

Subject: City of Sault Ste. Marie Zoning Application No. A-6-25-Z
99 Melville Road. To allow for an “Existing Rooming House”
Formal written comments – Kirk Dillabough, 83 Melville Road

Date: May 22nd, 2025

To City of Sault Ste. Marie Municipal Council.

I am submitting the following written comments regarding the proposed zoning change at 99 Melville Road. Below are my concerns in relation to the application.

Summary of Concerns:

- 1) The building is not an “**existing rooming house**” as described in the public notification document. It was a built rooming house without zoning or City of Sault Ste. Marie approval. The applicant was aware of the lack of proper zoning. The applicant continued to proceed with building and renting rooms despite efforts from the City of Sault Ste. Marie. The applicant provided photos of the interior of the building prior to improvements. No rooms were established within it.
 - The applicant made building renovations without authority of a building permit in 2023 after acquiring the property.
 - On November 27, 2023, the applicant obtained a building permit (PERMIT #2022-1740). This was to authorize the improvements being made. The City of Sault Ste. Marie was aware of the improvements prior to permit issuance. The permit issued was for a single-family dwelling per current zoning. The permit was for a 6-bedroom, 4-bathroom home.
 - The applicant continued to build a rooming house despite objections and efforts to regulate it from the City of Sault Ste. Marie (up to 12 rooms).
 - In a June 13, 2024, email from the applicant to the City of Sault Ste. Marie it was acknowledged the occupancy was for a single-family residential use. An Occupancy Permit was granted.
 - Shortly after this point listings appeared on websites like Kijiji and AirBnB for rooms to rent. It advertised 12 rooms plus common rooms.
 - On July 31, 2024, a complaint was noted to the City of Sault Ste. Marie about the building potentially being used as a rooming house.
 - On September 12, 2024, the City of Sault Ste. Marie sent a letter to the applicant outlining concerns. Those concerns cited the building was being used for purposes despite the current zoning (rooming house, short-term rental)
 - Occupation as a rooming house continued.

- On December 4, 2024, an Order to Comply was issued to the applicant as the building was being used inappropriately.
- On January 9, 2025, The City of Sault Ste. Marie issued a letter about the failure of the applicant to comply with the above-noted order. It was referred to Legal Services of the City of Sault Ste. Marie.
- Occupation as a rooming house continued.
- On March 3, 2025, The City of Sault Ste. Marie verified compliance appropriate to the zoning (three renters and owner). Keyed locks to be removed from basement bedrooms is noted.
- Application to change zoning sent to landowners in April/May of 2025 to allow for an “existing rooming house”.
- The City of Sault Ste. Marie has extensive records from visits and building inspections noting concerns with the building and the use of it. This was not an established rooming house or had improvements allowing for it. The improvements were made by the applicant post 2023 and after acquisition of the property.

2) This development has failed to adhere to established planning processes. The development went around the municipal planning process with the intention of achieving zoning after the fact. This application does not allow for meaningful public comment.

- All the developers in the city are required to obtain zoning changes prior to construction. This allows for meaningful public input and decision making. This process is authorizing something that was built without considering process. In fact, more review has gone into reviewing applications for minor works when listening to city council deliberations. This is a major development that could change the characteristics of a single-family neighbourhood. The applicant knowingly developed the rooming house despite the lack of zoning. Neighbours revealed that workers told them of what the project was, and the zoning would be changed later.
- The potential impacts of this development are not clear. Consideration for density or impacts on services are not disclosed. There is also no data disclosed about whether this is a complementary use or if a mixed use of this type is appropriate. It appears to be a process of legalizing something that was done illegally.
- The City of Sault Ste. Marie is providing a comment period as outlined in a regulatory framework. It is noted that the report to council is available one working day prior to council deliberations. A resident is expected to obtain and read the report one working day prior to council deliberations. This is

not meaningful public engagement. Those reports contain important information that residents may consider if they need to provide comments. For example, are there any conflicts with this development and the 18 apartments currently being developed at the rear of the building in an old school? From what I understand that development is following process. This did not.

- The applicant provided some pre-notice information to residents. They were invited to a meeting scheduled on April 23, 2025. A letter was received only one day prior on April 22, 2025. The letter was dated April 9, 2025, and the applicant tried to explain they were hand delivered no later than April 13, 2025. When challenged with camera footage it was conceded that it was hand delivered on April 22, 2025. This demonstrated another example of a process by the applicant to minimize public engagement into a development that has potential implications to residents. The demographic of the neighbourhood is long-term residents. Municipal planning processes can be complex and challenging to navigate. Minimal public comment periods by an applicant do not allow for residents to comment on proposals.

3) Does Section 41 of the *Planning Act* apply? Did the development fail to meet site plan control requirements?

- This development built 12-bedrooms that are used by separate individuals. It was evidenced that this was the case with rental ads. The applicant established a rooming house without authority. The City of Sault Ste. Marie was aware of the development.
- If the development would have been done correctly would the applicant have required site plan control?

4) The contribution of this development to the City of Sault Ste. Marie housing objectives. Including the capacity of the City of Sault Ste. Marie to manage these types of developments.

- It is anticipated the approval of a full rooming house will result in increased workload for the city related to by-law enforcement. Several communities in Ontario have had to create regulatory frameworks to manage rooming houses. I appreciate if the zoning is in place the city has little ability to deny an occupation. In this case the zoning change is being applied for. Again, after the fact.

- The applicant knowingly built a rooming house without authorization or zoning. There have been several challenges made related to rooming houses including to the Ontario Municipal Board in communities across Ontario. A reference could not be found that the city requires more housing units of this type. In fact, reference is made that more self-contained units are required (ex. apartments). Given the current financial situation will the city have resources to monitor this location or similar rooming houses? The allowed use of short-term rentals under R3 zoning does not increase the housing supply for the city. It tends to service vacationers and people transiting through the city. In some instances, the short-term rental definition is excluded for the *Residential Tenancies Act*. Long-term residency tends to make people become more part of the community especially in a single-family neighborhood.

