



**The Corporation of the  
City of Sault Ste. Marie**

**C O U N C I L   R E P O R T**

July 14, 2025

TO: Mayor Matthew Shoemaker and Members of City Council  
AUTHOR: Nicholas Cicchini, Junior Planner  
DEPARTMENT: Community Development and Enterprise Services  
RE: A-6-25-Z 99 Melville Road

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**PURPOSE**

The purpose of this report is to obtain Council approval of a rezoning application to permit a 12-unit rooming house on 99 Melville Road within a former church.

**PROPOSED CHANGE**

Rezone 99 Melville from Gentle Density Residential Zone (R2) to Low Density Residential Zone (R3).

**Subject Property:**

- Location: The subject property is located on the west side of Melville Road, approximately 230 metres (m) southeast of the Trunk Road and Dacey Road intersection.
- Approximate Size: The subject property has approximately 34.4m of frontage along Melville Road, a depth of 57.2m, and a total area of 0.2 Ha.
- Present Use: Illegal rooming house.
- Owner: Mangesh Shende

**BACKGROUND**

The previous use of the subject property was permitted as a Place of Worship. Building Division records indicate that the owner/applicant converted the existing building into a 12-unit rooming house without the benefit of building permits or zoning approvals. The unauthorized use of the property as a rooming house has also been the subject of neighbour complaints.

The applicant filed a rezoning application to legalize the rooming house; however, at its June 2, 2025, meeting, Planning staff recommended (and Council approved) that the application be deferred to July 14, 2025, in order for the applicant to host another neighbourhood information session.

The reason for this deferral was that it came to staff's attention that public notices for the applicant's neighbourhood meeting may not have been received in a timely manner, with one neighbour in particular noting that notice was hand delivered just one day prior to the neighbourhood meeting. Planning staff mailed out the notice

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for the second neighbourhood information session on behalf of the applicant to ensure proper procedure.

The corresponding Council resolution is as follows:

*Resolved that the report of the Junior Planner dated June 02, 2025, concerning Planning Act application A-6-25-Z be received and that Council postpone this application to July 14, 2025*

## **ANALYSIS**

### **Conformity with Official Plan, 1996 (OP)**

The subject property is designated as Residential within Land Use Schedule C of the Official Plan.

Residential land use policies support 'complete' neighbourhoods that include a range of services, amenities, and housing types that are compatible with residential uses. Rooming houses are a much-needed type of housing that contributes to both the City's housing stock and diversity.

Policy R.1 states that "*a mixture of housing types and diversity of ownership and tenure forms shall be encouraged in new development.*" Rooming houses, which are typically rent tenure, contribute to the mix and diversity of the housing stock, which aid in addressing affordability goals.

Policy R.3 states that "*medium density residential dwellings may be integrated into low density areas subject to rezoning.*" This proposal falls within the medium-density range. The large lot size and the site alterations being recommended by Planning staff as conditions of approval will support compatibility with the surrounding neighbourhood. Further discussion on integration is provided under the 'Comments' section of this report.

Policy R.4 permits small-scale intensification in all residential areas unless there are infrastructure limitations or significant physical constraints. No such constraints exist for this property.

Policy R.5 identifies rooming, boarding, and lodging houses as examples of small-scale residential intensification. The proposed conversion of the existing building is therefore explicitly supported by the OP.

The OP's Housing policies further state:

HO.1 – "*Opportunities for a full range of housing types shall be provided to meet the present and expected needs of the community.*"

HO.2 – "*Innovative and alternative residential development standards supporting affordable housing and compact urban form shall be encouraged...*"

Therefore, this application is consistent with the Official Plan as it contributes to housing diversity and affordability, represents a form of small-scale intensification and adaptive reuse, and can be appropriately integrated into the existing neighbourhood context.

The Official Plan's Affordable Housing policies encourage and support the provision of affordable housing throughout the community. It seeks to implement this through supporting a mixture of housing types, including infill development, residential intensification and higher residential densities (2.5(b)); supporting increased zoning flexibility to permit a wider variety of dwelling units in more zones (2.5(c)); and supporting innovative housing design, such as smaller and alternative development standards such as reduced lot frontages, setbacks and parking requirements (2.5(d)).

