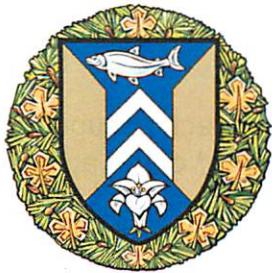


Joseph Greco, Chair

Michelle Kelly, ACST
Secretary-Treasurer



Sault Ste. Marie
Committee of Adjustment
Minutes of Hearing
December 10, 2025
Livestreamed

Call to Order

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

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

Member Absent: M. McGregor

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 November 12, 2025

Moved by Greco (W), seconded by Rossi,

"THAT the Minutes of the Committee of Adjustment hearing of November 12, 2025, be approved as circulated.

CARRIED."

➤ Disclosure of Pecuniary Interest and the General Nature Thereof

- Chair Greco disclosed an indirect pecuniary interest in application A37/25 advising that he is a partner in another development within the city with a person or persons that have a pecuniary interest in this matter.

- Member Bruni disclosed an indirect pecuniary interest in applications A37/25, advising that he is a family member of the applicants.
- **Notice of Withdrawal or Request for Deferral**
 - A new public notice must be circulated for application A41/25. As a result, a motion to defer to the next regular hearing on or about January 21, 2026 is requested.

➤ **Matters To Be Considered**

New Applications

- A36/25 Civic No. 765 Sunnyside Beach Road
- A37/25 Civic No. 22 MacDonald Avenue
- A38/25 Civic No. 6 Blake Avenue
- A9/25 Civic No. 8 Blake Avenue
- B18/25 Civic No. 6 & 8 Blake Avenue
- A40/25 Civic No. 1191 Great Northern Road

TAB 1

Application A36/25-518-(2-16)-33041-R1, S102

JOSHUA & ROYLENE BOWDEN are the owners of Lot 14, Sunnyside Beach Subdivision Phase 1, Plan 1M-550, former Township of Parke identified as **CIVIC NO. 765 SUNNYSIDE BEACH ROAD**. It is located on the south westerly side of Sunnyside Beach Road and abuts Lake Superior. It is designated Rural Area in the Official Plan and is zoned R1, Estate Residential and is subject to site plan control.

INTENT OF THE APPLICATION:

The following variance is requested to facilitate the proposed construction of a new 7.92m x 10.97m x 6.7m detached garage/accessory building.

| | By-Law 2005-150 Requires | Proposed Variance |
|--------------|---------------------------------|--|
| 9.5.2 | Interior side yard of 3.5m | Reduce the south easterly interior side yard to 1.2m for the proposed garage/accessory only |

| | | |
|----------------|---|--|
| 9.5.3.2 | Maximum height for accessory buildings and structures 6m | Increase the maximum height for the proposed accessory building only to 6.7m |
|----------------|---|--|

INTENT:

The additional height will permit the structure to be designed to match the aesthetics of the existing home. No living space is intended in the upper level.

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 objection |
| Canada Post | | |
| Conservation Authority | X | No concerns but a SSMRCA permit is required |
| Engineering & Construction | X | No concerns |
| Fire Services | X | No comment |
| Legal Department | X | No comment |
| Planning Division | X | See comments below |
| PUC Distribution Inc. (Electric) | X | See comments below |
| Public Utilities Comm. (Water) | X | No concerns |
| Public Works | | |

Planning staff advised that this property had an application heard in September 2025 to reduce the interior side yard from 3.5m to 2.4m, which was successful. The applicant has returned to request a further reduction as well as a height increase to the accessory building. A minor variance must meet the 4-requirement test. One of the tests is meeting the intent of the zoning by-law. With the R1 Estate Residential Zone properties section, the lot requirements are meant to be the most restrictive with its setbacks to maintain the aesthetics of other R1 properties, as well as maintain privacy for neighbours, both current and future. The request for a 1.2m setback is found in more urban settings on residential lots outside of the R1 zone. The request to build this close to the property line infringes on the neighbouring property, and the additional request to build an accessory structure beyond what is permitted by the zoning By-law makes this more impactful. This is not desirable and given the impact to neighbouring properties is not considered minor in nature. In maintaining the neighbourhood character this setback level is not found on the neighbouring lots in the surrounding area. Planning recommends maintaining the 2.4m relief that was granted to provide some flexibility on the lot. Planning does not object to

the increased height of the accessory structure; however, recommended that either no windows be permitted or a window that cannot be seen out of on the east-facing side of the structure be applied.

