



The Corporation of the City of Sault Ste. Marie
99 Foster Drive, Sault Ste. Marie, Ontario P6A 5X6
saultstemarie.ca | 705.759.2500 | info@cityssm.on.ca

NOTICE OF APPLICATION & PUBLIC MEETING

Regulatory Flexibility for Residential Development

Application No.: A-1-24-Z.OP

Applicant: The City of Sault Ste. Marie (c/o Planning Division)

Date: March 18, 2024
Time: 5:00 PM

Location: City of Sault Ste. Marie
Civic Centre, Council Chambers
99 Foster Drive

PURPOSE

The applicant, the City of Sault Ste. Marie (c/o Planning Division) is proposing a series of amendments that are aimed towards increasing housing supply by integrating small-scale residential intensification within existing neighbourhoods without the need for planning approvals. This includes permitting a broader spectrum of residential uses across various residential, commercial and institutional zones throughout the urban area of the city, alongside revising development standards to promote flexibility and higher residential densities.

PROPOSED CHANGE

Amendment #1: Official Plan Amendments.

- Amend the Institutional Land Use Policies (Section 2.3.4) to permit residential uses on lots designated Institutional on Land Use Schedule C of the Official Plan.
- Repeal and replace Commercial Land Use Policy C.1 with the following:
 - The conversion of existing vacant commercial space to residential uses is permitted without an amendment to this Plan, subject to the following:
 - Where existing buildings are proposed to be converted, ground floor residential uses are generally discouraged unless it can be demonstrated that ground floor dwelling units are designed to provide a residential aesthetic that is sympathetic to the surrounding commercial streetscape, with special regard for providing appropriate privacy for occupants. I.e. The removal of large storefront windows.
 - Where new buildings are proposed, ground floor residential uses are permitted, however the ground floor façade shall be designed to respond to the overall character of the area, by balancing a residential aesthetic with the surrounding commercial streetscape.
- Amend the Residential Land Use Policies (Section 2.3.1) by adding the following new Policy (R.9):
 - Where commercially zoned lands are located upon lots designated Residential, the conversion of existing vacant commercial space to residential uses is subject to the following:
 - Where existing buildings are proposed to be converted, ground floor residential uses are generally discouraged unless it can be demonstrated that ground floor dwelling units are designed to provide a residential aesthetic that is sympathetic to the surrounding commercial streetscape, with special regard for providing appropriate privacy for occupants. I.e. The removal of large storefront windows.
 - Where new buildings are proposed, ground floor residential uses are permitted, however the ground floor façade shall be designed to respond to the overall character of the area, by balancing a residential aesthetic with the surrounding commercial streetscape.

Amendment #2: Update Definitions and Terms.

- Repeal the following Sections: 1.1.8 (Accessory Use Second Units), 1.31 (Dwelling, Duplex), 1.33 (Dwelling, Semi-Detached), 1.34 (Dwelling, Single-Detached), and 1.35 (Dwelling, Triplex).
- Repeal the following terms from Zoning By-law 2005-150 entirely: “Dwelling, Duplex”, “Double Duplex, Dwelling”, “Semi-Detached, Dwelling”, “Single-Detached, Dwelling”, “Triplex”, “Multiple-Attached Dwelling”, and “Apartment”.
- Amend the definition of “Existing” to read “Legally Existing” in Section 2 (Definitions).
- Add “Residential Structure” as a new use in Section 1 (Permitted Uses Defined) and define it as: “any building designed, used or intended to be used for residential occupancy and consisting of one or more dwelling units”.

Amendment #3: Repeal Regulations for Accessory Use Second Units.

- Repeal Section 4.15 (Regulations for Accessory Use Second Units).
- Repeal the definition and term for “Accessory Use Second Units” from Zoning By-law 2005-150 entirely.

Amendment #4: Rural Area Zone (RA).

- Repeal and replace Section 8.2.1 (General Provisions for All Rural Zones) with the following wording: “Number of Dwellings Per Lot: Not more than two dwelling units are permitted on any lot in the rural zones”.
- Amend Section 8.5.1 (Permitted Uses in an RA Zone) by:
 - Repeal “Accessory Use Second Units” and “Single Detached Dwelling” as permitted uses.