### **Conformity with Provincial Planning Statement, 2024 (PPS)**

The PPS 2024 was amended in October 2024 with a refreshed focus on intensification to implement its updated vision of "*building more homes for all Ontarians' to achieve its goal of getting at least 1.5 million homes built by 2031*".

Its Housing policies (Section 2.2) provide direction to planning authorities to ensure an adequate and diverse range of housing options and densities to meet the needs of current and future residents. Its primary intent is to address housing affordability and inclusion by accommodating a broader spectrum of housing throughout the community. Further, it prioritizes development within already municipally serviced areas of the City to foster sustainable development that maximizes land and resources efficiency.

Therefore, this proposal is consistent with the PPS.

### **Conformity with Growth Plan for Northern Ontario 2011**

The proposed development provides alternative living standards that are associated with affordable housing. The development represents a form of adaptive reuse of an existing property that is well served by municipal infrastructure, inclusive of public transit. Therefore, this application does not conflict with the Growth Plan for Northern Ontario.

### **COMMENTS**

The subject property is located in a predominantly single-detached neighborhood, with the former Conseil Scolaire Catholique Elementary School located directly behind. This former school site is currently being converted to accommodate 67 dwelling units.

This application proposes to legalize the conversion of a former place of worship into a 12-unit rooming house, inclusive of three shared washrooms, two kitchens, and laundry facilities. The subject property is currently zoned Gentle Density

Residential (R2), which does not permit rooming houses. The applicant has requested a rezoning to Low Density Residential (R3), where rooming houses are a permitted use. While Planning staff support the principle of permitting a rooming house on this site, it is recommended that the R2 zoning be maintained, and a site-specific special exception be added to allow a rooming house with a maximum of 12 units. This approach supports the applicant's intent while preserving the existing zoning framework and maintaining development predictability for the surrounding area.

In response to neighbourhood concerns with respect to overspill parking, the applicant has increased on-site parking from 8 to 12 spaces, with the 4 additional spaces identified in red on the attached site plan. This is a parking ratio of 1 space per rooming house unit – the same ratio applied to conventional housing types. The zoning by-law, which prescribes an occupant-based parking ratio, requires 3 parking spaces. Therefore, this proposal exceeds the minimum parking requirement for rooming homes.

Given the minimal number of required parking spaces, there are no barrier-free parking requirements associated with the use, and it is noted that the building is not accessible, as there are a number of stairs required to access either floor.

The provision of 12 parking spaces is sufficient. Rooming houses generally serve tenants with lower rates of vehicle ownership. These residents often rely on alternative modes of transportation such as public transit, walking, and cycling; however, it is acknowledged that due to current housing supply pressures, rooming houses are increasingly being relied on by a broader demographic, including those in higher income brackets who may be more likely to own personal vehicles.

There is existing fencing and hedges along parts of both of the side lot lines. The applicant will be required to maintain a continuous hedgerow of evergreens, bushes or shrubs, which shall reach at least 1.8m above established grade upon maturity. The hedge provides sufficient buffering of the parking area and backyard from neighbours. Site Plan Control will be used to ensure that buffering and any other technical matters are appropriately addressed by municipal staff.

The existing building is setback from Melville Road and in line with the surrounding homes. Parking is located along the eastern interior side yard. No parking spaces will be located in the required front yard (i.e. the first 7.5 metres from the front lot line). Planning staff do not anticipate any adverse effects to the streetscape with the location of the required parking in the interior side yard.

Overall, this application represents the adaptive reuse of an existing former place of worship. This aligns with planning goals that seek to direct growth and development through infill development within the already serviced and urban parts of the city. The subject property is also larger than most surrounding

residential parcels, which provides ample opportunity and flexibility to accommodate parking, landscaping and provide amenity space for tenants. No major site alterations are proposed and therefore, the physical character of the neighborhood will be maintained.

*Equitable Housing and Legal Considerations*

Rooming houses are defined in the Zoning By-law as “*Establishments primarily engaged in providing temporary or longer-term accommodation, which for the period of occupancy, may serve as a principal residence.*” Rooming houses are homes in which private rooms are rented as opposed to an entire house/apartment dwelling. They typically consist of private rooms with shared facilities such as kitchens, bathrooms, and common areas.