PUC Distribution Inc.(electric utility) had no concerns with the proposed variance for setbacks and building height. Their records indicate that the proposed building location as detailed in the application will be very close to the existing underground electrical house service. They do not allow permanent structures to be built over electrical services. It is suggested that underground locates are obtained and the electrical service be daylighted prior to finalizing location of the proposed building.

Staff Comments/Recommendations(s)

Planning staff do not support a further reduction to the interior side yard from that which was approved in September 2025. Planning staff provided conditional support to the increase in height.

It is recommended that the request to reduce the south easterly interior side yard to 1.2m be rejected.

It is recommended that the increase in height be approved conditional on

- a. Windows are prohibited on the easterly wall of the upper level, OR,
- b. Windows on the easterly wall of the upper level must be comprised of Opaque glass so as to block visibility while allowing light transmission.

Proceedings

The applicant was unable to attend. He did advise by way of an email that he understood planning staff's position on a further side yard reduction and was satisfied with maintaining the previously approved 2.4m setback. He also acknowledged their support for the requested increase in height.

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, having considered all written and oral submissions including recommendations, reached the following decision:

Moved by: Bruni, Seconded by Rossi.

"THAT the request to REDUCE the south easterly interior side yard to 1.2m be REFUSED; and,

"THAT the request to INCREASE the maximum height for the proposed accessory building only to 6.7m be **APPROVED** with the following conditions,

- 1. Windows are prohibited on the easterly wall of the upper level unless they are Opaque in nature so as to block visibility while allowing light transmission.**

Carried."

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

TAB 2

Chair Greco, declared an indirect pecuniary interest in this application and did not participate in the Committee's deliberation of this matter.

Member Bruni, declared an indirect pecuniary interest in this application and did not participate in the Committee's deliberation of this matter.

Application A37/25-27-(1-30)-31380-R5,s391

BELLEX CORPORATION is the owner Pt Lots 1 to 7, Blk 21; Lots 1 to 5, Blk 22 Plummer Subdivision Wyman Place RP; Pt of Pt 1 & Pts 2 & 3, 1R13427, former Township of St. Mary's also identified as **CIVIC NO. 22 MACDONALD AVENUE**. It is located on northwest corner of MacDonald Avenue and Gladstone Avenue. It is designated Residential in the Official Plan and is zoned R5.S391, High Density Residential with an amended "Special Exception."

INTENT OF THE APPLICATION:

The following variance is requested to facilitate the proposed construction of two (2) linked nine (9) storey multi-residential apartment buildings.

| | By-Law 2005-151 Requires | Proposed Variance |
|---------------------|---|--|
| 2(391) d | Limits the number of residential dwelling units to 230 | Increase the permitted number of residential dwelling units to 232 |

INTENT:

A recent review of the interior design for this development revealed that two (2) additional units could be accommodated within the proposed building footprint. The requested variance sought is intended to provide two (2) additional residential housing units within the community.

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

Planning staff advised that this request is minor in nature and is to allow for a partial layout change in the proposed buildings. It does not conflict with the Official Plan or Zoning By-law, as well as it supports additional housing units.

Staff Comments/Recommendations(s)

There have not been any objections to the request. The addition of 2 units is an internal change and does not impact the building footprint. Planning staff are supportive.

Proceedings

Sam Biasucci, agent, was unable to attend as he was out of town, however, he was available by telephone.

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, having considered all oral and written comments, reached the following decision:

Moved by Rossi, Seconded by Bruni,

**"THAT the request to INCREASE the number of residential units to 232 be APPROVED,
Carried."**

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

TAB 3

Chair Greco resumed the Chair.

Application A38/25-42-(1-49)-14542-R2

Application A39/25-42-(1-49)-25204-R2

2594820 ONTARIO INC. is the owner of Lots 96 & 97 and Pt of the closed lane, Highland Park Subdivision PL 9110, former Township of St. Mary's being **CIVIC 6 and 8 BLAKE AVENUE**. They are located on the east side of Blake Avenue approximately 60m north of the Blake Avenue and McNabb Street intersection. They are designated Commercial in the Official Plan and are zoned R2, Gentle Density.

