

Committee of Adjustment

REVISED Agenda

Wednesday, February 01, 2023

Electronic Participation at 5.00 pm

Under the authority of the *Statutory Powers Procedure Act*, this meeting of the **Committee of Adjustment** will be held electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters by contacting jnahachewsky@stcatharines.ca by January 31, 2023 before 3:00 p.m. Comments submitted will be considered as public information and entered into public record.

Members:

Greg Redden, Chair
David Ringler, Vice Chair
Kerry Leask, Member
Adam Selvig, Member
Kristen McNutt, Member

Staff Liaison:

Jayne Nahachewsky, Secretary-Treasurer
Brenda Stan, Planner
Natasha MacDonald, Planner
Madeleine Ferko, Planner
Evan Acs, Planner
Charlotte McEwan, Planner
Dasha Litviniuc, Planning Student
Jelena Pusara, Development Agreement Coordinator

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1. **Call meeting to order (Chair)**
 2. **Recognition of Traditional Territories**
 3. **Additions / Deletions to the Agenda**
 4. **Motion to approve the agenda**
 5. **Motion to adopt the minutes of the previous meeting- December 14, 2022**

6. **Declarations of Interest**

7. **Request for Withdrawal, Adjournment or Deferral**

1. **Item #8 539 Eastchester Avenue Minor Variance A-02/23 22 115405 MV**

The Applicant has revised their proposal and the plans submitted do not reflect that revised proposal. The Applicant requests that Item#18 Application 539 Westchester Avenue A-20/23 – 22 115405 MV to be deferred to the next Committee of Adjustment Hearing.

8. **Applications**

1. 18 St. Louis Place, Minor Variance A-01/23 22 113891 MV
2. 174 Woodside Drive, Minor Variance A-05/23 22 114677 MV
3. 125 Westchester Crescent, Consent B-01/23SC 22 114323 LD,
Minor Variance A-03/23 22 114325, Minor Variance A-04/23 22 114326
(Consent and 2 Minor Variance Applications to be heard concurrently)
4. 77 Roehampton Avenue, Minor Variance A-09/23 22 115125 MV
5. 10A & 10B Smythe Street, Minor Variance A-/23 22 115127 MV &
Minor Variance A-12/23 22 115230MV
6. 1 Tracey Road, Consent B-02/23SC 22 115319 LD
7. 254 Oakdale Avenue, Consent B-03/23SC 22 115387 LD,
Consent B-04/23SC 22 115395 LD, Consent B-05/23SC 22 115397 LD,
Consent B-06/23SC 22 115402 LD, Minor Variance A-15/23 22 115390 MV,
Minor Variance A-16/23 22 115393 MV, Minor Variance A-17/23 22 115394
MV, Minor Variance A-18/23 22 115396 MV
(4 Consent and 4 Minor Variance Applications to be heard concurrently)
8. 539 Eastchester Avenue Minor Variance A-02/23 22 115405 MV (Deferred)

9. **Business New Business**

10. **Date of next meeting**

Wednesday March 1, 2023 at 5.00 pm

11. **Motion to Adjourn**

**Amanda No. 22 115390 MV
Submission No. A-15/23**

COMMITTEE OF ADJUSTMENT

**REVISED
COMMENTS**

254 Oakdale Avenue

DATE OF HEARING:

FEBRUARY 1, 2023

**Applications A-15, A-16, A-17 & A-18
B-03, B-04, B-05 & B-06**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: January 31, 2023

Date of Meeting: February 1, 2023

Application: **B-03/23 SC**
 B-04/23 SC
 B-05/23 SC
 B-06/23 SC

File: **22 115387** (3 Capner Street)
 22 115395 (254C Oakdale Avenue)
 22 115397 (254B Oakdale Avenue)
 22 115402 (254 Oakdale Avenue)

A-15/23
A-16/23
A-17/23
A-18/23

22 115390 (254 Oakdale Avenue)
22 115393 (3 Capner Street)
22 115394 (254B Oakdale Avenue)
22 115396 (254C Oakdale Avenue)

