

July 31, 2025



COMMITTEE OF ADJUSTMENT

DATE July 31, 2025

MEETING NO. 07-25

TIME 2:00 p.m.

PLACE Council Chambers * Electronic Participation using MS teams.

Andreas Petersen, Chair
Tyler Rizzuto, Member
Jodi Corbett, Member
Brian Phillips, Member

Arden Irish, Planner I
Decio Lopes, Supervisor
*Ryan Furtado, Engineering Department
Danielle Thom, Strategy and Engagement
Penny Turner, Minute Recorder
Daniel Caratti, Minute Recorder Trainee

ABSENT: Matthew Pascuzzo and Normand Roy sent regrets.

Chair Petersen outlined the procedure which the Committee would follow in dealing with applications and then called for a poll of Disclosures of Interest. The Assistant Secretary Treasurer polled the Committee Members.

DISCLOSURE OF INTEREST: Chair Petersen A-38-2025 for Business dealings, Member Corbett A-40-2025.

CONFIRMATION OF AGENDA:

APPROVAL OF MINUTES: Minutes from June 26, 2025, were circulated to the Members prior to the meeting. Moved by Member Corbett, Seconded by Member Phillips to approve the minutes as presented. The majority of members voted in favour of the approval of the minutes and therefore it was approved.

APPLICATIONS

1. Application No.: **B-34-2025**

Michael O'Connor
5200 Loch Lomond Road

The Assistant Secretary-Treasurer provided an overview of the Consent to Sever Application.

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The application is to create one new parcel of land. The Severed lot would have lot frontage of 247m, irregular lot depth of 116m and lot area of 21,064m². The Retained lot would have lot frontage of 233m, lot depth of 400m and lot area of 167,333m².

Michael O'Connor confirmed the sign was posted.

COMMENTS:

The Assistant Secretary-Treasurer read correspondence:

- Synergy North, Building Services, and Realty Services all had no comments.
- Lakehead Regional Conservation Authority had no objections.
- Parks and Opens Spaces requests the condition of the 5% Parkland Dedication in the form of cash in lieu as the severance results in the creation of a new buildable lot. They are not requesting the Street tree fee as severance is outside the urban limit of the City. For the information of the applicant, there appears to be existing trees on the municipal right of way along the frontage of the severed lot. Any cutting of trees on the City right of way requires permission from the Forestry Section. If for a driveway, this would be granted through the driveway permit process.
- Engineering Comments were read by the Assistant Secretary Treasurer on behalf of Ryan Furtado; Engineering recommends standard Well Water Quantity Test and applicant reviews potential for well-to-well interference to ensure adjacent lands are not negatively impacted. No objection subject to the following condition: The applicant shall submit an updated lot grading and drainage plan for the severed and retained properties and shall construct easements as required to the satisfaction of the Engineering and Operations Division.

Supervisor Lopes presented Planning Comments, as it is consistent with the Provincial Planning Statement, does not conflict with the Growth Plan for Northern Ontario, and conforms to the Official Plan, and is bringing the subject property closer to compliance with the Zoning By-Law. Planning Services supports the application with the following conditions:

- That the applicant shall submit to the Secretary-Treasurer a proper legal description of any easements and the lands to be severed including confirmation of the lot frontage, lot depth, and lot area of the surveyed parcel, prepared by an Ontario Land Surveyor.
- That payment of the required Parkland fee is made to Realty Services or land is dedicated to the satisfaction of the Parks and Open Spaces Section, pursuant to subsection 51.1(1) and 51.1(3) of Section 51 of the Planning Act R.S.O. 1990 for each of the parcels to be severed.
- That the municipality's Well Water Quantity Testing Forms required for the severed parcel is completed and submitted to the satisfaction of the Building Services Division.
- That the preliminary approval from the Thunder Bay District Health Unit for the required on-site septic system on the parcel being created is received and submitted to the Secretary-Treasurer.

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- That a Phase 1 Archaeological Study is completed by a licensed archaeologist to the satisfaction of Planning Services.
- That a MDS I setback is calculated in accordance with the Ontario Ministry of Agriculture Food and Rural Affairs (OMAFRA) Minimum Separation Distance Guidelines (MSD I) is submitted to the satisfaction of Planning Services Division demonstrating that the requisite minimum distance between a 0.5ha building envelope for a potential dwelling and the neighbouring livestock barn and/or manure storage facility exists.
- That the H 15 Development Holding Provision is removed.

Chair Petersen asked the applicant if he understood and agreed to the conditions. The applicant understood and agreed to the conditions.