There is a distinction between a rooming house and merely a group of friends/co-workers, etc. renting a home. Below are some examples of established criteria that have been used to distinguish a group-rented home from a rooming house:

- All tenants in the dwelling unit know each other in advance of signing their lease;
- No keyed locks on any bedroom doors;
- The tenants enter into a group lease and pay the rent as a group; and
- The tenants are responsible for cleaning the entire home.

Rooming houses are one of the most affordable living accommodations available, thus they not only play a critical role in the housing market but also represent the only housing option available to low-income individuals who are faced with precarious shelter situations or homelessness. They have also increasingly been used to meet short-term accommodation needs, such as the case with students and working professionals who may intend to locate in the city temporarily.

By-laws and policies that regulate rooming houses require careful consideration to ensure that they are based on legitimate land use planning grounds and that they do not amount to “people zoning”. This term refers to the prohibition of certain uses based solely on the expected tenant demographics, rather than evaluating proposals against established planning criteria such as building specifications, density, infrastructure provision, traffic impact, etc. As rooming houses often cater to individuals with lower incomes, attempts to restrict their development without a valid land use planning rationale could amount to “people zoning”, which could disproportionately impact vulnerable individuals from accessing housing. This could be in contravention of the *Human Rights Code*.

There are a number of examples across Ontario where municipalities have passed by-laws to restrict alternative housing developments by outright prohibition, minimum distance separations, caps, and quotas, only to have them turned down by both the Ontario Land Tribunal and the Human Rights Tribunal of Ontario. Such

by-laws were found to have prevented equal housing opportunity and disproportionately impacted class-protected individuals.

#### *Applications to Legalizing a Use*

This application is the result of a complaint brought to the attention of the City's Building Division. In such cases, the property owner must either discontinue the use and bring the property back into compliance with the Zoning By-law and other applicable regulations, such as the *Ontario Building Code (OBC)*, or apply to rezone the property to permit the use. It is important to note that even if the zoning is amended, compliance with current OBC standards will still be required.

*Planning Act* applications provide a formal opportunity for the public and those involved in the decision-making process to express concerns with the approval of developments that have knowingly occurred without approval. Under the *Planning Act*, the role of planning staff is to evaluate applications based on land use planning principles rather than to penalize such applicants.

#### **CONSULTATION**

For the initial Council meeting scheduled for June 2, 2025, public notices were mailed to all neighbouring properties within 120m (400') of the subject property on Wednesday, May 7, 2025. The notice that was mailed to property owners is attached to this report. The notice was also advertised on the City website on Wednesday, May 7, 2025 and in the Sault Star on Saturday, May 10, 2025.

A follow-up public notice from the City for the deferred Council date of July 14, 2025, was not required, as the new date was announced during the Council meeting and no changes were made to the application materials. This approach is consistent with the requirements of the *Planning Act* and the City's procedures. The applicant-hosted public meeting notice, which was mailed to neighbouring property owners, did, however, reference the new Council date as a courtesy.

#### **Applicant-Hosted Meeting and Public Comments**

The applicant hosted a neighbourhood meeting on Wednesday, April 23, 2025 and again on July 2, 2025, at the request of Planning staff. Both meetings were held on the subject property. No members of the public attended the first neighbourhood meeting, and only one person attended the second. This individual attended to learn more about the proposal and did not express a position on it. Planning staff attended both meetings.

Four residents submitted objections to the proposal. Their comments are attached to this report. Concerns raised include tenants parking on neighbouring driveways due to a lack of on-site snow clearing, increased on-street parking, poor site maintenance (e.g., refuse on and around the property), frequent loud gatherings in the backyard, and perceived impacts on surrounding property values.

The City's Property Standards By-law and Noise By-law provide mechanisms to address concerns related to snow not being cleared from on-site parking areas, poor site maintenance, and excessive noise. Both the applicant and neighbouring residents have been advised of these enforcement tools, and staff will continue discussions with the applicant to emphasize the importance of responsible property management. In recent discussions, the applicant has noted that he is in the process of obtaining contracts for waste and snow clearing services from two local companies. While the buffering measures referenced elsewhere in this report will not eliminate noise, they may contribute to visual screening and a sense of separation.