- Add “*Residential Structure*” containing up to 2 dwelling units as a new permitted use; and
- Repeal and replace “*Single-Detached Dwelling*” in Section 8.5.2 (Rural Area Zone Building and Use Regulations) with the following wording: “*Residential Structure containing up to 2 residential dwelling units*”.

Amendment #5: Estate Residential Zone (R1).

- Repeal and replace “*Accessory Use Second Units*” and “*Single Detached Dwelling*” with “*Residential Structure containing up to 2 dwelling units*” in Section 9.5.1 (List of Permitted Uses).
- Amend Table 9.5.2 by permitting a single-storey building to be located within 1.2m of the rear yard setback for properties that do not abut Lake Superior or St. Mary’s River.

Amendment #6: Single-Detached Residential Zone (R2).

- Amend Zoning By-law 2005-150 by renaming the “*Single-Detached Residential Zone (R2)*” to the “*Gentle Density Residential Zone (R2)*”.
- Amend Section 9.6.1 (List of Permitted Uses) by:
 - Repeal and replace the statement “*Any Lot May Be Used For One Of The Following Permitted Uses*” with the following wording: “*Permitted Uses*”.
 - Repeal “*Accessory Use Second Units*”, and “*Single Detached Dwelling*” as permitted uses.
 - Add “*Residential Structure*” as a new permitted use.
- Repeal and replace Section 9.6.2 (Single Detached Residential Zone Building Regulation table) with Appendix A table (Gentle Density Residential Zone Building Regulations).
- Amend Section 9.6 (Single Detached Residential Zone) by adding the following new regulation for Residential Structures: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #7: Low Density Residential Zone (R3).

- Amend Section 9.7.1 (List of Permitted Uses) by:
 - Repeal and replace the statement “*Any Lot May Be Used For One Of The Following Permitted Uses*” with the following wording: “*Permitted Uses*”.
 - Repeal “*Accessory Use Second Units*”, “*Single Detached Dwelling*”, “*Semi-Detached Dwelling*”, “*Duplex Dwelling*”, “*Triplex*”, and “*Multiple-Attached Dwelling*” as permitted uses.
 - Repeal the statement “*subject to site plan control*” for Multiple-Attached Dwellings.
 - Add “*Residential Structure*” as a new permitted uses.
- Amend Section 9.7 by adding the following new regulation for Residential Structures: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.
- Repeal and replace Section 9.7.2 (Low Density Zone Building Regulation table) with Appendix B table (Amended Low Density Zone Building Regulations).
- Repeal section 9.7.3.4 (Interior Side Yards and Common Walls).

Amendment #8: Medium Density Residential Zone (R4).

- Amend Section 9.8.1 (List of Permitted Uses) by:
 - Repeal and replace the statement “*Any Lot May Be Used For One Of The Following Permitted Uses*” with the following wording: “*Permitted Uses*”.
 - Repeal “*Accessory Use Second Units*”, “*Semi-Detached Dwelling*”, “*Duplex Dwelling*”, “*Triplex Dwelling*”, “*Multiple-Attached Dwelling*” and “*Apartments*” as permitted uses.
 - Repeal the statement “*subject to site plan control*” for Multiple-Attached Dwellings and Apartments.
 - Add “*Residential Structure*” containing at least 2 dwelling units as a new permitted use.
- Amend Section 9.8 by adding the following new regulation for Residential Structures: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.
- Repeal and replace Section 9.8.2 (Medium Density Residential Zone Building Regulations table) with Appendix C table (Amended Medium Density Residential Zone Building Regulations).
- Repeal section 9.8.3.2 (Interior Side Yards and Common Walls).

Amendment #9: High Density Residential Zone (R5).

- Amend Section 9.9.1 (List of Permitted Uses) by:
 - Repeal and replace the statement “*Any Lot May Be Used For One Of The Following Permitted Uses*” with the following wording: “*Permitted Uses*”.
 - Repeal “*Accessory Use Second Units*”, “*Multiple-Attached Dwelling*”, and “*Apartments*” as permitted uses.
 - Repeal the statement “*subject to site plan control*” for Multiple-Attached Dwellings and Apartments.
 - Add “*Residential Structure containing no less than 4 dwelling units*” as a new permitted use.
- Amend Section 9.9 by adding the following new regulation for Residential Structures: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.
- Amend Section 9.9.2 (High Density Residential Zone Building Regulations) by adding the following building regulations: “*Required front yard and exterior side yard landscaping: 50% minimum*”.