Chair Petersen asked about the fragmentation of the wetland. Planning responded the fragmentation of new property lines through wetland are discouraged and looked at on a case-by-case basis depending on the area and where it's being developed. This application was not near the water feature and to be able to fragment the property line, as following the Official Plan.

The Assistant Secretary-Treasurer read the conditions. Chair Petersen asked the applicant if there was a barn nearby. The applicant responded there was horses approximately one kilometre away. Chair Petersen asked the applicant if the well draw down test was completed. The applicant commented it has not been completed yet. Chair Petersen confirmed with applicant that he understood and agreed to the conditions and the applicant confirmed that he understood and agreed.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application, and therefore the application was approved.

Member Corbett left the hearing due to conflict with application B-40-2025.

2. Application No. **B-40-2025**

Matthew Gulka
205 Demchuk Road

The Secretary-Treasurer provided an overview of the Consent to Sever application. The application is to sever a lot addition with irregular depth of 103.9m and area of 4060m² from 205 Demchuk Road to 115 Demchuk Road.

Matthew Gulka confirmed the sign was posted.

COMMENTS:

The Assistant Secretary-Treasurer read the correspondence:

- Building Services and Realty Services had no comments.
- Synergy North and Engineering had no comments.
- Lakehead Region Conservation Authority had no objections.

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- Parks and Open Spaces requested the 5% Parkland Dedication fee in the form of cash in lieu as the severance results in the creation of a new buildable lot and does not request the street tree fee as the severance is outside the urban limit of the city. For the information of the applicant, there appears to be existing trees on the municipal right of way along the frontage of the severed lot. Any cutting of the trees on the City's right of way requires permission of the Forestry Section. If for a new driveway, this would be granted through the driveway permit process.

Supervisor Lopes presented Planning Comments on behalf of Planner Crago, as it is consistent with the Provincial Planning Statement, does not conflict with the Growth Plan for Northern Ontario, and conforms to the Official Plan and Zoning By-Law.

Planning Services supports the application with the following conditions:

- That the applicant shall submit to the Secretary-Treasurer, a proper legal description of any easements and the lands to be severed including confirmation of the lot frontage, lot depth, and lot area of the surveyed parcel, prepared by an Ontario Land Surveyor.
- That the parcel to be severed is conveyed to the registered owner of the McIntyre PT Mining LOC 29 RP 55R 4638 Part 3 RP 55R 14709 Part 11 (115 Demchuk Road) and Registered in the same name and interest, and that Section 50(3) of the Planning Act R.S.O. 1990 shall apply to all subsequent conveyances and transactions.

Members had no questions.

The Assistant Secretary-Treasurer read the conditions.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

Member Corbett returned to the hearing. Chair Petersen left the hearing due to conflict with Application A-38-2025 and Member Rizzuto became Acting Chair.

3. Application No. **A-38-2025**

Trevor Pennell
1011 Red Pine Way

The Assistant Secretary-Treasurer provided an overview of the Minor Variance. Minor Variance application is to increase the maximum height of an accessory building from 6.1m to 7.4m.

Trevor Pennell confirmed the signs were posted.

COMMENTS:

The Assistant Secretary-Treasurer read the correspondence,

- Building Services and Realty Services had no comments.
- Synergy North and Engineering had no comments.

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- Parks and Opens Spaces had no objections.

Supervisor Lopes presented Planning Comments on behalf of Planning Technician Mezzatesta, as it is consistent with the Provincial Planning Statement, does not conflict with the Growth Plan for Northern Ontario, and passes the four tests for a Minor Variance. Planning Services supports the application as presented.

Members had no questions.

Acting Chair Rizzuto asked the applicant if they understood and agreed to the Planning Comments and the applicant understood and agreed.

Acting Chair Rizzuto called for a vote. All members were all in favour. The majority of members have supported the approval of the application and therefore the application was approved.

Chair Petersen returned to the hearing.

4. Application No. **A-39-2025**

Ray Atwood and Barbara Benwell
324 McIntyre Street

The Assistant Secretary-Treasurer provided an overview of the Minor Variance. Minor Variance application is to increase the maximum height for an accessory building from 4.6m to 7m and to increase the wall height of an accessory building from 3.2m to 5.2m.

Ray Atwood confirmed the signs were posted.

COMMENTS:

The Assistant Secretary-Treasurer read the correspondence,

- Building Services commented to ensure water, sewer and storm services are extended to the property.
- Synergy North and Engineering had no comments.
- Realty Services and Parks and Open Spaces had no comments.
- Public Comment from an abutting neighbour had no objection.