It is unclear whether the reported increase in on-street parking is tied to the rooming house; however, planning staff do not anticipate significant parking impacts given the number of spaces proposed and the lot's capacity to accommodate additional parking if needed. Although on-street parking is permitted on Melville Road, Planning staff have advised the applicant to encourage tenants to park responsibly and in a manner that does not obstruct neighbouring driveways or create conflicts with adjacent properties.

Planning staff acknowledge residents' concerns regarding property values; however, planning policy and legislation do not consider property value impacts as a valid rationale for land use decisions. Further, there is no strong evidence that suggests that rooming houses or similar multi-unit dwellings negatively impact surrounding property values. In some cases, studies have even suggested slight increases in property values when underutilized sites are redeveloped to more active uses. With this being said, responsible and ongoing property management is key to minimizing neighbourhood impacts.

It is also worth noting that such concerns are examples of behaviour and operational issues rather than legitimate land use planning grounds and are therefore more appropriately addressed through municipal by-laws rather than land use planning controls such as zoning. Examples of land use planning grounds include building scale or mass, privacy overlook, shadowing, traffic impacts, and infrastructure capacity (e.g., water, sewer). Behaviour/operational issues are also not specific to any type of specific use, as they can occur in a variety of residential settings of various tenure types and densities.

### **Application Circulation**

As part of the application review, this proposal was circulated to City divisions and external agencies for detailed technical review and comment. The following departments/agencies commented on this application:

The Building Division noted the minimum number of parking spaces required and where on the property they may be located. No issues were identified.

PUC Distribution Inc. (Electrical) has indicated that there is an existing overhead service providing power to the property. If any changes to the existing service are needed an application is required.

PUC Services (Water) has indicated that the existing water service was installed in 1973, but the size is unknown. It is the responsibility of the owner to confirm the existing service size and engage the services of a Professional Engineer licensed in the Province of Ontario or persons qualified under the *Ontario Building Code* to verify if the existing water service is adequate to supply the necessary water demand for the development. If the owner wishes to replace the water service, they must contact the PUC Engineering Department.

The following City Division and external agencies had no comments or objections of the proposed application: Accessibility Advisory Committee, Economic Development, Community Development and Enterprise Services, Fire Services, Heritage Committee, Legal Division, Sault Ste. Marie Region Conservation Authority (SSMRCA), and Engineering Division.

#### **FINANCIAL IMPLICATIONS**

Approval of this application will not result in any incremental changes to municipal finances.

#### **STRATEGIC PLAN / POLICY IMPACT**

Key objectives of the Strategic Plan's Community Development, and Quality of Life focus areas is to deliver affordable housing while ensuring the community remains affordable and accessible for residents.

The adaptive re-use of existing buildings is associated with sustainable development practices. Compared to demolition and new construction, re-use generates significantly lower greenhouse gas emissions due to less reliance on the production and transportation of new building materials.

#### **SUMMARY**

From a land use planning perspective, this application supports both City and Provincial housing and intensification objectives by introducing more affordable accommodation within an established residential area of the urban part of the City. Rooming houses contribute to housing diversity and help address local affordability needs. Given the site's former institutional use, relatively large lot size, and proximity to ongoing residential redevelopment, the proposed use can be integrated into the surrounding neighbourhood with minimal land use impact.

#### **RECOMMENDATION**

It is therefore recommended that Council take the following action:

Resolved that the report of the Junior Planner dated June 2, 2025, concerning Application A-6-25-Z be received and that Council approve the application in the following manner:

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Rezone the subject property from Gentle Density Residential (R2) Zone to Gentle Density Residential (R2.S) Zone with a special exception subject to the following provisions:

1. Permit a Rooming House with a maximum of 12 units, in addition to those uses already permitted in an R2 Zone;
2. Require a minimum of 12 parking spaces in association with the Rooming House;
3. That a continuous hedgerow consisting of evergreen trees, bushes, or shrubs be planted along both side lot lines, but not required within the first 7.5 metres from the front lot line. The hedgerow shall reach a minimum height of 1.8 metres above established grade at maturity;

Further, that Council deem the properties subject to Site Plan Control.

And that the Legal Department be requested to prepare the necessary by-law(s) to effect the same.

Respectfully submitted,

Nicholas Cicchini

Junior Planner

705.759.5375

[n.cicchini@cityssm.on.ca](mailto:n.cicchini@cityssm.on.ca)