Subject: 254 Oakdale Avenue (to become 254 Oakdale Avenue, 254B Oakdale Avenue, 254C Oakdale Avenue and 3 Capner Street)

Recommendation

Consents

That Application **B-03/23SC** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands to be known as 3 Capner Street addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for the triplex dwelling, once submitted, be reviewed and confirmed to be generally in accordance with the site plan and elevations submitted with this application.
 - b. The Lot Grading and Drainage Plan, required as a condition of consent approval, be included in the Development Agreement, to ensure compliance as part of the review and approval of a building permit.
 - c. That no parking shall be provided within the front yard of the lot.
 - d. That a 1.8m high wood board privacy fencing be installed along the north and east lot lines of the lot currently known as 254 Oakdale Avenue.
 - e. That the applicant submit to the City for review and approval a revised Vegetation Protection Plan addressing the City's existing Norway Maple tree to be retained along the Capner Street frontage.
 - f. That the future development agreement and associated site plan, site servicing, and grading and drainage plans incorporate the recommendations of an approved Vegetation Protection Plan (including tree preservation and protection clauses) for the existing Norway Maple tree.

- g. That the applicant submit payment for any necessary pruning of the City's existing Norway Maple tree by City crews, or its contractors.
2. That the Owner submit a cash payment in lieu of parkland dedication in accordance with the requirements of By-law 74-72 or By-law 2022-173, whichever applies and, that if required, the applicant submit an appraisal report, prepared by a qualified appraiser, to determine the value of the new lot for the purposes of calculating the payment in lieu, which report shall be submitted for review and approval by the City's Manager of Realty and Insurance Services.
3. That the Owner submits a payment for the placement of a 60 mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
4. That the Owner submit payment for removal of the existing Sugar Maple tree located at the corner of Oakdale Avenue and Capner Street by City crews, or its contractors.
5. That in addition to condition 3, the applicant submit payment for four new 60mm boulevard trees as replacement for the existing Sugar Maple tree to be removed.
6. That prior to the required road widening being dedicated to the City, the applicant remove completely, at its own expense, the Silver Maple located within the road allowance widening to be dedicated to the City, and that the boulevard in the affected area be reinstated with fine grading and sod, all to the satisfaction of the City.
7. That the Owner submit to the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office.
8. That the Owner dedicate to the City, free and clear of any encumbrances, the required widenings across the Oakdale Avenue and Capner Street frontages of the subject property, to be known as Public Highway *Oakdale Avenue* and *Capner Street*.
9. That the Owner pay for City crews to locate, trace, inspect and document the sewer laterals and water services for the existing dwelling. This must be completed prior to the finalization of the severances or the issuance of the demolition permit, whichever comes first.
10. That the Owner, if it is determined existing laterals or water services conflict with existing or future lot lines, shall complete any relocation works on private property through a Plumbing Only Permit. The Owner shall pay the City to complete any associated relocation works required on City property.
11. That the Owner submit to the City a Master Lot Grading and Drainage Plan, prepared by a qualified Engineer or Ontario Land Surveyor, for review and approval by City staff.
12. That the Owner obtain a demolition permit from the City Building Department to remove the existing dwelling and any structures and complete all inspections to the satisfaction of the Chief Building Official.
13. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the transfer for the final consent application B-03/23SC be registered with the Land Registry office prior to the easements being registered.

14. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the easements will be registered with the Land Registry Office after the final certificate is issued.
15. That the Owner provide the Secretary-Treasurer with the acknowledgment and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
16. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$222.20 (2023 rate) payable to the Treasurer, City of St. Catharines.
17. That all conditions of consent be fulfilled by February 1st, 2025.

