Joseph Greco, Chair

Michelle Kelly, ACST
Secretary-Treasurer

Sault Ste. Marie
Committee of Adjustment
Minutes of Hearing
SEPTEMBER 24th, 2026
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

Member Absent: W. Greco & A. Rossi

Official Present: M. Kelly, Secretary-Treasurer

Staff Present: N. Cicchini, Planning Representative

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

Opening Remarks

Chair Greco welcomed the participants & introduced the Committee members & staff in attendance.

Land Acknowledgement – Secretary-Treasurer

Approval of Minutes of August 19th, 2026

Moved by McGregor, seconded by Bruni,

"**THAT** the Minutes of the Committee of Adjustment hearing of August 19th, 2026, be approved as circulated. **CARRIED."**

Disclosure of Pecuniary Interest and the General Nature Thereof

Chair Greco declared a direct pecuniary interest in application A33/26, Civic No. 222 St. Patrick Street; B19/26, Civic No. 1455 Base Line & B20/26, Civic No. 1445 Base Line advising that he has acted as solicitor in previous matters where these applicants were involved in some manner.

Notice of Withdrawal or Request for Deferral – none recorded

- **Matters To Be Considered**

Deferred Applications

- B10/26 Civic No. 380 Farwell Terrace

New Applications

- A29/26 Civic No. 131 Goulais Avenue
- A30/26 Civic No. 53 Murton Avenue
- A31/26 Civic No. 341 Chambers Avenue
- A32/26 Civic No. 127 Roosevelt Avenue
- A33/26 Civic No. 222 St. Patrick Street
- B19/26 Civic No. 1455 Base Line
- B20/26 Civic No. 1445 Base Line

TAB 1

Application A29/26-36-(1-57)-1947-R3

The property owner of Lot 30 Steel Plant Subdivision, former Township of St. Mary's being Pt 14, 1R4802 and municipally identified as **CIVIC NO. 131 GOULAIS AVENUE**. It is located on the northwesterly corner of Goulais Avenue and McAllen Street applied for the following variance.

	By-Law 2005-150 Requires	**Proposed Variance**
9.7.2	**Minimum** exterior side yard of **4.5m**	**REDUCE** the minimum south exterior side yard to **2.2m** for the proposed new enclosed entryway & 2nd storey addition

INTENT:
The location of the existing 100+ year old duplex is legal non-conforming. The owner proposes to construct a new entryway complete with a second storey onto the south side of the existing home. The second storey will be a continuation of the existing second storey and will allow new stairs and stairwell to the second storey to be re-constructed in accordance with current building code regulations.

Public Input – none recorded.

Technical Review: Circulated Departments & Agencies as noted below

Division/Agency	Circulated	Response
Building Division	X	No objections
Canada Post		
Conservation Authority	X	No concerns or objections. Requires a site plan to assess SSMRCA permitting

Engineering & Construction	X	No objections. Advise that existing drainage patterns to be maintained.
Fire Services	X	Owner to notify Fire Services when the building becomes occupied & provide updated owner/property manager information
Legal Department	X	No comments to the requested variance
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns. If a revision to the electrical service is required, please contact PUC Engineering.
Public Utilities Comm. (Water)	X	No concerns with the request. Noted that the provision of a vanity will be reviewed at the permit stage.
Public Works	X	No comment

Planning staff advised that the application proposes to reduce the required exterior side-yard setback from 4.5 m to 2.2 m. The requested variance is considered minor in nature and is not expected to have adverse impacts on the surrounding neighbourhood.

The proposed development is consistent with the existing character and built form of the neighbourhood. The proposed 2.2 m exterior side-yard setback is also more consistent with the current R3 Zone provisions than several existing legal non-conforming exterior side-yard setbacks observed within the surrounding area.

The requested variance maintains the general intent and purpose of both the Zoning By-law and the Official Plan. Accordingly, the application satisfies the four tests for a minor variance under the Planning Act.

Planning Staff recommends that, if a minor variance is approved, it be limited to the proposed 2-story addition only.

Proceedings
The owner was in attendance.

The Chair called for comments – none recorded

The Chair called for discussion.
Member McGregor opined that the request meets the 4-tests and is supportive of the request.

Seeing no further discussion, the Chair closed discussion & called for a motion.