INTENT OF THE APPLICATION:

Subject to final consent approval of application **B18/25**, the following variances are requested to facilitate the separation of Civic No. 6 Blake Avenue from Civic No. 8 Blake Avenue & recognize the individual residential development as it **currently exists**.

| 6 Blake | By-Law 2005-150 Requires | Proposed Variance |
|----------------|------------------------------------|--|
| | Front Yard 7.5m | Reduce to 4.79m |
| | Other Interior side yard 3m | Reduce south side yard to 2.47m for home & to 0.17m for accessory building |
| | Interior side yard 1.2m | Reduce north side yard to 1.2m for home & to 0.52m for accessory building |
| | Lot area 550m² | Reduce lot area to 379.3464m² |
| | Frontage 15m | Reduce lot frontage to 11.28m |
| 8 Blake | | |
| | Front Yard 7.5m | Reduce to 7.06m |
| | Other Interior side yard 3m | Reduce south side yard to 1.2m for existing home |
| | Lot area 550m² | Reduce lot area to 379.3464m² |
| | Frontage 15m | Reduce lot frontage to 11.28m |

INTENT:

These properties merged on title at the request of a previous owner many years ago. This combined with the subsequent additions of portions of the rear lane & structure additions makes it difficult to consider these setbacks as legal non-conforming. As such, variances to the existing by-law are requested, recognizing that the request is intended to legitimize matters that have existed for many, many years, some of which may very well be considered legal non-conforming.

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 | |
| Engineering & Construction | X | No concerns |
| Fire Services | X | No comment |
| Legal Department | X | No comment |
| Planning Division | X | Supportive see comments below |
| PUC Distribution Inc. (Electric) | X | No concerns see comments below |
| Public Utilities Comm. (Water) | X | No concerns |
| Public Works | | |

Planning staff advised that this request would permit the existing structures to be brought into conformity with the Zoning By-Law. As the application speaks to the fact that some of these setbacks may be legal non-conforming already, this will formalize those setbacks and permit for the severance of the property to proceed to allow for two separate parcels. Given that these have been outstanding for years, formalizing the setbacks is seen as desirable and supportable given that it is unknown currently which of these setbacks has been previously addressed. Planning is supportive of this variance.

PUC Distribution Inc. (electric utility) recommends that the owner contact PUC early in the planning process of any proposed developments of the subject properties due to close proximity to their distribution pole line and rear lot easement on the subject properties.

Staff Comments/Recommendations(s)

The intent of the minor variance requests is in tandem with the request to sever the two properties through application B18/25. The requests apply to existing buildings, residentially developed for many years. There have not been any objections to the request. PUC's comments will be addressed in the corresponding consent application. There is no objection to the requested consent to sever these two properties.

Proceedings

Mark Lepore, Solicitor for the applicant, was in attendance and had no new information to provide.

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, having considered all oral and written comments, reached the following decision:

Moved by Greco (W), Seconded by Rossi,

"THAT the five requested variances for Civic No. 6 Blake Avenue are **APPROVED**,
Carried."

The Committee is satisfied that the request is desirable for the existing 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 variances are minor in nature in this instance.

TAB 4

Chair Greco resumed the Chair.

Application A38/25-42-(1-49)-14542-R2

Application A39/25-42-(1-49)-25204-R2

2594820 ONTARIO INC. is the owner of Lots 96 & 97 and Pt of the closed lane, Highland Park Subdivision PL 9110, former Township of St. Mary's being **CIVIC 6 and 8 BLAKE AVENUE**. They are located on the east side of Blake Avenue approximately 60m north of the Blake Avenue and McNabb Street intersection. They are designated Commercial in the Official Plan and are zoned R2, Gentle Density.

INTENT OF THE APPLICATION:

Subject to final consent approval of application **B18/25**, the following variances are requested to facilitate the separation of Civic No. 6 Blake Avenue from Civic No. 8 Blake Avenue & recognize the individual residential development as it **currently exists**.

| 6 Blake | By-Law 2005-150 Requires | Proposed Variance |
|----------------|------------------------------------|--|
| | Front Yard 7.5m | Reduce to 4.79m |
| | Other Interior side yard 3m | Reduce south side yard to 2.47m for home & to 0.17m for accessory building |
| | Interior side yard 1.2m | Reduce north side yard to 1.2m for home & to 0.52m for accessory building |
| | Lot area 550m² | Reduce lot area to 379.3464m² |
| | Frontage 15m | Reduce lot frontage to 11.28m |
| 8 Blake | | |

| | | |
|--|------------------------------------|---|
| | Front Yard 7.5m | Reduce to 7.06m |
| | Other Interior side yard 3m | Reduce south side yard to 1.2m for existing home |
| | Lot area 550m² | Reduce lot area to 379.3464m² |
| | Frontage 15m | Reduce lot frontage to 11.28m |
| | | |

INTENT:

These properties merged on title at the request of an owner many years ago. This combined with the subsequent additions of portions of the rear lane & structure additions makes it difficult to consider these setbacks as legal non-conforming. As such, variances to the existing by-law are requested, recognizing that the request is intended to legitimize matters that have existed for many, many years, some of which may very well be considered legal non-conforming.