That Application **B-04/23SC** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands to be known as 254C Oakdale Avenue addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for the townhouse dwelling, once submitted, be reviewed and confirmed to be generally in accordance with the site plan and elevations submitted with this application; and
 - b. The Lot Grading and Drainage Plan, required as a condition of consent approval, be included in the Development Agreement, to ensure compliance as part of the review and approval of a building permit.
 - c. That no parking shall be provided within the front yard of the lot.
 - d. That 1.8m high wood board privacy fencing be installed along the north and east lot lines of the lot currently known as 254 Oakdale Avenue.
 - e. That no fencing be installed along the lot line between the parking spaces on Parts 1 and 2.
 - f. That the applicant submit to the City for review and approval a revised Vegetation Protection Plan addressing the City's existing Norway Maple tree to be retained along the Capner Street frontage.
 - g. That the future development agreement and associated site plan, site servicing, and grading and drainage plans incorporate the recommendations of an approved Vegetation Protection Plan (including tree preservation and protection clauses) for the existing Norway Maple tree.
 - h. That the applicant submit payment for any necessary pruning of the City's existing Norway Maple tree by City crews, or its contractors.
2. That the Owner submit a cash payment in lieu of parkland dedication in accordance with the requirements of By-law 74-72 or By-law 2022-173, whichever applies and, that if required, the applicant submit an appraisal report, prepared by a qualified appraiser, to determine the value of the new lot for the purposes of calculating the payment in lieu, which report shall be submitted for review and approval by the City's Manager of Realty and Insurance Services.

3. That the Owner submits a payment for the placement of a 60 mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
4. That the Owner submit payment for removal of the existing Sugar Maple tree located at the corner of Oakdale Avenue and Capner Street by City crews, or its contractors.
5. That in addition to condition 3, the applicant submit payment for four new 60mm boulevard trees as replacement for the existing Sugar Maple tree to be removed.
6. That prior to the required road widening being dedicated to the City, the applicant remove completely, at its own expense, the Silver Maple located within the road allowance widening to be dedicated to the City, and that the boulevard in the affected area be reinstated with fine grading and sod, all to the satisfaction of the City.
7. That the Owner submit to the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office.
8. That the Owner dedicate to the City, free and clear of any encumbrances, the required widenings across the Oakdale Avenue and Capner Street frontages of the subject property, to be known as Public Highway *Oakdale Avenue* and *Capner Street*.
9. That the Owner pay for City crews to locate, trace, inspect and document the sewer laterals and water services for the existing dwelling. This must be completed prior to the finalization of the severances or the issuance of the demolition permit, whichever comes first.
10. That the Owner, if it is determined existing laterals or water services conflict with existing or future lot lines, shall complete any relocation works on private property through a Plumbing Only Permit. The Owner shall pay the City to complete any associated relocation works required on City property.
11. That the Owner submit to the City a Master Lot Grading and Drainage Plan, prepared by a qualified Engineer or Ontario Land Surveyor, for review and approval by City staff.
12. That the Owner obtain a demolition permit from the City Building Department to remove the existing dwelling and any structures and complete all inspections to the satisfaction of the Chief Building Official.
13. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the transfer for the final consent application B-04/23SC be registered with the Land Registry office prior to the easements being registered.
14. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the easements will be registered with the Land Registry Office after the final certificate is issued.
15. That the Owner provide the Secretary-Treasurer with the acknowledgment and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
16. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$222.20 (2023 rate) payable to the Treasurer, City of St. Catharines.