The Committee, after reviewing the evidence, the illustrations presented, and the submissions made, finds that the request meets the four tests of a minor variance

Moved by McGregor, seconded by Bruni;

"**RESOLVED THAT** in accordance with Section 45(2) of the Planning Act this application be **APPROVED**, **CARRIED.**"

TAB 2

Application A30/26-80-(1-90)-5503-R2

The owner of Lots 684 & 685 Sault Ste. Marie Park Subdivision, Plan 7602, former Township of Korah and municipally identified as **CIVIC NO. 53 MURTON AVENUE** applied for the following minor variance.

	By-Law 2005-150 Requires	**Proposed Variance**
9.1.5	Accessory structures **shall not be located** within a required exterior side yard	**PERMIT a** new **6.7m x 8.53m** detached **garage to be located** in the required south exterior side yard, 1.2m (4') from the lot line

INTENT:
The owner sought approval to construct a new **57.22m²** detached garage in the south exterior side yard, 1.2m from the property line. The proposed location will allow the existing driveway to be used for access to the garage.

Public Input – none recorded

Technical Review: Circulated Departments & Agencies noted below

Division/Agency	Circulated	Response
Building Division	X	No objections
Canada Post		
Conservation Authority	X	No concerns or objections.
Engineering & Construction	X	No objections.
Fire Services	X	No comments or concerns
Legal Department	X	No comment. At this time, the City wants to retain ownership of the laneway.
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns. If a revision to the electrical service is required, please contact PUC Engineering.
Public Utilities Comm. (Water)	X	No concerns
Public Works	X	No comment

Planning staff advised that the subject property abuts a City-owned, unopened road right-of-way to the south. As a result, the proposed exterior side yard will function similarly to an interior side yard, with limited potential for impacts typically associated with development adjacent to a public street.

An existing shed is currently located in the general location of the proposed garage and will be removed and replaced by the new structure. Given the existing site conditions, the adjacent unopened road right-of-way, and the nature of the proposed development, Planning Staff do not anticipate adverse impacts resulting from the requested variance. The proposed development maintains the general intent and purpose of the Official Plan and Zoning By-law, is desirable for the appropriate development and use of the land and is minor in nature. Accordingly, Planning Staff are of the opinion that the application satisfies the four tests for a minor variance.

Proceedings
The owner was not in attendance.

The Chair called for comments – none noted

The Chair called for discussion – none noted
Seeing no further discussion, the Chair closed discussion & called for a motion.

The Committee, after reviewing the evidence, the illustrations presented, and the submissions made, finds that the request meets the four tests of a minor variance

Moved by Bruni, seconded by McGregor;
"**RESOLVED THAT** in accordance with Section 45(2) of the Planning Act this application be **APPROVED,** **CARRIED."**

TAB 3

Application A31/26-33-(1-36)-17355-R2

The agent for the owner of Lot 59 Grandview 'B' Subdivision former Township of Rankin and municipally identified as **CIVIC NO. 341 CHAMBERS AVENUE** applied for the following variances.

	By-Law 2005-150 Requires	**Proposed Variance**
9.1.5 **9.5.2**	**Minimum** interior side yard is **1.2m**	**REDUCE** the minimum northerly interior side yard to **0.8m** for the proposed carport only.
4.2	**Minimum** distance for eaves with eavestrough from the property line is **0.3m**	**PERMIT** the eaves fitted with eavestrough to project to within **0.2794m** of the northerly property line.

INTENT:

The applicant wants to construct a new 96m^2 carport onto the north side of the existing home. Mapping records reveal that a carport existed in the same location with the same footprint since 2007 until its' recent demolition.

Public Input
The owners of two neighbouring properties had no objection to the proposal.

Technical Review: Circulated Departments & Agencies noted below

Division/Agency	Circulated	Response
Building Division	X	No objections & advised that the carport wall at a 0.8m setback will have to provide a 45-minute fire resistance rating, be of non-combustible cladding and have no openings.
Canada Post		
Conservation Authority	X	No concerns or objections.
Engineering & Construction	X	
Fire Services	X	No comments or concerns
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 the proposed development will be located on the same building footprint as the original carport, which existed in this location for approximately 19 years. Planning Staff are not aware of any adverse impacts on surrounding properties associated with the location of the former carport.