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 | |
| Engineering & Construction | X | No concerns |
| Fire Services | X | |
| Legal Department | X | No comment |
| Planning Division | X | Supportive see comments below |
| PUC Distribution Inc. (Electric) | X | No concerns see comments below |
| Public Utilities Comm. (Water) | X | No concerns |
| Public Works | | |

Planning staff advised that this request would permit the existing structures to be brought into conformity with the Zoning By-Law. As the application speaks to the fact that some of these setbacks may be legal non-conforming already, this will formalize those setbacks and permit for the severance of the property to proceed to allow for two separate parcels. Given that these have been outstanding for years, formalizing the setbacks is seen as desirable and supportable given that it is unknown currently which of these setbacks has been previously addressed. Planning is supportive of this variance.

PUC Distribution Inc. (electric utility) recommends that the owner contact PUC early in the planning process of any proposed developments of the subject properties due to close proximity to their distribution pole line and rear lot easement on the subject properties.

Staff Comments/Recommendations(s)

The intent of the minor variance requests is in tandem with the request to sever the two properties through application B18/25. The requests apply to existing buildings, residentially developed for many years. There have not been any objections to the request. PUC's comments will be addressed in the corresponding consent application. There is no objection to the requested consent to sever these two properties.

Proceedings

Mark Lepore, Solicitor for the applicant, was in attendance and had no new information to provide.

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, having considered all oral and written comments, reached the following decision:

Moved by Greco (W), Seconded by Rossi,

"THAT the four requested variances for Civic No. 8 Blake Avenue are **APPROVED**,
Carried."

The Committee is satisfied that the request is desirable for the existing 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 variances are minor in nature in this instance.

TAB 5

Chair Greco resumed the Chair.

Application B18/25-42-(1-49)-14542/25204-R2

2594820 ONTARIO INC. is the owner of Lots 96 & 97 and Pt of the closed lane, Highland Park Subdivision PL 9110, former Township of St. Mary's being **CIVIC 6 and 8 BLAKE AVENUE**. They are located on the east side of Blake Avenue approximately 60m north of the Blake Avenue and McNabb Street intersection. They are designated Commercial in the Official Plan and are zoned R2, Gentle Density.

INTENT OF THE APPLICATION:

Subject to approval of minor variance applications A38/25 & A39/25, the applicant is seeking to sever and convey the two (2) existing residential developments, independent of the other.

| | Frontage (approximate) | Depth (approximate) | Area (approximate) |
|-----------------------|---------------------------|------------------------|------------------------|
| Severed Lands | 11.28m (6 Blake) | 33.63m | 379.3464m ² |
| Retained Lands | 11.28m (8 Blake) | 33.63m | 379.3464m ² |

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

Planning staff have reviewed this application advising that this request will permit the existing structures to be brought into conformity with the Zoning By-Law. As the application speaks to the fact that some of these setbacks may be legal non-conforming already, this will formalize those setbacks and permit for the severance of the property to proceed to allow for two separate parcels. Given that these have been outstanding for years, formalizing the setbacks is seen as desirable and supportable given that it is unknown currently which of these setbacks has been previously addressed. Planning is supportive of this variance.

Staff Comments/Recommendations(s)

No objections to the request. The application merely represents a return of two properties to their original state.

Recommended conditions of any approval are,

- Payment of Transfer Review Fee
- Provide a Transfer/Deed of Land for Certificate of Official for both parcels.
- Provide a draft reference plan for approval prior to registration.
- Provide full-size white reference plans once registered plan.
- Provide a digital copy of the registered reference plan.
- Provide confirmation from PUC Distribution Inc. that the necessary easements for their services are in place.
- 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

Proceedings

Mark Lepore, Solicitor for the applicant, was in attendance and had no new information to provide.

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, having considered all oral and written comments, reached the following decision:

Moved by Greco (W), Seconded by Rossi,

"RESOLVED THAT *provisional* consent is **AUTHORIZED** for the severance and conveyance for the parcels 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.,

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. 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. (2026 fee is \$245 per document)

3. REFERENCE PLAN/SURVEY PLAN/LEGAL DESCRIPTION

That the applicant provides the Secretary-Treasurer with FOUR (4) full size white prints, TWO (2) 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.