17. That all conditions of consent be fulfilled by February 1st, 2025.

That Application **B-05/23SC** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands to be known as 254B Oakdale Avenue and 254 Oakdale Avenue addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for the townhouse dwellings, once submitted, be reviewed and confirmed to be generally in accordance with the site plan and elevations submitted with this application; and
 - b. The Lot Grading and Drainage Plan, required as a condition of consent approval, be included in the Development Agreement, to ensure compliance as part of the review and approval of a building permit.
 - c. That no parking shall be provided within the front yard of the lots.
 - d. That 1.8m high wood board privacy fencing be installed along the north and east lot lines of the lot currently known as 254 Oakdale Avenue.
 - e. That no fencing be installed along the lot line between the parking spaces on Parts 2 and 3.
 - f. That the applicant submit to the City for review and approval a revised Vegetation Protection Plan addressing the City's existing Norway Maple tree to be retained along the Capner Street frontage.
 - g. That the future development agreement and associated site plan, site servicing, and grading and drainage plans incorporate the recommendations of an approved Vegetation Protection Plan (including tree preservation and protection clauses) for the existing Norway Maple tree.
 - h. That the applicant submit payment for any necessary pruning of the City's existing Norway Maple tree by City crews, or its contractors.
2. That the Owner submit a cash payment in lieu of parkland dedication in accordance with the requirements of By-law 74-72 or By-law 2022-173, whichever applies and, that if required, the applicant submit an appraisal report, prepared by a qualified appraiser, to determine the value of the new lot for the purposes of calculating the payment in lieu, which report shall be submitted for review and approval by the City's Manager of Realty and Insurance Services.
3. That the Owner submits a payment for the placement of a 60 mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
4. That the Owner submit payment for removal of the existing Sugar Maple tree located at the corner of Oakdale Avenue and Capner Street by City crews, or its contractors.
5. That in addition to condition 3, the applicant submit payment for four new 60mm boulevard trees as replacement for the existing Sugar Maple tree to be removed.

6. That prior to the required road widening being dedicated to the City, the applicant remove completely, at its own expense, the Silver Maple located within the road allowance widening to be dedicated to the City, and that the boulevard in the affected area be reinstated with fine grading and sod, all to the satisfaction of the City.
7. That the Owner submit to the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office.
8. That the Owner dedicate to the City, free and clear of any encumbrances, the required widenings across the Oakdale Avenue and Capner Street frontages of the subject property, to be known as Public Highway *Oakdale Avenue* and *Capner Street*.
9. That the Owner pay for City crews to locate, trace, inspect and document the sewer laterals and water services for the existing dwelling. This must be completed prior to the finalization of the severances or the issuance of the demolition permit, whichever comes first.
10. That the Owner, if it is determined existing laterals or water services conflict with existing or future lot lines, shall complete any relocation works on private property through a Plumbing Only Permit. The Owner shall pay the City to complete any associated relocation works required on City property.
11. That the Owner submit to the City a Master Lot Grading and Drainage Plan, prepared by a qualified Engineer or Ontario Land Surveyor, for review and approval by City staff.
12. That the Owner obtain a demolition permit from the City Building Department to remove the existing dwelling and any structures and complete all inspections to the satisfaction of the Chief Building Official.
13. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the transfer for the final consent application B-05/23SC be registered with the Land Registry office prior to the easements being registered.
14. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the easements will be registered with the Land Registry Office after the final certificate is issued.
15. That the Owner provide the Secretary-Treasurer with the acknowledgment and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
16. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$222.20 (2023 rate) payable to the Treasurer, City of St. Catharines.
17. That all conditions of consent be fulfilled by February 1st, 2025.

That Application **B-06/23SC** by 1631601 Ontario Limited, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner provide the Secretary-Treasurer with a solicitor's firm undertaking that the easements will be registered with the Land Registry Office after the final certificate is issued.

2. That the Owner provide the Secretary-Treasurer with the acknowledgment and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
3. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$222.20 (2023 rate) payable to the Treasurer, City of St. Catharines.
4. That all conditions of consent be fulfilled by February 1st, 2025.

Minor Variance

That Application **A-15/23** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved.

That Variances 1, 2, 4, and 5 of Application **A-16/23** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved.

That Variance 3 of Application **A-16/23** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved as follows:

3. *A reduction of the minimum front yard setback to a platform structure with a height of 1.2 metres or greater from 3.0 metres to 0.5 metres.*

That Application **A-17/23** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved.