Given the established location of the previous structure and the absence of identified adverse impacts, Planning Staff are of the opinion that the proposed development is appropriate for the subject property. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Given the existing site conditions and the established location of the previous structure, the proposed development is appropriate for the subject property, and the requested variance is minor in nature. Accordingly, the application satisfies the four tests for a minor variance.

Planning staff had no objections or concerns regarding the reduction to the minimum distance for the eavestrough from the property line.

Secretary-Treasurer advised that there are no objections to the request. The intended composition of the proposed carport wall will be considered as part of the building permit application review.

Proceedings
The applicant's agent was not in attendance.

The Chair called for comments - none noted.

The Chair called for discussion.
Seeing no discussion, the Chair closed discussion & called for a motion.

The Committee, after carefully reviewing the evidence, the illustrations presented, and all submissions, finds that the request meets the four tests of a minor variance

Moved by McGregor, seconded by Bruni;
"**RESOLVED THAT** in accordance with Section 45(2) of the Planning Act this application be **APPROVED,** **CARRIED."**

TAB 4

Application A32/26-52-(1-68)-21257-R2

The owner of Pt. Lot 45, Brookfield Subdivision Plan M112 being Pt. 2, 1R2249, Plan 7602, former Township of Korah and municipally identified as **CIVIC NO. 127 ROOSEVELT AVENUE** applied for the following variance.

	By-Law 2005-150 Requires	**Proposed Variance**
9.1.5	**MAXIMUM** building height for a detached garage is **6m**	**INCREASE** building height of a proposed 9.75m x 12.19m detached garage **to 7.162m**

INTENT:
The owner proposes to build a new detached cold-storage garage in the rear yard and seeks approval to increase the maximum garage height to 7.162m. The garage is designed to have a ceiling height of 17 feet 4½ inches and 4/12 pitch trusses. The increased height is needed to allow large recreational vehicles such as a motor home, boat, etc. to be stored inside.

Public Input – none noted

Technical Review: Circulated Departments & Agencies noted as follows

Division/Agency	Circulated	Response
Building Division	X	No objections
Canada Post		
Conservation Authority	X	No concerns or objections.
Engineering & Construction	X	No objections
Fire Services	X	No comment or concerns
Legal Department	X	No comments
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 the application proposes to increase the maximum permitted height of a detached garage from 6.0 m to 7.2 m to accommodate the storage of larger recreational vehicles.

The requested increase of 1.2 m is considered minor in nature. The development is proposed to remain as cold storage only and as an accessory to the principal residential use of the property. The additional height is not anticipated to adversely affect surrounding properties or alter the area's residential character.

The proposed development maintains the general intent and purpose of the Official Plan and Zoning By-law and represents an appropriate use of the subject property. Accordingly, Planning Staff are of the opinion that the application satisfies the four tests for a minor variance.

The Secretary-Treasurer advised that there are no objections to the request. The applicant intends to maintain as much of the existing tree coverage as possible.

Proceedings
The owner was in attendance and had nothing further to add.

The Chair called for comments – none noted

The Chair called for discussion. Member Greco supported the planning staff comments. Seeing no further discussion, the Chair closed discussion & called for a motion.

The Committee, after carefully reviewing the evidence, the illustrations presented, and the submissions made, finds that the request meets the four tests of a minor variance

Moved by Bruni, seconded by McGregor;
"**RESOLVED THAT** in accordance with Section 45(2) of the Planning Act this application be **APPROVED,** **CARRIED."**

TAB 5

Chair Greco, having previously declared a pecuniary interest in this application, vacated the Chambers at 10:22 a.m. Member McGregor assumed the Chair position.

Application A33/26-82-(1-92)-9104-R2

The owner of Lot 19, RCP H658 PIN #31568-0006, former Township of Korah and municipally identified as **CIVIC NO. 222 ST. PATRICK STREE**. applied for the following variance.

	By-Law 2005-150 Requires	Proposed Variance
9.6.2	**Other** Interior Side yard **3m**	**REDUCE** the other interior side yards to **1.29m**

INTENT:
The owner proposes to build a new semi-detached structure. Due to the irregular lot configuration, the structure is will be located approximately 15.24m back from the front property line at its' closest point. The required parking spaces will be located in front of each unit and will be well beyond the required front yard setback.

