATE APPLICATION FEE

That a certificate application fee be paid to the City Corporation for **each** document presented to the Secretary-Treasurer for certification, at the rate applicable at the time of issuance. (2025 fee is \$240 per document)

4. REFERENCE PLAN/SURVEY PLAN/LEGAL DESCRIPTION

That the applicant provides the Secretary-Treasurer with FOUR (4) full size white prints, TWO (1) 11 X 14 copies and ONE (1) digital copy of a deposited plan of reference prepared by an Ontario Land surveyor registered in the Province of Ontario and bearing the seal of the Land Registrar depicting the entire land which conforms substantially with the application as submitted. At least one copy of a plan of reference must indicate any easement/right-of-way and the locations and dimensions of all buildings and structures on the subject property and their distance to property lines.

5. PIN ABSTRACT and PIN MAP

That a copy of the current pin abstract accompanies the “electronic registration in preparation documents.”

6. MINOR VARIANCE APPLICATION

(After Provisional Consent given)

- b) That a minor variance application is received and approved by the Committee of Adjustment to recognize any applicable deficiencies on the subject lands, including finalization of conditions imposed thereto.

7. DISCHARGE OF CHARGE/MORTGAGE

That any Charge/Mortgage affecting the subject property is discharged and a copy of the Discharge of Charge/Mortgage be provided to the Secretary-Treasurer.

8. PARTIAL DISCHARGE OF CHARGE/MORTGAGE

That the Secretary-Treasurer is provided with one (1) copy of the Discharge of Charge/Mortgage documents for the parcel for which the Consent relates to, and the Discharge refers to for certification. Certificate of Official must be registered with the Discharge of Charge/Mortgage documents. A Solicitor's undertaking must be provided

to the Secretary-Treasurer undertaking to register the Discharge and to provide the Secretary-Treasurer with a copy of the registered documents.

9. PAYMENT OF MUNICIPAL TAXES

The owner shall provide to the Secretary-Treasurer confirmation of payment of all current and outstanding taxes to date of consent including any local improvement charges, if applicable.

10. RECEIPTED ELECTRONIC TRANSFER

That the Solicitor for the Owner give a written undertaking to provide to the Secretary-Treasurer within 30 days of registration in the Land Registry/Land Titles Office & prior to the issuance of any Building Permits, a copy of the Receipted Electronic Transfer document including the Form 2 for Consent.

CARRIED.”

TAB 6

Application B16/25-62-(1-62)-28765-R2

Having declared an indirect pecuniary interest, Chair Greco vacated the chambers at 2:12 p.m. Member Rossi assumed the Chair.

1001044358 ONTARIO INC. is the owner of PCL 23-1 Lt 23, Cambrian Heights Subdivision Plan 1m471, former Township of St. Mary's municipally addressed as **CIVIC NO. 1077 LAKE STREET**. It is located on the west side of Lake Street between Pentagon Boulevard and Pawating Place. 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 2 independent parcels.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands (north parcel)	8.823m	35.035m	309.11m ²
Severed Lands (south parcel)	7.597m	35.035m	266.16m ²

Purpose & Effect

The purpose of the application is to provide autonomous title to each semi-detached unit currently under construction.

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	X
Canada Post		
Conservation Authority	X	No concerns
Engineering & Construction	X	No concerns
Fire Services	X	
Legal Department	X	No comment
Planning Division	X	No objections.
PUC Distribution Inc. (Electric)	X	No concerns. Separate services are required
Public Utilities Comm. (Water)	X	No concerns. Separate services are required
Public Works	X	See comment below

Public Works advised that asphalt restoration on Lake Street associated with servicing the subject property shall be one continuous patch. Individual asphalt patches will not be accepted.

Staff Comments/Recommendations(s)

There is no objection to the request. No evidence was submitted to suggest that approval would create an adverse impact. Recommended conditions of any approval are,

- Payment of 5% Cash-in-lieu of Parkland for each new lot created
- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official
- Provide a draft reference plan for approval prior to registration
- Provide a full-size white reference plan once registered plan.
- Provide a digital copy of the registered reference plan
- Provide confirmation from the Chief Building Official or his designate that each unit will be provided separate electrical and water services
- Provide PIN abstract & PIN map.
- Minor Variance application approval if required
- Discharge of Charge/Mortgage
- Partial Discharge of Charge/Mortgage
- Payment of Taxes
- Provide a copy of the registered Transfer/Deed of Land

- Confirmation must be provided that asphalt restoration has been completed or will be completed to the satisfaction of the Director of Public Works or her/his designate prior to final consent
- Confirmation must be provided that each unit has been provided with separate electrical & water services to the satisfaction of the PUC Services Manager, Electrical Engineering or his designate

Proceedings

David Toppan, attended in support of his application.

The Chair called for comments, seeing none

The Chair called for discussion.

Seeing none, the Chair closed discussion & called for a motion.

Decision

The Committee, after carefully reviewing the evidence, the illustrations presented, and the submissions made by the parties, finds that the criteria set out in subsection 51(24) of the Planning Act have been satisfied. Based on all the evidence, the Committee finds that the proposed severance does not conflict with any provincial plan or plans, is consistent with any policy statements made under Subsection 3(1) of the Planning Act, is in keeping with the City's Official Plan and Zoning By-law(s), will provide orderly development of the City, and a plan of subdivision is not necessary.

Moved by McGregor, seconded Bruni,

"RESOLVED THAT *provisional* consent is **AUTHORIZED** for the severance and conveyance for the parcel of land described in the application, subject to the following conditions which must be, in the opinion of the Secretary-Treasurer, *complied with within a two years from the date of this Decision failing which consent shall be deemed to be refused* in accordance with Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended;

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2. PARKLAND LEVY

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If deemed to be required by the Secretary-Treasurer, the applicant shall provide the City of Sault Ste. Marie with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland Levy to the City of Sault Ste. Marie, in lieu of deeding of land for park purposes shall be made. Said levy is to be 5% of the appraised or market value of the subject land as of the day before the day of the giving of consent.

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- c) That a minor variance application is received and approved by the Committee of Adjustment to recognize any applicable deficiencies on the subject lands, including finalization of conditions imposed thereto.

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to the Secretary-Treasurer undertaking to register the Discharge and to provide the Secretary-Treasurer with a copy of the registered documents.

9. ASPHALT RESTORATION

Confirmation must be provided that asphalt restoration has been completed or will be completed to the satisfaction of the Director of Public Works or her/his designate prior to final consent

10. WATER AND ELECTRICAL SERVICE

Confirmation must be provided that each unit has been provided with separate electrical & water services to the satisfaction of the PUC Services Manager, Electrical Engineering or his designate

11. PAYMENT OF MUNICIPAL TAXES

The owner shall provide to the Secretary-Treasurer confirmation of payment of all current and outstanding taxes to date of consent including any local improvement charges, if applicable.

12. RECEIPTED ELECTRONIC TRANSFER

That the Solicitor for the Owner give a written undertaking to provide to the Secretary-Treasurer within 30 days of registration in the Land Registry/Land Titles Office & prior to the issuance of any Building Permits, a copy of the Receipted Electronic Transfer document including the Form 2 for Consent.

CARRIED."

TAB 7

OTHER BUSINESS

DATE OF NEXT HEARING – November 12, 2025

ADJOURNMENT

Moved by Rossi, seconded by McGregor,

"RESOLVED THAT the meeting be adjourned at 2:32 p.m.,

CARRIED."

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer

Melinda McGregor

J. Greco
Acting Chair