Amendment #10: Institutional Zone (I).

- Amend Section 11.1 (List of Permitted Uses) by
 - Add “*Residential Structure*” as a new permitted use, subject to the R3 Zone (Appendix B).
- Amend Section 11 by adding the following new regulations:
 - “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.
 - “*Residential development on Institutional Zoned lands are subject to R1 Zone (Estate Residential) regulations if located outside of the Urban Settlement Area boundary*”.

Amendment #11: Traditional Commercial Zone (C1).

- Amend Section 13.1.1 (List of Permitted Uses) by:
 - Repeal “*Single Detached Dwelling*”, “*Semi-Detached Dwelling*”, and “*Duplexes and Triplexes*”, “*Multiple-Attached Dwellings*”, and “*Apartments*”.
 - Add “*Residential Structures*” as a new permitted use, subject to C1 building regulations.
 - Amend Table 13.1.2 (Traditional Commercial Zone Building Regulations) by increasing the *maximum building height* from 2 storeys to 3 storeys for all permitted uses.
- Amend Section 13 by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #12: Central Commercial Zone (C2).

- Amend Section 13.2.1 (List of Permitted Uses) by :
 - Repeal the use “*Residential Dwellings – with no dwelling units on the ground floor*”.
 - Add “*Residential Structures*” as a new permitted use, subject to C2 building regulations and subject to the following provisions: “*ground floor residential uses not permitted within legally existing buildings. Residential uses not subject to height restrictions*”.
- Amend Section 13.2 (Central Commercial Zone C2) by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #13: Commercial Transitional Zone (CT2).

- Amend Section 13.3.1 (List of Permitted Uses) by:
 - Repeal “*Single Detached Dwelling*”, “*Semi-Detached Dwelling*”, and “*Duplexes and Triplexes*”, “*Multiple-Attached Dwellings*”, and “*Apartments*”.
 - Add “*Residential Structures*” as a new permitted use, subject to CT2 building regulations.
- Amend Table 13.3.2 (Commercial Transitional Zone Building Regulations) by increasing the *maximum building height* from 12 meters to 3 storeys for all permitted uses.
- Amend Section 13.3 by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #14: Riverfront Zone (C3).

- Amend Section 13.4.1 (List of Permitted Uses) by:
 - Repeal “*Multiple-Attached Dwellings*”, and “*Apartment Dwellings*” as permitted uses.
 - Add “*Residential Structures containing no less than 3 dwelling units*” as a new permitted use, subject to C3 building.
- Amend Section 13.4 by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #15: General Commercial Zone (C4).

- Amend Section 13.5.1 (List of Permitted Uses) by:
 - Repeal “*Residential dwellings*” as a permitted use.
 - Replace the Residential Dwelling clause from “*with no dwelling units on the ground floor*” to “*with no dwelling units on the ground floor if located within a legally existing building*”
 - Add “*Residential Structures containing no less than 3 dwelling units*” as a new permitted use, subject to C4 building regulations.
- Amend Section 13.5 by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #16: Shopping Centre Zone (C5).

- Amend Section 13.6.1 (List of Permitted Uses) by:
 - Add “*Residential Structures containing no less than 4 dwelling units*” as a new permitted use, subject to R5 building regulations and subject to the following provision: “*ground floor residential uses not permitted within legally existing buildings*”.
- Amend Section 13.6 (Shopping Centre Zone C5 Introduction) by replacing the statement “*Shopping centres shall have a minimum gross floor area of 10,000m²*” with “*Retail centres must maintain a minimum gross floor area of 10,000 square meters, except in the case of residential developments where this requirement does not apply.*”
- Amend Section 13.6 by adding the following new regulation: “*Lots that are proposed to have 11 or more dwelling units are subject to site plan control*”.

Amendment #17: Residential Parking and Loading Requirements.

- Amend table 5.7 (Minimum Parking Requirements For All Permitted Uses) by reducing the number of required parking spaces for Residential Uses from 1.25 spaces to 1 space per dwelling unit.
- Amend Section 5.5.3 (Required Barrier-Free Parking Spaces for Residential Uses) by increasing the minimum number of required barrier-free parking spaces for residential uses from 6% to 8% of the total required parking spaces.
- Amend Section 5.6 (Stacked Spaces For Drive Through Facilities, Car Washes, and Designated Employee Parking) by adding in the following clause: “*Up to two required parking spaces may be located in a stacked parking configuration within a driveway for residential developments of no more than 4 units*”.
- Amend Section 6.2.1 (Dimensions of Loading Spaces) by reducing the required length of a loading space from 20 metres to 10 meters for residential uses only.