Technical Review: Circulated Departments & Agencies noted below
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
Building Division	X	No objections
Canada Post		
Conservation Authority	X	No concerns or objections.
Engineering & Construction	X	No objections. There appears to be an existing swale along the southern interior property line. Existing drainage patterns should be maintained.
Fire Services	X	No comment or concerns
Legal Department	X	No comments
Planning Division	X	See comments below
PUC Distribution Inc. (Electric)	X	No concerns. A detailed plan inclusive of electrical servicing will be required.
Public Utilities Comm. (Water)	X	No concerns. An application for General Water Service may be required for submission to PUC.
Public Works		

Planning staff advised that the Zoning By-law requires that, within the Gentle Density Residential (R2) Zone, one required interior side yard has a minimum width of 1.2 m, and the other has a minimum width of 3.0 m. The intent of the 3.0 m interior side-yard requirement is to provide sufficient space for vehicle access and parking where a dwelling does not include a garage or carport.
In this instance, the subject property has a sufficiently large front yard to accommodate the required vehicle parking without relying on the 3.0 m interior side yard or encroaching into the required front yard. Accordingly, the intent of the interior side-yard provision is maintained.

Planning Staff are of the opinion that the application satisfies the four tests for a minor variance and do not anticipate any adverse impacts resulting from the requested variance.

Public Input
M. King, a neighbouring property owner, attended and objected to the application for the following reasons;
- the reduction is not minor, over a 50% proposed reduction
- only a single-family neighbourhood
- seriously encroach on her privacy
- direct view into her backyard
- questions how much of the lot would be cleared, there are trees all around her
- would result in her property value being decreased
- where will snow go & water run off go – they are in a flood zone
- opine that 3m setback would allow more space for run-off
- currently water pools at the street
- as an abutting neighbouring she should have a say in how close it should be built

R. Calhoun, a neighbouring property owner, attended and objected for the following reasons;
- if he has to follow the rules, so should this property owner,
- common knowledge that it will be more than 1 unit
- already removed trees without conservation authority approval

Mr. Calhoun mentioned several additional issues that were unrelated to the request and could not be considered by the Committee. It was recommended that he discuss those issues with by-law enforcement staff in the Building Division.

Member Bruni stated that planning staff had addressed the rational wherein a 3m setback is intended for access to provide a parking space and noted that the parking is intended to be provided elsewhere and not beside the building. He agreed that the percentage of reduction is in the 50% area. He opined that the proposed reduction does not impact privacy any more than a 3m setback would. The same degree of privacy would exist. He opined that the request satisfies the 4-tests for approval. As for the statements about ladders, maintenance etc. simply put, they cannot encroach onto someone else's private property. The owner will have to maintain existing drainage patterns as mentioned by the Engineering Department. Mr. Bruni advised that this Committee could not restrict what trees can or cannot be removed. Perhaps the Conservation Authority has some say in that and noted that they had no objections to the request. He reminded Ms. King that she too could plant trees.

The planning representative further advised that the by-law does not specify which yard must be 1.2m and which yard must be 3m. Another type of structure could be constructed 1.2m from the neighbour's property line as of right. He reiterated that the building is setback beyond the required front yard setback of 7.5m and the remaining general front yard is able to accommodate parking.

Proceedings

The Acting Chair called for comments – Member Bruni opined that the 4-tests are met and he would be supporting approval of the request.

The Chair called for discussion.
Seeing no further discussion, the Chair closed discussion & called for a motion.

The Committee, after reviewing the evidence, the illustrations presented, and the submissions made staff and the parties present, finds that the request meets the four tests of a minor variance

Moved by Bruni, seconded by McGregor;
"**RESOLVED THAT** in accordance with Section 45(2) of the Planning Act this application be **APPROVED,** **CARRIED."**

Chair Greco resumed the Chair at 10:45 and reported that he was aggressively confronted by a disgruntled man who had just exited the hearing. He suggested that staff consider having security present when contentious applications are being considered.

TAB 6

Application B10/26-56-(1-72)-64-R2

The subject property is described as Pt. of the N.W. Broken ¼ of Section 36, Lot 4, Farwell Terrace Subdivision, Plan 515 former Township of Korah municipally identified as **CIVIC NO. 380 & 382 FARWELL TERRACE.** The subject property is designated Residential in the Official Plan and is zoned R2, Gentle Density Zone.

