

NOTICE OF THE PASSING OF BY-LAWS
AMENDING ZONING BY-LAWS 2005-150 AND 2005-151 AND THE OFFICIAL
PLAN FOR THE CORPORATION OF THE CITY OF SAULT STE. MARIE

TAKE NOTICE that the Council of The Corporation of the City of Sault Ste. Marie on the 20th day of September, 2022 passed Zoning By-law 2022-174 under section 34 of the Planning Act, R.S.O. 1990, c. P.13 and on the 20th day of September, 2022 City Council passed By-law 2022-173 amending the Official Plan amendment under Section 17 of the said Act. Council received written and oral submissions regarding the said By-law for which the effect was both duly considered and formed part of the deliberations of Council.

AND TAKE NOTICE that under the provisions of Section 17 and Section 34(19) of the Planning Act, the applicant, any person or public body who, before the by-law was passed made oral submissions at a public meeting or written submissions to Council or the Minister may appeal to the Ontario Land Tribunal (OLT) in respect of the zoning by-law or an Official Plan Amendment by filing a notice of appeal with the Clerk of The Corporation of the City of Sault Ste. Marie at the address set out below not later than the 13th day of October, 2022. A notice of appeal must set out the reasons for the appeal along with the land use planning ground or grounds upon which the appeal is based and be accompanied by the fee required by the OLT. An objection filed with the City Clerk before the day of the passing of the Zoning by-law or a by-law adopting an Official Plan Amendment is **not** considered a notice of appeal under the Planning Act. A notice of appeal to the OLT must be filed with the City Clerk after the date of the passing of the by-law and not later than the date set out in this paragraph. The decision of the City Council is final, if the notice of appeal is not received.

An explanation of the purpose and effect of the by-laws, describing the lands to which they apply and a key map showing the location of the lands to which the by-laws apply is attached. The complete by-laws are available for inspection in my office during regular office hours, (8:30 a.m. to 4:30 p.m.).

Only individuals, corporations and public bodies may appeal a decision of Council to the OLT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. Each appeal must be accompanied by a certified cheque or money order payable to the Minister of Finance in the amount of \$1,100.00.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the OLT, there are reasonable grounds to add the person or public body as a party.

If you wish to appeal to the OLT, you must use the OLT appeal form. A copy of the appeal form is available from the OLT website at <https://olt.gov.on.ca>.

DATED at Sault Ste. Marie, Ontario, this 23rd day of September, 2022.

RACHEL TYCZINSKI, CITY CLERK
The Corporation of the
City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie ON P6A 5X6

EXPLANATORY NOTE IN RESPECT TO ZONING BY-LAW 2022-174

SUBJECT PROPERTY: 130 WELLINGTON STREET EAST

The purpose of Zoning By-law 2022-74 is to rezone the property from I.S (Institutional) zone with a “Special Exception” to C4.S (Commercial) zone with an amended (repeal and replace) “Special Exception” to, in addition to those uses permitted in an C4 zone:

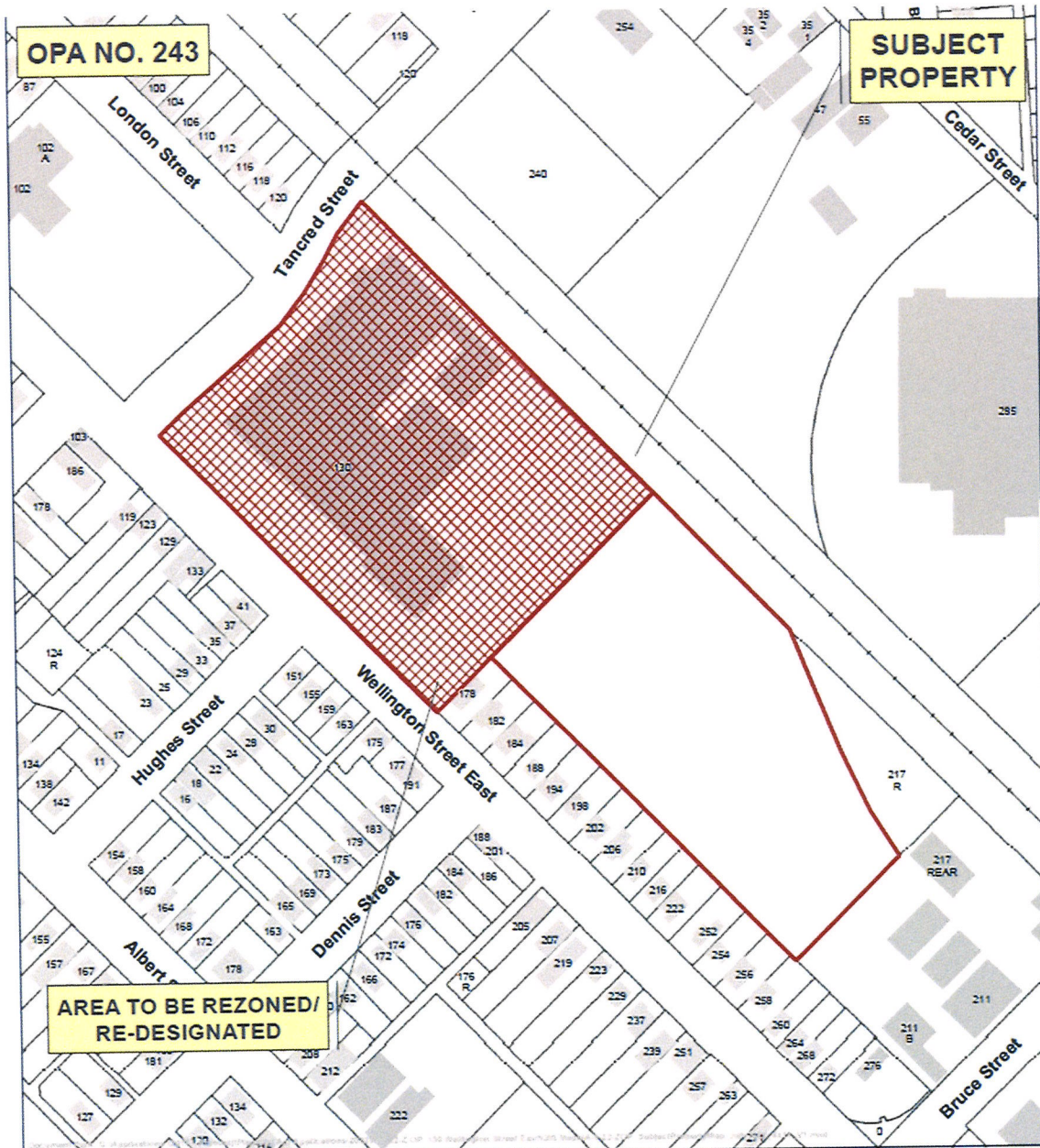
- a. Permit residential dwellings to be located on the ground floor.
- b. Reduce the required parking for residential units from 1.25 spaces/unit to 1 space/unit.
- c. Permit the following additional uses within the C4 Zone: Computer, precision and electronics manufacture and repair, Group Homes and Group Residences.
- d. Reduce the required landscaping in the required front yard (Tancred) from 50% to 5% and to reduce the required landscaping in the required Exterior Side Yard (Wellington) from 50% to 20%, inclusive of the 6m required road widening along Wellington St. E.
- e. Notwithstanding Section 6, permit the required 3 loading spaces to be located in a required front yard, occupy required parking spaces and not be visually screened from abutting and adjacent residential zones.
- f. Limit the number of residential dwelling units and square area of non-residential uses to a limit where the peak sanitary flows generated from the site do not exceed 9.34 litres per second, calculated in accordance with the the Ministry of Environment, Conservation and Parks’ (MECP) design guidelines.
- g. As part of the conditions of site plan approval, the owner shall include vibration warning clauses within any agreements of purchase and sale or tenant lease agreements for the proposed residential and non-residential units to the satisfaction of the Planning Director.
- h. As part of the conditions of site plan approval, the owner shall construct noise mitigating measures to the satisfaction of the Planning Director.