4. PIN ABSTRACT and PIN MAP

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

5. 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.

6. 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.

7. 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.

8. PUC DISTRIBUTION INC. (electric utility)

Provide the Secretary-Treasurer with confirmation from PUC Distribution Inc. that the necessary easements for their services are in place.

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 Received Electronic Transfer document including the Form 2 for Consent.

Carried"

Final date for appeal is **December 30, 2025**. Procedures for an appeal are set out on the last page of this decision.

TAB 6

Application A40/25-126-(1-41)-17763-HZ, M2, s188

ONTARIO CONCRETE FINISHING (SOO) LIMITED is the owner of Lot 51 RCP H739, former Township of Tarentorus being **CIVIC NO. 1191 GREAT NORTHERN ROAD**. It is located on the west side of Great Northern Road between Third Line East and Fourth Line East. It is designated Industrial in the Official Plan and is zoned HZ, Highway Zone & M2, Medium Industrial Zone and with a special exception s-188. It is subject to Site Plan Control.

PURPOSE OF THE APPLICATION:

The following variances are requested to legitimize the location of two (2) northerly accessory buildings & to permit a 126.8m² addition to be constructed to the westerly side of the southerly building.

| | By-Law 2005-150 Requires | Proposed Variance |
|---------------|---------------------------------|---|
| 14.2.2 | Interior side yard 5m | <p>Reduce north interior side yard to 2.7m for the proposed storage out building (C) only & to 4.26m for the existing c-can storage shed only (D).</p> <p>Reduce the south interior side yard to 7.3m for existing building (A) and proposed addition (H) to the southerly building (E & F).</p> |

INTENT:

The intent is to rectify by-law contraventions created prior to the current ownership. Also to facilitate a proposed addition to the main building and permit required building permit applications to proceed where necessary.

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 objection |
| Canada Post | | |
| Conservation Authority | X | No concerns. Site plan to be reviewed by SSMRCA for permit |
| Engineering & Construction | X | No concerns |
| 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 | | |

Planning staff advised that this is split-zoned and therefore has different setback requirements depending on where structures are located on the property. Given that the property is relatively narrow, it creates difficulty in satisfying structures on the M2 zoned portion that is adjacent to the HZ portion near Great Northern Road. This request will bring the existing structures in line with the zoning by-law and still allow the existing activities on site to continue.

It is found that this request is in conformity with the Official Plan; by adjusting setbacks for the buildings on site it prevents the portion of M2 property from being sterilized. The minor variance is for the buildings only and not a blanket setback reduction. The request is found to be minor and desirable in ensuring that properties along the HZ corridor can be utilized.

Staff Comments/Recommendations(s)

To date there have been no objections to the request. The owners are attempting to address non-compliance that occurred prior to their ownership together with approvals that will facilitate proposed construction.

Proceedings

Adam Zalewski attended in support of the application.

The Chair inquired if Mr. Zalewski had any new information to provide. He did not.

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, having considered all oral and written comments, reached the following decision:

Moved by Bruni, Seconded by Greco (W),

“THAT the request to REDUCE the north interior side yard and the south interior side yard as described be **APPROVED**,

Carried.”

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

OTHER BUSINESS

DATE OF NEXT HEARING – January 21, 2026

ADJOURNMENT

Seeing no further business, the Chair adjourned the meeting at 2:20 p.m.

Carried.

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer

J. Greco
Chair

Proceedings

Adam Zalewski attended in support of the application.

The Chair inquired if Mr. Zalewski had any new information to provide. He did not.

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, having considered all oral and written comments, reached the following decision:

Moved by Bruni, Seconded by Greco (W),

“THAT the request to REDUCE the north interior side yard and the south interior side yard as described be **APPROVED**,

Carried.”

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

OTHER BUSINESS

DATE OF NEXT HEARING – January 21, 2026

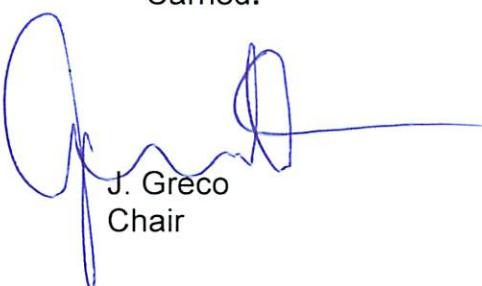
ADJOURNMENT

Seeing no further business, the Chair adjourned the meeting at 2:20 p.m.

Carried.

Michelle Kelly

Michelle Kelly, ACST
Secretary-Treasurer



J. Greco
Chair