In the City of Toronto they recently released (2024) a framework to manage rooming houses. This was due to concerns about building code, occupations, and un-regulated use. One of the key points the City of Toronto committed to is:

”Putting in place an effective enforcement and compliance program, including a dedicated enforcement team, annual inspections, increased fines, a Multi-Tenant House Licensing Tribunal and other enforcement tools.” Source: *City of Toronto Website*

It should be noted that other communities in Ontario are facing challenges related to rooming houses. This includes regulating them, defending resident rights and safety. This information is readily available through internet searches.

This zoning change could put a strain on city resources. Allowing this type of use could be an indicator and trend to repurpose or build new rooming houses within the city (without authorization). This could cause the city to have to consider a framework as noted above. Land availability and real estate values in the City of Toronto is very different than Sault Ste. Marie and the requirement to have rooming houses may be required in the case of Toronto. I have not found literature that shows that Sault Ste. Marie requires this supply.

- This development is outside of the area identified by the city for intensification.

5) Impacts to a single-family neighbourhood.

- The legalization of an observed unauthorized use done outside of proper planning could have implications. For example, does a rooming house affect adjacent property values? This process is an approval after the fact approach. The demonstrated need for this use is not clearly documented. It only demonstrates authorization of works done by a developer who ignored the City of Sault Ste. Marie officials and legislated requirements. This despite being cautioned by the City of Sault Ste. Marie including forwarding the file onto legal services.

6) Observations of 99 Melville Road while being used as a “rooming house”:

Improvements

The applicant cited that he has improved a rundown building.

- I appreciate significant investment could have occurred on the inside of the building. Those investments have little consequence to me. In fact, I am not sure or care to certain degree what they are.
- The exterior of the building has had minimal visual change. Some painting and window installation occurred. The exterior has changed substantially since the previous use. This is documented below.

Physical Observations

- Prior to the current owner I had no concerns with the occupation. In fact, the City of Sault Ste. Marie engaged with that previous owner when one person started living in it. The use was not deemed appropriate. That activity stopped. Note an Order to Comply was issued in that case.
- Prior to the current owner's occupancy, there were no concerns with the building's use. However, when the building began operating as a rooming house, several issues arose, including increased garbage. Piles of delivery boxes were found outside the door, and the recycling bin was consistently overflowing. The building was also assigned two waste bins, which were regularly overflowing. It is important to note that the use of two waste bins is a contravention under the Waste and Recycling Bylaw 2022-24, and no records from the City of Sault Ste. Marie have shown approval for this arrangement at a single-family residential property when requested through *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. This discrepancy raises questions about whether

the applicant has adhered to all relevant bylaw regulations regarding waste management.

- Increased volume of street parking as residents would have visitors.
- Piles of old furniture stacked outside the building.
- Vehicle improvements/repairs occurring on the street.
- Observed a resident of the building using a private driveway during the winter months, requiring the owner of the residence to ask them to move the vehicle as his snow removal company couldn't clear his driveway. The winter conditions caused residents of 99 Melville Road to struggle with parking, as snow removal for them was not organized until later in the season.
- Increased daily use of outside areas (multiple fire pits operating, large gatherings, loud profane language being used). Multiple fire pits do not align with the Open Air Burning Bylaw 2024-147.
- City of Sault Ste. Marie Police Service patrol cars attending the building on various dates.
- KC Security Company cars attending the building on multiple dates.
- It is important to note that the applicant maintains that a building overseer is onsite 24 hours a day, 7 days a week yet the above-noted items occurred. A future owner may not provide that service and the service also does not seem to control on site activities.
- Increased presence of out of province licence plates. Observed vehicles for short term stays (one day) which would indicate it was being used as a short-term rental. The City of Sault Ste. Marie did not produce any record showing conformity with the short-term rental by-law. *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*

General Comments:

- The current owner has indicated that he does a screening of residents to protect his investment. Even with that, the above observations were made. Concerns arise further if the owner was to transfer or sell the property, a new owner may not have the same vision for operation of a rooming house.
- It has only been in full operation for a short time (approximately 7 months). The concerns began quite quickly. City engagement at the property has changed in recent months. The number of residents has been reduced and a lot of the problems resolved themselves (required City of Sault Ste. Marie directing the applicant through an Order to Comply). This would be in line with the original intended use of single-family home or a use consistent with the neighbourhood (ex. duplex, tri-plex). It is important to note that according to records the City

- of Sault Ste. Marie officials have had to invest substantial time and resources into this development (site visits, non-conformity, non-compliance etc).
- I had to make a request under the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. (MFIPPA)*. This is for two reasons. One being no one from the Planning Department was returning my call seeking information (I gave up) and two lack of information in which to make fact-based comments. I was required to engage my local Councilor to forward my concerns for me. This should not be required. The costs associated with a *MFIPPA* request of this type can be burdensome for some residents and an example of how the process limits resident's ability to participate.

The development at 99 Melville Road has raised numerous concerns that the City of Sault Ste. Marie needs to address. The applicant knowingly built a rooming house without the proper permits, and the zoning change application is an attempt to legalize this unauthorized use. This process has circumvented public input and proper planning procedures, and I urge the Council to carefully consider the implications of approving this zoning change.

I am concerned about the long-term impacts of approving this application, especially in terms of potential strain on City resources, impact on the neighbourhood, and the precedent it could set for future developments.

Thank you for your consideration of these comments.

Sincerely,



Kirk Dillabough

83 Melville Road