Amendment #18: Miscellaneous.

- Repeal Section 9.4.2 (Additional Regulations in all Residential Zones, One Dwelling Unit per Lot).
- Repeal Section 9.4.4 (Multiple and Semi-Detached Lots).
- Repeal Section 9.7.3.3 (Semi-Detached Dwellings), 9.7.3.4 (Interior Side Yards and Common Walls), 9.8.3.1 (Semi-Detached Dwellings) and 9.8.3.2 (Interior Side Yards and Common Walls).
- Amend Section 4.11 (Non-Conforming Buildings, Structures, and Lots) by adding the following new subsection to read: “*Front and Exterior Side Yard Landscaping Exemption: Lots located in the defined “Downtown” are exempt from the regulation that requires 50% of the required front and exterior yard to be landscaped*”.
- Amend Section 4.11.1 (Existing Non-Conforming Lots) by replacing the text with the following: “*Legally existing Lots that lack the required frontage and/or area as set out in this Bylaw, may be built upon so long as all other regulations in this By-law are adhered to.*”
- Amend Section 4.12.2 (Severance Of Attached Dwellings Permitted) by replacing the text with the following:
 - The severance of dwelling units within a pair of semi-detached dwellings, or any other dwelling unit within a row of attached dwellings will be deemed to conform to the following, so long as the building was in conformity to the zoning by-law at the time of its construction:
 - The required building setbacks.
 - The required lot frontage.
 - The required lot area.
- Amend Section 4 (General Provisions for All Zones) by adding the following new clauses:
 - *Interior Side Yards and Common Walls: Within the R2, R3, R4 and R5 zone, where dwelling units share a common wall, no interior side yard is required between the dwelling units that share such a common wall.*
- Amend Section 13.4.2 (Riverfront Zone C3 Building Regulations) by replacing the text: “*Setback from Bay Street*” with “*Front Yard Setback*”.
- Amend Section 2 (Definitions) by adding the following new term and definition: “*Urban Settlement Area: The boundary marking the limit between the urban growth areas and other areas such as rural and resource areas where urban growth is not encourage*” in addition to adding the Urban Settlement Area boundary map as an appendix table in the zoning by-law.
- Repeal the following tables from Zoning By-law 2005-150: Tables 1, 10, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.

See next pages for Appendices

Appendix A – Gentle Density Residential Zone (R2) <i>(formerly Amended Single-Detached Residential Zone (R2))</i>		
Standards (Minimum, unless otherwise noted)	R2 lots that abut Lake Superior and St. Mary's River	All other R2 lots
<i>Lot Area</i>	650m ²	550m ²
<i>Frontage</i>	18m	15m
<i>Front yard</i>	7.5m	7.5m
<i>Exterior side yard</i>	4m	4m
<i>Interior side yard</i>	1.2m for 1 storey 1.8m for 2 storeys	1.2m for 1 storey 1.8m for 2 storeys
<i>The other interior side yard*</i>	3.5m	3m
<i>Rear yard (single-storey bldg)</i>	15m from rear lot line	10m (1.2m)
<i>Maximum Building Height</i>	2 storeys	2 storeys
<i>Maximum Lot Coverage</i>	40%	40%
<i>Landscaped Open Space</i>	n/a	n/a
<i>Required Front and Exterior Yard Landscaping</i>	50%	50%
<i>Distance from any other building</i>	1 metre	1 metre

