



The Corporation of the
City of Sault Ste. Marie

COUNCIL REPORT

August 11, 2025

TO: Mayor Matthew Shoemaker and Members of City Council
AUTHOR: Nicholas Cicchini, Junior Planner
DEPARTMENT: Community Development and Enterprise Services
RE: A-7-25-Z Housekeeping Amendments – Installment One

PURPOSE

The purpose of this report is to obtain Council approval of a City-initiated application of housekeeping amendments to Zoning By-law 2005-150 to clarify technical language and improve implementation. The proposed amendments will be City-wide unless otherwise specified.

PROPOSED CHANGE

The proposed zoning by-law amendments are administrative and technical in nature and include the following:

- Including an administrative section that allows for minor grammatical and formatting changes without public notice or council approval;
- Clarifying frontage and buffer requirements;
- Increasing maximum fence heights from 1.8m (6') to 2.43m (8ft) within rear yards;
- Modifications to provisions related to accessory buildings;
- Simplifying setback language;
- Including “retail trade” as a permitted use in the Highway Zone (HZ); and
- Site-specific technical zoning amendment for the area known as Block 2 of the Fox Run Subdivision, to include residential structures containing 1 dwelling unit (single detached dwellings) as a permitted use.

A complete list of amendments is attached in Appendix A.

BACKGROUND

In October 2005 City Council passed Zoning By-law 2005-150. At the time, Planning Staff noted that periodic reviews and subsequent minor amendments would be required to ensure that the By-law remains current.

Continually reviewing the By-law ensures an accurate reflection of the community's changing development requirements. Most of the proposed amendments are intended to more clearly communicate the intent of the regulations or respond to changing development trends.

This is the first of three planned installments of housekeeping amendments. The second will address further technical refinements, and the third will review current zones with the intent of ensuring they remain consistent with neighbourhood character.

ANALYSIS

Conformity with Official Plan

Housekeeping amendments are typically minor, technical changes intended to clarify, correct, or align zoning regulations with current practices, legislation, and policy. These types of actions are supported by the OP's overall direction of streamlining implementation tools and supporting an efficient, user-friendly planning framework.

Other amendments, such as adjustments to performance standards, such as maximum heights and minimum setbacks are supported by the Plan's provisions that reinforce urban design and neighbourhood compatibility.

Adding retail sales as a permitted use within the Highway Zone is supported by the economic-development intent along the Great Northern Road and Trunk Road corridors.

Collectively, these technical amendments improve clarity, expedite developments, and ensure zoning standards remain aligned with the Official Plan's direction for orderly, compatible and economically vibrant development. These amendments are consistent with the Official Plan.

Conformity with Provincial Planning Statement 2024

The proposed housekeeping amendments enhance the zoning framework and ensure an accurate reflection of the municipality's development trends to accommodate growth and development.

PPS Policy 6.1.6 requires Planning authorities to keep zoning by-laws up to date with official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.

Therefore, the proposed amendments do not conflict with the PPS 2024.

Conformity with Growth Plan for Northern Ontario 2011 (GPNO)

The housekeeping amendments do not conflict with the GPNO.

COMMENTS

AMENDMENT 1 – Clerical Corrections

Amendment 1 introduces a new section (3.3.8) to Zoning By-law 2005-150 that authorizes minor clerical corrections, such as grammatical and formatting edits,

without the need for Council approval or public notice. Such changes are strictly limited and do not permit any alterations to land use permissions, development standards or zoning schedules.

The purpose of this amendment is to support the ongoing maintenance and usability of the Zoning By-law by enabling staff to promptly correct minor errors as they are identified, examples include spelling mistakes and misnumbering of provisions.

AMENDMENT 2 – Condominium Lot Frontage and Application of Building Regulations

Add a new section (4.3.2) to Zoning By-law 2005-150 that provides direction on determining lot frontages for parcels within a Plan of Condominium.

Currently, individual parcels within Plans of Condominium are not required to meet frontage provisions under the Zoning By-law, which can lead to inconsistencies in parcel divisions and create uncertainty in how yard and setback requirements are applied. Amendment 2 addresses this gap by clarifying that, within a registered Plan of Condominium, lot frontage is to be measured along the common element roadway. In effect, the internal common element road will be treated as the functional equivalent of a municipal right-of-way for zoning purposes. This clarification aligns with standard practice in other Ontario municipalities, where internal private roads serve the same role as public streets in organizing lots and orienting buildings.

The amendment further establishes that each parcel must independently comply with the building regulations of its designated zone, ensuring that zoning performance standards such as setbacks, height, and lot coverage, apply on a per-parcel basis. This amendment improves clarity and promotes development patterns that are compatible with the intent of the zone.

AMENDMENT 3 – Buffering Requirements

Add the text “excluding sight triangles” and “Parks and Recreation Zone” to section 4.9 (Buffer Requirements).

The first paragraph of the provision for amendment 3 will read as:

“Where a Residential, Rural, and/or Parks and Recreation zoned lot abuts a Commercial, Industrial, and/or an Institutional zoned lot; the development shall provide and maintain buffering along the full extent, excluding sight triangles, of the common boundary of such lots.”

The addition of “Parks and Recreation Zone” ensures that lands zoned for open space and recreation, which are recognized as 'sensitive uses', benefit from the same buffering provisions provided to residential and rural zones. This amendment

enhances land use compatibility by mitigating potential visual and functional impacts from adjacent Commercial, Industrial or Institutional development.

The addition of the terminology of “excluding sight triangles” will ensure that required buffers do not obstruct sight lines, particularly at road and driveway intersections.