That Application **A-18/23** by Ream Professional Investment Corporation, as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant proposes to sever the subject lands into four lots for the purpose of constructing one triplex dwelling (Parts 4 and 9) and three townhouse dwellings with one accessory dwelling unit (ADU) each (Parts 1, 6 & 10; Parts 2, 7, 11 & 13; Parts 3, 8, & 12). The development proposes one shared driveway access off Capner Street for all of the dwelling units, with parking for each of the dwellings provided to the rear of the lot. To accommodate the proposed development, the applicant requests the establishment of multiple easements for vehicular access and eaves and gutter maintenance. The existing detached dwelling at 254 Oakdale Avenue is to be demolished to facilitate this proposal. As shown on the submitted sketch, Part 5 is to be dedicated to the City for a road widening along Oakdale Avenue and Capner Street. The requested consents, easements and minor variances are outlined in the tables below.

Summary of Consent applications:

Application	Severed Parcel	Area	Remnant Parcel	Easements Benefitting Adjacent Lots
B-03/23 SC	Parts 4 & 9 (to become 3 Capner Street)	266.2 m ²	Parts 1-3, 6-8, 10-13	Part 9 for vehicular access
B-04/23SC	Parts 1, 6 & 10 (to become 254C Oakdale Avenue)	207.7 m ²	Parts 2-3, 7-8, 11-13	Part 6 for vehicular access Part 10 for eaves and gutter maintenance
B-05/23SC	Parts 2, 7, 11 & 13 (to become 254B Oakdale Avenue)	163.5 m ²	Parts 3, 8 & 12 (159.9 m ²) (to be known as 254 Oakdale Avenue)	Part 7 for vehicular access Part 11, Part 13 for eaves and gutter maintenance
B-06/23SC				Part 8 for vehicular access Part 12 for eaves and gutter maintenance

Summary of Variance applications:

Application	Variance #	Zoning Provision	Required	Proposed
A-15/23 254 Oakdale Avenue (Parts 3, 8 & 12) Townhouse Dwelling Interior ADU	1	Minimum lot area for a townhouse dwelling	165.0 m ²	159.9 m ²
	2	Minimum front yard setback to dwelling	3.0 m	2.1 m
	3	Minimum front yard setback to platform structure with a height above grade more than 0.6m and less than 1.2m	3.0 m	0.4 m
	4	Minimum interior side yard setback to dwelling	1.2 m	0.0 m
	5	Minimum interior side yard setback to platform structure	1.2 m	0.0 m
	6	Minimum exterior side yard setback to dwelling	3.0 m	0.5 m
	7	Minimum exterior side yard setback to platform structure with	3.0 m	0.5 m

		a height above grade more than 0.6m and less than 1.2m		
	8	Minimum number of parking spaces	2	1
	9	Maximum encroachment for eaves and gutters into interior side yard	within 0.15 m of the lot line	within 0.0 m of the lot line
	10	Minimum lot frontage	6.0 m	5.8 m
	11	Minimum distance along each lot line from corner for a corner lot sight triangle	6.0 m	0.9 m
A-16/23 3 Capner Street (Parts 4 & 9) Triplex Dwelling	1	Minimum lot area for a triplex dwelling	420 m ²	266.2 m ²
	2	Minimum front yard setback to dwelling	3.0 m	1.36 m
	3	Minimum front yard setback to platform structure with a height of 1.2 metres or greater	3.0 m	0.16 m
	4	Minimum number of parking spaces	3	2
	5	Maximum parking area coverage	20% of lot area	28.8% of lot area
A-17/23 254B Oakdale Avenue (Parts 2, 7, 11 & 13) Townhouse Dwelling Interior ADU	1	Minimum lot area for a townhouse dwelling	165.0 m ²	163.5 m ²
	2	Minimum lot frontage	6.0 m	5.5 m
	3	Minimum front yard setback to dwelling	3.0 m	2.0 m
	4	Minimum front yard setback to platform structure with a height above grade more than 0.6m and less than 1.2m	3.0 m	0.9 m
	5	Minimum interior side yard setback to dwelling	1.2 m	0 m
	6	Minimum interior side yard setback to platform structure	1.2 m	0 m
	7	Maximum encroachment for eaves and gutters into interior side yard	within 0.15 m of the lot line	within 0.0 m of the lot line
	8	Maximum parking area coverage	20% of lot area	26.1% of lot area
	9	Minimum landscaped open space	35% of lot area	28.6% of lot area

