



The Corporation of the  
City of Sault Ste. Marie

## COUNCIL REPORT

April 7, 2025

TO: Mayor Matthew Shoemaker and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Assistant City Solicitor/Senior  
Litigation Counsel

DEPARTMENT: Legal Department

RE: Property Declared Surplus – 657 Fourth Line East (Steven  
Shoemaker on behalf of Ryan Rocchetta)

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### **Purpose**

The purpose of this report is to recommend to Council that the property described as PIN 31510-0131 (LT) LT 8 RCP H737 TARENTORUS; SAULT STE. MARIE, being civic 657 Fourth Line East, be declared as surplus and offered for sale by the City in accordance with the City's policy for the disposition of land.

### **ATTACHMENT**

Attached as Schedule "A" is a map of the Subject Property.

### **Background**

The Legal Department received a request on October 21, 2024, from Steven Shoemaker (Wishart Law Firm LLP) on behalf of his client, Rocchetta Holdings, to ascertain if the Subject Property could be declared surplus. Rocchetta Holdings desires to use this parcel in conjunction with the parcel abutting to the west that it currently owns, being 1284 Great Northern Road. The request was circulated to various City Departments, the Sault Ste. Marie Region Conservation Authority ("SSMRCA") and the District of Sault Ste. Marie Social Services Administration Board ("DSSMSSAB").

The Public Works and Engineering Services Department had no comments.

The Engineering Department advised that the closest sanitary main to the Subject Property is near the intersection of Fourth Line East and Great Northern Road. If a connection to the sanitary main is not desired, any onsite sanitary system would need to be approved by Algoma Public Health. Engineering noted that a water course appears to be running through the Subject Property. Further investigation may be required to determine its direction. A culvert permit may be required for access to the Subject Property.

The Planning Department had no issues with the requested purchase. The Subject Property has approximately 100' of frontage and 125' of depth, totaling a little over

Property Declared Surplus – 657 Fourth Line East (Steven Shoemaker on behalf of Rocchetta)

April 7, 2025

Page 2.

0.1ha. To put this into context, the lot is similarly sized to many urban, serviced residential lots in the community. While there are water services to the Subject Property, the nearest sanitary sewer is approximately 60m west of the property, meaning that either the sewer would need to be extended along Fourth Line or future development would need to be serviced with an on-site septic system. Planning states that the existing zoning, coupled with the lack of easy access to a sanitary sewer connection and the undersized nature of the lot, result in very limited development potential for the Subject Property on its own. On the one hand, it is likely that the need to extend sanitary services might be cost prohibitive, given the relatively small development that could fit on the lot. On the other hand, septic systems take up space that may or may not be available given the small size of the lot. The Subject Property is zoned Highway Zone (HZ) which permits a variety of commercial uses aimed at servicing the travelling public. Planning recommends that the Subject Property be consolidated with the abutting lot if it is sold to the Applicant.

The Building Department had no concerns with the sale of this lot but notes the subject property is zoned HZ – Highway Zone. All uses and buildings must conform to the requirements as set out in Section 13.7 of Zoning By-Law 2005-150.

The Community Development and Enterprise Services Department had no issue or concerns with declaring this property surplus.

The SSMRCA advised that the Subject Property is located within an area under the jurisdiction of the SSMRCA regarding *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits* under the *Conservation Authorities Act, R.S.O. 1990, c. C.27*. The east boundary of this property is associated with a watercourse that drains into the Root River. Any filling or modifying of the elevations adjacent to this waterway requires a site plan review and permit from SSMRCA. The Subject Property is within a WHPA-D zone, within a highly vulnerable aquifer, and is part of a high potential groundwater recharge area with respect to drinking water source protection.

The DSSMSSAB advised that there is no objection to the sale.

### **Analysis**

If Council declares the Subject Property surplus, the property will be advertised on the City's web page with the notation that it will be sold to the abutting property owner.

### **Financial Implications**

If the City decides to dispose of the Subject Property, it would be consistent with the City's plan to dispose of surplus property. As this property is presently City owned the City does not receive any revenues from taxes. Upon sale of the property, it may be assessable depending upon its ultimate use.

### **Strategic Plan / Policy Impact / Climate Impact**

Not applicable.

Property Declared Surplus – 657 Fourth Line East (Steven Shoemaker on behalf of Rocchetta)

April 7, 2025

Page 3.

**Recommendation**

It is therefore recommended that Council take the following action:

The relevant By-law 2025-50 is listed under item 12 of the Agenda and will be read with all by-laws under that item.

Respectfully submitted,

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