Appendix B - Amended Low Density Residential Zone (R3)			
Standards (Minimum, unless otherwise noted)	1 Storey	2 Storeys	3 Stories
<i>Lot Area (In the downtown)</i>	460m ² (279m ²)	460m ²	N/A
<i>Frontage (In the downtown)</i>	14m (9m)	18m	23m
<i>Front yard (In the downtown)</i>	7.5m (7.5m)	7.5m	7.5m
<i>Exterior side yard</i>	4m	4.5m	7.5m
<i>Interior side yard</i>	1.2m for 1 storey 1.8m for 2 storeys	1.2m for 1 storey, 1.8m for 2 storeys	5m
<i>The other interior side yard*</i>	3m	3m	5m
<i>Rear yard (single-storey bldg)</i>	10m (1.2m)	10m (1.2m)	10m (1.2m)
<i>Maximum Building Height (In the downtown)</i>	N/A	N/A	N/A
<i>Maximum Lot Coverage (In the downtown)</i>	40% (60%)	40% (60%)	30% (60%)
<i>Landscaped Open Space</i>	N/A	N/A	30%
<i>Required Front and Exterior Yard Landscaping (Downtown)</i>	50% (Legally existing lots in the Downtown are exempt from this requirement)	50% (Legally existing lots in the Downtown are exempt from this requirement)	50% (Legally existing lots in the Downtown are exempt from this requirement)
<i>Distance from any other building</i>	1 metre	1 metre	1 metre

Appendix C – Amended Medium Density Residential Zone (R4)

Standards (Minimum, unless otherwise noted)	1 Storey	2 Storey	3	4 to 5 or More Stories
Lot Area	460m ² (279m ²)	460m ²	N/A	N/A
Frontage	14m (9m)	18m	23m	23m
Front yard	7.5m (7.5m)	7.5m	7.5m	7.5m
Exterior side yard	4m	4.5m	7.5m	7.5m
Interior side yard	1.2m for 1 storey 1.8m for 2 storeys	1.2m for 1 storey, 1.8m for 2 storeys	5m	7.5m
The other interior side yard*	3m	3m	5m	7.5m
Rear yard (<i>single-storey bldg</i>)	10m (1.2m)	10m (1.2m)	10m (1.2m)	10m (1.2m)
Maximum Building Height	N/A	N/A	N/A	5 storeys
Maximum Lot Coverage	40% (60%)	40% (60%)	30% (60%)	30%
Landscaped Open Space	N/A	N/A	30%	30%
<i>Required</i> Front and Exterior Yard Landscaping	50% (Legally existing lots in the Downtown are exempt from this requirement)	50% (Legally existing lots in the Downtown are exempt from this requirement)	50% (Legally existing lots in the Downtown are exempt from this requirement)	50%
Distance from any other building	1 metre	1 metre	1 metre	1 metre

HAVE YOUR SAY

Input on the proposed Zoning By-Law amendment is welcome and encouraged. You can provide input by making a written submission or by making a public presentation.

TAKE NOTICE THAT the Council of The Corporation of the City of Sault Ste. Marie will hold a Public Meeting on March 18, 2024 at 5:00 p.m. to consider an Official Plan Amendment and Zoning By-law Amendment (under sections 17, 22 and 34 of the Planning Act, R.S.O 1990, c. P13, as amended). This meeting will be broadcast by Shaw Cable and may be viewed on Shaw Cable's Community Channel, Sootoday.com and on the City's YouTube Channel <https://www.youtube.com/saultstemarieca>

Any person wishing to present at the public meeting may do so electronically or in person. Electronic participants must contact the City Clerk at cityclerk@cityssm.on.ca or 705-759-5388 to register as a presenter. Registered presenters will be provided with instructions as to how to join the meeting in advance. Any written submissions received in advance of the meeting will be included with Council's Agenda.

MORE INFORMATION

The application may be reviewed upon request. The report of the Planning Division will be available on Friday, March 15, 2024 as part of City Council's Agenda. Please contact Salvatore Marchese at 705.759.5445 or s.marchese@cityssm.on.ca to request a digital copy. Please refer to the application file number.

WRITTEN SUBMISSION

To provide input in writing, or request notice if the proposed application is approved, please submit a letter to Salvatore Marchese, 99 Foster Drive, Sault Ste. Marie, ON P6A 5X6, or e-mail to s.marchese@cityssm.on.ca with your name, address and application file number on or before **Monday, March 18, 2024**.

If you wish to be notified of the Council of the City of Sault Ste. Marie decision to adopt or refuse the approval of an application, you must make a written request to the Planning Division at the address noted above.

LEGAL NOTICE CONCERNING YOUR RIGHT TO APPEAL

If a person or public body does not make oral submission at a public meeting or make written submission to the City of Sault Ste. Marie before the By-law is passed, the person or public body may not be entitled to appeal the decision of the Council of the City of Sault Ste. Marie to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Sault Ste. Marie before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.