A-18/23 254C Oakdale Avenue (Parts 1, 6 & 10) Townhouse Dwelling Interior ADU	1	Minimum front yard setback to dwelling	3.0 m	2.0 m
	2	Minimum front yard setback to platform structure with a height above grade more than 0.6m and less than 1.2m	3.0 m	0.4 m
	3	Minimum interior side yard setback to dwelling	1.2 m	0 m
	4	Minimum interior side yard setback to platform structure	1.2 m	0 m
	5	Maximum encroachment for eaves and gutters into interior side yard	within 0.15 m of the lot line	within 0 m of the lot line
	6	Maximum parking area coverage	20% of lot area	21.4% of lot area

Location and Site Description

The subject property is located at the northeast corner of Oakdale Avenue and Capner Street. The surrounding area is comprised of residential, open space and recreational uses, with a nearby commercial use. Along Oakdale Avenue are low- and mid-rise apartment buildings, detached dwellings, and an automotive repair shop. Along Capner Street are detached dwellings and the Garden City Golf Course. Directly west of the property is Merritt Trail. The subject property is located east of the downtown core and has access to various modes of active transportation, as well as bus transit. There is one existing detached dwelling at 254 Oakdale Avenue, which is proposed to be demolished.

Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. All conditions of approval requested by circulated departments and agencies have been included in the recommendation section of this report.

One comment was received from the abutting neighbour at 5 Capner Street, who advised that the sanitary lateral from their dwelling may cross onto 254 Oakdale Avenue before connecting to the sanitary sewer along Capner Street. This is being investigated further by City staff, the developer and the homeowner.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated High Density Residential on Schedule E9. A range of residential uses including triplex, quadruplex, fourplex, townhouse dwellings and apartment buildings are permitted in this designation at a density of 85

dwelling units per hectare or greater. The proposed development has a density of 75 units per hectare, which is generally in keeping with the target density of the GCP.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3). A range of residential uses are permitted in this zone, including detached, semi-detached, duplex, triplex, townhouse dwellings, and apartment buildings, subject to the provisions of the Zoning By-law. The proposal includes a number of requests for variances to the provisions of the by-law, which are addressed in the planning analysis section of this report.

Planning Analysis

Consents to Sever

Consent applications **B-03/23SC**, **B-04/23SC**, and **B-05/23SC** request to create four lots for the purpose of constructing one triplex dwelling and three townhouse dwellings each with an interior accessory dwelling unit (ADU). Section 16.11 of the Garden City Plan sets out a number of policies that applications for lot creation are to be evaluated against. Applicable policies are listed below with staff comment provided.

- 3) *Consents to sever individual parcels of land, including land assembly and lot boundary adjustments will only be permitted where:*
 - a) *It is clearly apparent that no development could take place which would lead to significant expense by the City for public works or which would lead to further development leading to such expenses.*

The proposed lots will be serviced by existing infrastructure. Any required improvements to the infrastructure, including water and wastewater laterals and service lines to the property will be at the expense of the owner.

- b) *They contribute to the infilling of areas that are already substantially developed.*

The proposed lots are within the City's built boundary and located in a residential area that is substantially developed. The lands are currently one property with a detached dwelling and through this application they would become four properties with a total of six residential dwelling units plus three interior accessory dwelling units. The development represents appropriate infill by using underutilized lands in a developed neighbourhood with access to active modes of transportation, transit, recreational trails and within proximity to the City's downtown.