AMENDMENT 4 – Fence Height and Front Yard Fence Controls

This amendment proposes to increase the maximum fence heights in residential areas from 1.8m (6’) to 2.43m (8’). An exception is provided for the required front yard to prevent visual barriers that disrupt the character of residential neighbourhoods.

The proposed fence height amendment responds to a consistent pattern of Minor Variance applications submitted to the Committee of Adjustment, most commonly for rear yard privacy purposes. These applications, often associated with backyards used for decks, patios, or pools, have been regularly approved by the Committee with little to no opposition. In many cases, property owners cited that 1.8m (6’) fences were insufficient given the elevation of decks or neighbouring grade changes. By raising the as-of-right limit, the City can reduce unnecessary variance applications, enhance regulatory flexibility, and improve homeowner privacy in active rear-yard amenity areas.

AMENDMENT 5 – Accessory Buildings and Structures

Amendment 5 initially proposed a series of changes to Section 9.1.7, which regulates the placement of accessory buildings and structures. Upon further review, it is recommended that council not proceed with any changes to Section 9.1.7 at this time.

AMENDMENT 6 – Repeal of Maximum Size Provision for Accessory Buildings

Amendment 6 proposes the repeal of Section 9.1, which currently restricts the gross floor area of any one accessory building or structure from exceeding the gross floor area of the main building on the same lot.

This provision has been identified as a recurring barrier for homeowners, particularly those with modestly sized dwellings who require larger accessory buildings for storage. Since its implementation, the Committee of Adjustment has received a significant number of Minor Variance applications requesting relief from this size restriction. In practice, these applications are routinely approved, indicating that the existing provision does not align with the functional needs of property owners nor raise significant planning concerns.

The current regulation may unintentionally penalize homeowners with smaller houses by limiting their ability to construct proportionate and functional accessory buildings. This often occurs on larger rural area lots where additional built form can

be accommodated without any impact. Repealing this provision will shorten approval timelines for homeowners and developers and eliminate the need for variances that are consistently approved by the Committee of Adjustment.

Other zoning provisions, such as maximum lot coverage, height restrictions, and setback requirements remain in effect and continue to provide the necessary controls over the scale and siting of accessory buildings.

AMENDMENT 7 – Setbacks for Accessory Buildings in the R1 Zone

Amendment 7 proposes to remove the clause “*Despite any other provision in this by-law*” from Section 9.5.3.1 of the Zoning By-law, which regulates setbacks for accessory buildings and structures within the R1 Zone. The revised section will simply state: “*Accessory buildings and structures in the R1 zone shall adhere to the same yard regulations set out for the main building.*”

The removal of this phrase improves clarity and internal consistency within the by-law. The original wording created confusion as it implied that Section 9.5.3.1 overrode all other provisions in the by-law, including general regulations for accessory structures established in Section 9.1. In practice, this led to uncertainty for both staff and applicants regarding which standards applied in cases where accessory structures in R1 zones might otherwise be regulated by more permissive provisions elsewhere in the by-law.

By eliminating this override clause, the revised wording ensures that accessory buildings in the R1 zone are subject to the same yard requirements as the principal dwelling. This reinforces the intent of low-density residential zones to maintain consistent building placement, privacy, and neighbourhood character, while simplifying interpretation of the setback standards. It also aligns with the broader housekeeping objective of improving regulatory clarity without altering development permissions.

AMENDMENT 8 – Permitting Retail Trade in the Highway Zone

Add “Retail Trade” to the list of permitted uses in the Highway Zone (HZ), under Section 13.7.1 – Permitted Uses.

The Highway Zone serves as the key corridor for commuters and travelers to the municipality and is applied to the majority of lots fronting Great Northern Road between Second Line and Fourth Line, as well as numerous lots along Trunk Road, between Boundary Road and the east City Limit. Retail uses within the Highway Zone will provide convenient access to the local community and support travelers’ needs.

In addition, integrating retail uses into the Highway Zone can make efficient use of lands that are less suitable for sensitive uses (such as residential), or industrial development, as well as meet the land use demands of retail that are forecasted to grow in the future.

AMENDMENT 9 – Site Specific Amendment

Amendment 9 corrects a zoning oversight by rezoning Block 2 of the Fox Run Subdivision from R4.306 to R4.306 (amended) to permit single-detached homes as a permitted use. At present, the existing zone prohibits any residential use containing less than two dwelling units per lot.

Although the original subdivision was intended for single detached homes, the existing R4 zone restricts them. This amendment seeks to permit single-detached homes and will therefore align the zoning with the overall intent of the subdivision approvals.

CONSULTATION

Public notices for the site-specific special exception amendment (S.306) were mailed to all neighbouring properties within 120m (400') of the subject property on Friday, July 18, 2025. The notice that was mailed to property owners is attached to this report.

The notice for all proposed housekeeping amendments was advertised on the City website and in the Sault Star on Saturday, July 19, 2025.

Public Comments

At the time of drafting this report, no public comments were received by Planning Staff.

Application Circulation

As part of the application review, this proposal was circulated to City divisions and external agencies for detailed technical review and comment. At the time of drafting this report no city departments and external agencies had comments or concerns with the list of proposed housekeeping amendments.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN / POLICY IMPACT

Housekeeping amendments keep the zoning by-law relevant and streamlined to ensure ease of the development approvals process. This complements the service delivery focus area of the strategic plan. The proposed amendments do not have any climate change impacts.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Junior Planner dated August 11, 2025 concerning City-initiated *Planning Act* application A-7-25-Z Housekeeping Amendments be received and that Council approve the housekeeping amendments listed in appendix A; and that the Legal Department be requested to prepare the necessary by-law(s) to effect the same.

Respectfully submitted,

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