Supervisor Lopes presented the Planning Comments on behalf of Planner Crago, as it is consistent with the Provincial Planning Statement, does not conflict with the Growth Plan for Northern Ontario, and passes the four tests for a Minor Variance. Planning Services supports the application with the following condition:

- That prior to the issuance of the required Building Permit that an easement application to allow for vehicular access to the rear yard is approved by the Committee of Adjustment and subsequently registered to the satisfaction of Planning Services.

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Chair Petersen asked if the applicant understood and agreed to the condition and the applicant understood and agreed.

Chair Petersen asked about the easements. Planning responded that the easements are owned by the municipality and can be applied for. The applicant responded the access to the new garage is through the laneway which many of the neighbours access, and the neighbours all help keep the clean and plowed during the winter. Chair Petersen asked if the neighbours would have to agree and register the portion of the easement and Planning agreed. Chair Petersen asked the applicant if he had spoken to the neighbours. The applicant responded he had spoken with all the neighbours except for one who is on the corner who really does not access the laneway.

Chair Petersen called for a vote. All members were all in favour. The majority of members have supported the approval of the application and therefore the application was approved.

5. Application No. **A-41-2025**

Per Lundstrom
221-223 Bruce Street

The Assistant Secretary-Treasurer provided an overview of the Minor Variance application. The application is to reduce the minimum lot frontage for four homes from 18m to 17.41m.

Per Lundstrom confirmed the signs had been posted.

COMMENTS:

The Secretary-Treasurer read the correspondence,

- Building Services commented to ensure water, sewer and storm services are extended to the property.
- Synergy North and Engineering had no comments.
- Realty Services and Parks and Open Spaces had no comments.
- Thunder Bay Strategy and Engagement commented Net Zero Strategy proposed reducing green house gases by including at least two level two charging stations in the design for future residents. Increases property values, potentially higher occupancy rates, environmentally attractive and responsible, promotes electric vehicles, reduces charging distances, leader in sustainability, and aligns with city's broader goals.

Supervisor Lopes presented the Planning Comments on behalf of Planning Technician Mezzatesta, as it is consistent with the Provincial Planning Statement, does not conflict with the Growth Plan for Northern Ontario, and passes the four tests for a Minor Variance. Planning Services supports the application as presented.

Member Corbett asked about the electric vehicle comments from Strategy and Engagement. Strategy and Engagement commented they are encouraging developers

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to be green and environmental responsible in their planning and developments, and they cannot make comments into conditions on the applications.

Chair Petersen called for a vote on the approval the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

6. Application No.: **A- 44-2025**

Jennifer Davidson, Urban Abbey
34 Machar Avenue

The application was deferred to the August 28 hearing.

7. Application No. **A-48-2025**

Ken Perrier
235 Simpson Street

The Assistant Secretary-Treasurer provided an overview of the application. To seek permission under Section 45(2)a) i) of the Planning Act to expand the building containing a non-conforming use. The proposed expansion includes increasing the Ground Floor Area (GFA) of the existing emergency shelter by 163.5m².

The agent Ken Perrier for the applicant confirmed the sign was posted.

COMMENTS:

The Secretary-Treasurer read the correspondence,

- Building Services and Realty Services had no comments.
- Engineering and Synergy North had no comments.
- Parks and Open Spaces had no concerns.

Supervisor Lopes presented the Planning Comments, as it is consistent with the Provincial Policy Statement, does not conflict with the Growth Plan for Northern Ontario, and conforms to the Official Plan, and results in appropriate development of the site that will not adversely affect the surrounding properties or neighbourhood. Planning Services supports the application as presented.

Member Corbett asks Planning that this application not the typical minor variance and to clarify. Planning responded that the Committee may see many types of applications such as consent to sever, changes in Zoning By-laws, interpretations in Zoning By-laws, permissions in non-conforming uses, to name a few and in today's application permission to enlarge.

Chair Petersen called for a vote on the approval of the application. All members were in favour. The majority of members have supported the approval of the application and therefore the application was approved.

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OLD BUSINESS - None

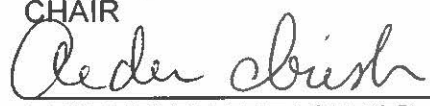
NEW BUSINESS - Danielle Thom from Strategy and Engagement summarized role and has approximately up to 2027 to review with stakeholders, focus groups, social housing, the public to education on Green and Environmentally friendly responsible building and developing.

ADJOURNMENT -

The meeting was adjourned at 3:36 pm.



CHAIR



SECRETARY-TREASURER

CARRIED

DENIED

Brian Phillips
Mover

Tyler Rizzuto
Seconder