- c) *The size, shape and configuration of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.*

The four proposed lots are sized and shaped appropriately to accommodate the proposed six-unit development comprised of one triplex dwelling and three townhouse dwellings. The proposed lots for the three townhouse dwellings fronting onto Oakdale Avenue align with the road and blend in with the existing lot fabric given the proposed front yard setbacks. The proposed lot for the triplex dwelling fronting onto Capner Street is angled

along the eastern lot line due to the shape of the abutting lot 5 Capner Street. However, the proposed lot shape does not conflict with the surrounding area and adequate setbacks are provided between the neighbouring property.

The dwellings have appropriate setbacks given road widenings being taken along Oakdale Avenue and Capner Street, adequate parking given the location of the subject lands, sufficient access, lot frontages and landscaped area given its proximity to recreational trails. Despite the deficiencies in lot area for three of the proposed parcels, the development layout proposed on those parcels demonstrates that the function, access, and compatibility of the dwelling types is maintained. The overall density of the four lots is 75 units per hectare, which aligns with the general target range of 85 units per hectare outlined in the Official Plan's High Density Residential designation. Staff note that the proposal brings the property much closer to conformity with the Official Plan than the existing detached dwelling with a density of 12.5 units per hectare.

The surrounding area is comprised of a variety of lot sizes, shapes and widths that are reflective of the historic lot fabric of the area, which included lower density residential and commercial uses. The proposed lots are compatible with the surrounding properties while achieving infill development that reflects the current Official Plan designation and zoning of the lands. The proposed dwellings for the properties are low-rise townhouse dwellings and a triplex dwelling, which matches the character of existing low-rise residential detached dwellings that surround the property. The proposed new lots will require minor variances to address some zoning deficiencies resulting from the proposed design and consent layout and road widenings along Oakdale Avenue and Capner Street. These variances are discussed in greater detail later in this report.

Overall, subject to the approval of the requested variances, staff are supportive of the creation of the proposed lots. Staff are satisfied that the proposed consent to sever represents the optimum development potential of the subject lands and will contribute to context-sensitive infill development. Staff recommend that the proposed consent applications be approved, subject to the conditions outlined in the recommendations herein.

Easements

A number of easements are requested by the applicant to facilitate the proposed development. These easements are outlined in the table above and in the Notices of Hearing issued for these applications. The proposed easements help the development to achieve several policy goals outlined in Section 7.1 c) of the Official Plan which states that development and redevelopment shall be evaluated having regard for minimizing adverse impacts on adjacent properties through grading, drainage, location and design of service utilities and areas. Section 7.1 c) also encourages the provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping. This is achieved through the proposed shared driveway, which is made functional by the proposed easements. The creation of easements to facilitate a shared parking configuration reduces the visual impact of

garages and front yard parking on the streetscape. There are also a number of easements to permit maintenance of dwelling eaves and gutters that hang over shared property lines.

Altogether, the proposed easements will facilitate development that is consistent with the lot creation policies in the GCP. The easements do not conflict with the Zoning By-law. Staff find that the easements are appropriate and recommend approving the proposed easements in consent applications **B-03/23SC**, **B-04/23SC**, **B-05/23SC** and **B-06/23SC**, subject to conditions outlined in the recommendation.

Road Widening

Oakdale Avenue is designated an Arterial Road on Schedule C of the GCP with a maximum right-of-way (ROW) width of 26.2 metres. It is further designated as a Collector Mixed-Use Corridor in the City's Transportation Master Plan which has a desired ROW of 23 metres. To achieve the desired ROW width, prior to finalizing the severances, the owner shall dedicate to the City, free and clear of any encumbrances, a widening ranging from 3.05 metres to 3.2 metres to be taken along the Oakdale Avenue frontage of the subject lands. The applicant is aware of this requirement and has identified the road widening dedication as Part 5 on the submitted survey sketch.

Capner Street is designated a Local Road on Schedule C of the GCP with a desired ROW width of 20 metres. It is further designated as a Community Road in the City's Transportation Master Plan which also has a desired ROW of 20 metres. To achieve the desired ROW width, prior to finalizing the severances, the owner shall dedicate to the City, free and clear of any encumbrances, a 1.5 metre widening across the entire Capner Street frontage of the subject lands. The applicant is aware of this requirement and has identified the road widening dedication as Part 5 on the submitted survey sketch.