Application Details

The intent of the application is to correct a title error arising from the 2004 conveyance of the south half of Lot 4, Plan 515 being Civic 380 Farwell Terrace. The existing semi-detached units were independent parcels until 1977 when the previous owner inadvertently purchased and held the second unit under common title causing them to merge. The subsequent 2004 conveyance under instrument T451601, was done without consent and thereby constitutes a breach of the Act. A validation certificate will permit the breach to be rectified.

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	Questioned the location of the existing garage & is a variance required?
Canada Post		
Conservation Authority	X	No objections or concerns
Engineering & Construction	X	
Fire Services	X	No comments or concerns
Legal Department	X	No comments
Planning Division	X	No concerns
PUC Distribution Inc. (Electric)	X	Required work for a new service is complete and has been accepted.
Public Utilities Comm. (Water)	X	Required work for a new service is complete and has been accepted.
Public Works	X	No comment

Committee Staff Comments
This application was deferred to allow the owner an opportunity to meet with PUC to discuss water and electric utility requirements. PUC has since advised that the requirements for both water and electrical utility services have been completed. Building remains concerned about the location of the existing garage.

There are no objections to the request, the request conforms with the Zoning By-law and the Official Plan.

Recommended conditions to be attached to any approval are:
1. Transfer/Deed of Land
2. Certificate application review fee for each transfer presented
3. Reference plan(s)
4. A minor variance application if required
5. That any Charge/Mortgage affecting the subject property is discharged or partially discharged and a copy of the Discharge of Charge/Mortgage be provided to the Secretary-Treasurer.
6. Payment of municipal taxes
7. Provide a copy of the Receipted Electronic Transfer document(s)

Proceedings
H. MacDonald, Solicitor acting as agent, attended and presented evidence and comment in support of the 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 has taken into consideration, on balance, all submissions made before its decision.

The Committee, having considered all relevant materials including information provided by the solicitor, plans & illustrations submitted, and staff and agency comments, is satisfied that the criteria set out in subsection 51(24) of the Planning Act have been satisfied. The Committee notes that planning staff and commenting agencies had no objections to the request. Based on all the evidence, the Committee finds that the request would 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 by Bruni,

"RESOLVED THAT *provisional* consent is **AUTHORIZED** for the severance and conveyance of the parcel(s) 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 giving of the formal notice 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 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, one (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.

4. **PIN ABSTRACT and PIN MAP**
That a copy of the current pin abstract for the subject property and for the property that benefits from the lot addition conveyance accompany 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.
b) That written Confirmation is submitted to the Secretary-Treasurer from the Chief Building Official or his designate that they are satisfied that the existing garage location is in compliance.

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. **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.

9. **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."

Chair Greco, having previously declared a pecuniary interest in this application, was not present during the Committee's consideration of this application.

Application B19/26-520-(2-20)-16967-RA

B. DAVIEAUX & A. DAVIEAUX own **CIVIC NO. 1455 BASE LINE**. It is designated Rural Area in the Official Plan and is zoned RA, Rural Area.

Application Details:

Subject to final consent of application **B20/26**, the applicants wish to convey an interior parcel of land and **attach it to Civic No. 1445 BASE LINE,** as a lot addition.

	Frontage (approximate)	Depth (approximate)	Area (approximate)
Severed Lands	Width 45.670m	298.40m ±	1.361ha ±
Retained Lands	120.75m	irregular	5.21 ha

Public Input – none

Technical Review: Circulated Departments & Agencies – noted below

. Division/Agency	Circulated	Response
Algoma Public Health		No objections
Bell Canada Right-of-Way		
Building Division	X	
Canada Post		
Conservation Authority	X	No concerns or objections. Any development will require a site plan submission for review to assess permitting requirements
Engineering & Construction	X	No objection. See additional comments below
Fire Services	X	No concerns
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		.

Engineering does not object to this severance, however, advised that potential property owners should be made aware of the following:

- Existing drainage patterns should be maintained.

- Our records indicate there may be a Trans-Canadian Pipeline private easement traversing part of the property being severed that travels in the east-west direction.
- A culvert permit may be required to access this property.
- Any work within the municipal right of way will require Municipal Consent.
-

Comments
The Secretary-Treasurer noted the customary conditions to be attached to applications of this nature.