The location of the subject property is shown on the map attached hereto.

This by-law shall not come into force until Official Plan Amendment No. 243 T-159 is approved by Council and the final date for appeal has expired without an appeal being filed.

An Explanatory Note in respect of Official Plan Amendment By-law 2022-173 concerning Amendment No. 243 T-159 to the Official Plan is attached.

SCHEDULE "A" TO BY-LAW 2022-174 AND
 SCHEDULE 426 TO BY-LAW 2005-151



<p>Application Map Series <input checked="" type="checkbox"/> Subject Property <input type="checkbox"/> Official Plan Landuse <input type="checkbox"/> Existing Zoning <input type="checkbox"/> Aerial Image <input type="checkbox"/> Official Plan Amendment</p>	<p>Legal Department Reference</p>	<p>SAULT STE. MARIE Planning and Enterprise Services Community Development and Enterprise Services Department 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5368 planning@cityssm.on.ca</p>
<p>Property Information Civic Address: 130 Wellington St. E Roll No.: 040018147000000 Map No.: 26 Application No.: A-9-22-ZOP Date Created: July 29, 2022</p>	<p>Legend</p> <ul style="list-style-type: none"> Subject Property Area To Be Rezoned/Re-Designated Parcel Fabric 	<p><small>This map is for general reference only OrthoPhoto: None Projection Details: NAD 1983 UTM Zone 18N GCS North American 1983</small></p> <p>0 10 20 40 Meters 1:2,000</p>

**AMENDMENT NO. 243
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE

This Amendment is an amendment to the Text of the Official Plan as it relates to the Housing and Commercial Policies, and to the Land Use Map (Schedule C).

LOCATION

PT SEC 6 ST. MARY'S AS IN AL148165 FIRSTLY & SECONDLY); PT SEC 6 ST. MARY'S SRO AS IN AL148165 THIRDLY); SAULT STE. MARIE, having Civic Number 130 Wellington Street East, located at the east corner of the Wellington Street East and Tancred Street intersection.

BASIS

This Schedule C amendment is necessary in view of a request to permit commercial and residential uses on the subject property. The development proposal does not conform to the present Land Use Schedule C of the Official Plan.

The Text Amendments are necessary in view of an application to permit:

- a. Residential development consisting of more than 50 dwelling units without the need to provide at least 30% of those units at affordable prices, as required by Housing Policy 6 of the Official Plan.
- b. New commercial development without the need to submit a market impact study.

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO

The Official Plan for the City of Sault Ste. Marie is hereby amended with the following Schedule C map changes and notwithstanding clauses:

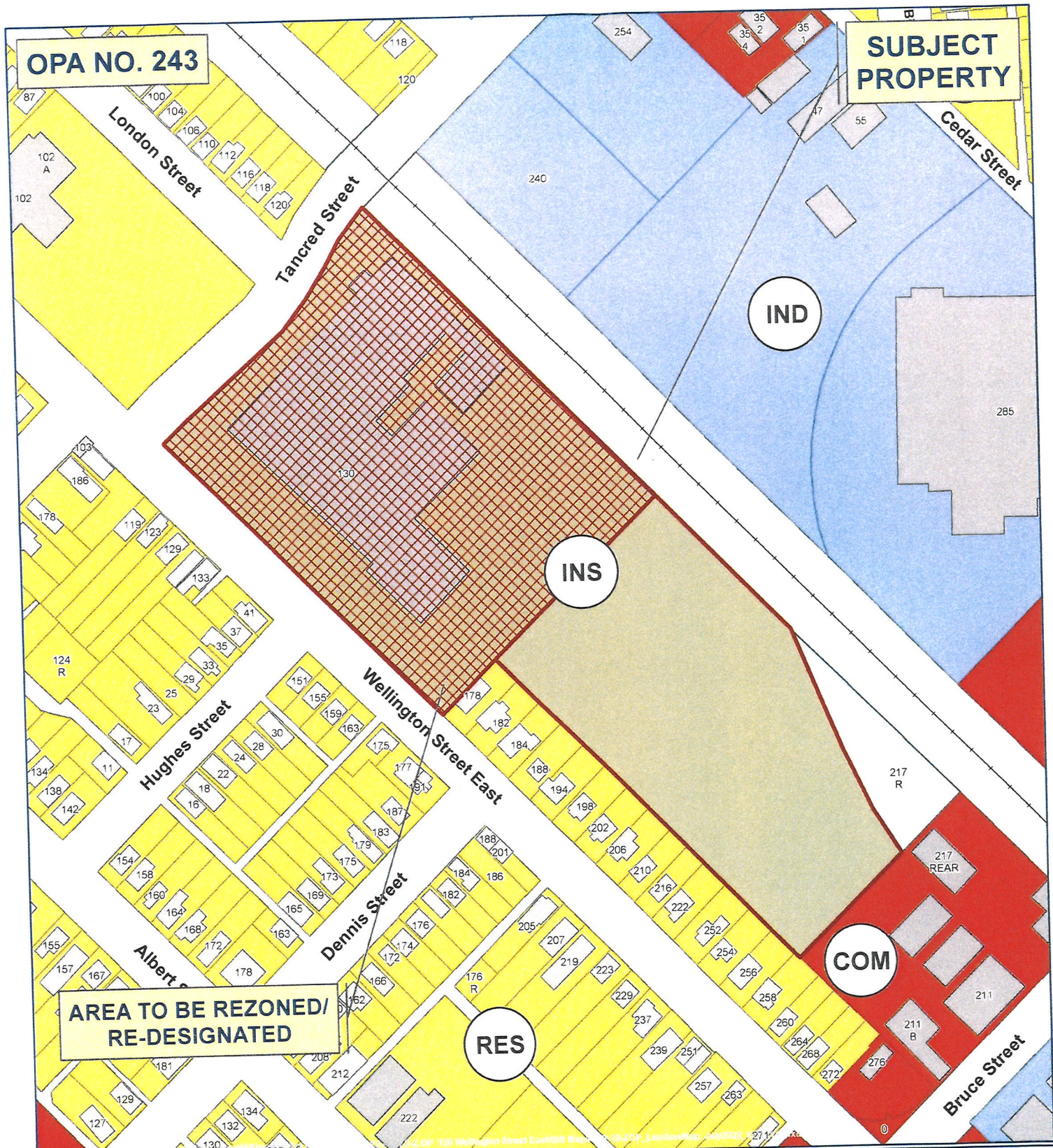
- Re-designate the westerly 155 metres of the subject property from Institutional to Commercial.

Text – 159

- Notwithstanding Housing Policy HO.6, to waive the requirement that in all urban residential developments greater than 50 units, at least 30% of those units shall be affordable.
- Notwithstanding Commercial Policy C.2, to waive the requirement that new commercial development in excess of 4,000 sq.m. conduct a market impact study to assess the impact on existing facilities.

INTERPRETATION

The provisions of the Official Plan as amended from time to time will be applied to this Amendment.



OPA NO. 243

SUBJECT PROPERTY

**AREA TO BE REZONED/
RE-DESIGNATED**

Application Map Series
 Subject Property Official Plan Landuse
 Existing Zoning Aerial Image
 Official Plan Amendment

Property Information
 Civic Address: 130 Wellington St. E
 Roll No.: 040018147000000
 Map No.: 26
 Application No.: A-9-22-ZOP
 Date Created: July 29, 2022

Legend

- Subject Property
- Area To Be Rezoned/Re-Designated
- Residential
- Commercial
- Institutional
- Parks Recreation
- Industrial
- Rural Area
- Airport Lands
- Parcel Fabric



SAULT STE. MARIE
Planning and Enterprise Services
 Community Development and Enterprise Services Department
 99 Foster Drive, Sault Ste Marie, ON P6A 5X6
 saultstmarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only
 Orthophoto: None
 Projection Details:
 NAD 1983 UTM Zone 16N
 GCS North American 1983