PROCEEDINGS
D. Urso, agent for the applicant attended.

The Chair asked if the applicant had any new information to provide. He confirmed that the Trans-Canadian Pipeline runs across the property. The lands are interior lands so there should be no work within the municipal right of way to affect the severance. The need for a culvert will be addressed if and when the parcel is developed.

The Chair called for comments, seeing none,

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

FINDINGS
The Committee has taken into consideration, on balance, all submissions made before its decision.

The Committee, having considered all relevant materials including information provided by the applicant, plans submitted, and staff and agency comments, is satisfied that a plan of subdivision is not necessary for the property and orderly development of the municipality.

DECISION
Moved by Bruni, seconded by McGregor,

"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 giving of the formal notice 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 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. **LOT ADDITION/MERGE CLAUSE**
   That the parcel intended to be severed for lot addition purposes be merged on title with the abutting land to the immediate west, municipally known as Civic No. 4 Foxborough Trail. 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 assignment of a new PIN for the transfer document, 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. (2026 fee is $245 per document)

5. **REFERENCE PLAN/SURVEY PLAN/LEGAL DESCRIPTION**
   Approval of the draft reference plan, as applicable, shall be obtained from the Secretary-Treasurer, and a digital copy of the resultant deposited reference plan and three (3) full size white prints, 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 and PIN MAP**
That a copy of the current pin abstract for the subject property and for the property that benefits from the lot addition conveyance accompany the "electronic registration in preparation documents."

7. **MINOR VARIANCE APPLICATION**
(After Provisional Consent given)
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.

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.

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 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 which must include the Certificate of Official. **CARRIED."**

TAB 8

Chair Greco, having previously declared a pecuniary interest in this application, was not present during the Committee's consideration of this application.

Application B20/26-520-(2-20)-33524-RA

D. TROTTIER is the owner of Pt. of Sec. 6, former Township of Korah, further identified as **CIVIC NO. 1445 BASE LINE**. It is designated Rural Area in the Official Plan and is zoned RA, Rural Area.

Section 53(45) allows for an application to 'cancel' a previous final consent if the request is for lot addition purposes only. Notice to other parties or commenting agencies is not required. The Committee's decision is not appealable.

Application Details:

The subject property was created through consent application **B6/96**. The current owner sought the Committee's consent to Cancel the afore-mentioned consent to allow the proposed severed parcel identified in consent application **B19/26** to attach to the subject property, **as a lot addition**.

Public Input & Technical Review by other divisions/agencies is not required

Considerations
Consent approval was given to create the subject property through application B6/96 and was registered under instrument T40382493 on December 23, 1996. This consent approval must be cancelled in order for the lot addition requested in application B19/26 can occur.

Proceedings
D. Urso, agent, attended.

The Chair called for comments. None recorded.

The Chair called for discussion, seeing none, discussion was closed.

Decision
The Committee has taken into consideration, on balance, all submissions made before making their decision.

Moved by Bruni, seconded McGregor,

"**RESOLVED THAT** *provisional* consent is **AUTHORIZED** for the Cancellation of Consent B6/96 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 under Section 71 of the Planning Act, a Notice is provided to the Secretary-Treasurer, prior to registration on title, describing the property for which the cancellation is sought, for the issuance of a Certificate of Cancellation prior to registering on title. Once issued, said Certificate of Official must be registered with the "electronic registration notice.

   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. (Fee for 2025 completion is $240 per document)

3. **PIN ABSTRACT**
   That a copy of the latest pin abstract for both parcels accompany the "electronic registration in preparation documents."

4. **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.

5. **RECEIPTED ELECTRONIC TRANSFER**
   That the Solicitor for the Owner provide to the Secretary-Treasurer with a copy of the Receipted Electronic Transfer document including the Cancellation of Consent Certificate.

CARRIED."

TAB 8

OTHER BUSINESS - none

DATE OF NEXT HEARING – October 14th, 2026

ADJOURNMENT
Seeing no further business, the Chair called for a motion to adjourn.

Moved by McGregor, seconded by Bruni,
"RESOLVED THAT this meeting be adjourned,

CARRIED."

Michelle Kelly
Michelle Kelly, ACST
Secretary-Treasurer

J. Greco
Chair