Minor Variance

Minimum lot area – 254 and 254B Oakdale Ave, 3 Capner St

Variance 1 of Applications A-15/23, A-16/23 and A-17/23 request a reduction in minimum lot area for two of the proposed townhouse dwellings and the proposed triplex dwelling. The applicant is requesting a reduction in lot area from 165 square metres to 159.9 square metres for the southern townhouse dwelling at 254 Oakdale Avenue, and a reduction in lot area from 165 square metres to 163.5 square metres for the middle townhouse dwelling at 254B Oakdale Avenue. The applicant is requesting a reduction in lot area from 420 square metres to 266.2 square metres for the triplex dwelling at 3 Capner Street. These variances will facilitate the creation of four lots and construction of the proposed residential dwelling types.

The intent of the minimum lot area is to ensure that there is sufficient space to accommodate a building envelope within the boundaries of the property, while ensuring there is adequate amenity space, site access, landscaping, parking, and buffering from abutting properties. The minimum lot area provision also ensures there are consistent lot sizes and built form within the surrounding neighbourhood. The proposed lot sizes are considered appropriate to accommodate an adequate building envelope and provide sufficient access, landscaped area, outdoor amenity space, and parking for the concept

given its location in the City. All of the required setbacks to adjacent residential properties meet or exceed minimum requirements. The proposed lots are sized appropriately to accommodate the proposed townhouse and triplex dwellings without negative impacts on neighbouring properties.

The proposed lot areas are in accordance with section 2.3.3.5ii) of the Official Plan which emphasizes the provision of new housing through efficient use of vacant and occupied lands and small lot infill. Section 7.1 of the Official Plan states that development and redevelopment shall have regard for building, site, streetscape and neighbourhood context sensitive design. The proposal includes dwellings with massing and setbacks that are in line with adjacent dwellings, and which will complement the existing streetscape. The subject lands are designated High Density Residential, which supports a density of 85 units per hectare of land. The proposed density of this development is 75 units per hectare, which generally aligns with the Official Plan designation while providing a more modest development that also aligns with the medium density residential zoning of the lands.

Staff are satisfied the proposed variances are minor in nature, desirable for the appropriate use of lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum front yard setbacks to dwelling – 254, 254B and 254C Oakdale Ave, 3 Capner St

Variance 2 of Applications A-15/23 and A-16/23, variance 3 of Application A-17/23 and variance 1 of Application A-18/23 request a reduction to the front yard setback for all four of the proposed dwellings. The applicant has requested a reduction of the minimum front yard setback to the dwelling from 3.0 metres to the following:

- 2.1 metres for 254 Oakdale Avenue
- 1.36 metres for 3 Capner Street
- 2.0 metres for 254B and 254C Oakdale Avenue

The intent of this provision is to ensure that adequate separation is provided between the dwelling and the road to ensure there's adequate access and parking for lots, privacy and amenity area for residents, as well as maintain a consistent streetscape. This intent is supported by Section 7.1 of the Official Plan, which encourages development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. The intent of the Official Plan and Zoning By-law to achieve compatible development with surrounding context is being achieved, as the dwellings have an appropriate streetscape for an R3 neighbourhood. Given the development proposes a shared drive aisle with parking spaces to the rear of the lots, there are no driveways or parking in front of the four proposed dwellings. Therefore, the proposed front yard setbacks do not impact the lots in terms of providing safe access or parking. The proposed front yard setbacks will be generally aligned with the abutting residential properties even after the road widenings being taken along Oakdale Avenue and Capner Street. Staff are satisfied that adequate separation is

provided from the dwellings to the road. Staff note that the townhouse dwellings are staggered, which adds visual interest and creates areas of privacy in which porches and amenity space can be provided for future residents. Staff note there is an existing Norway Maple tree within the City's right-of-way in front of the proposed triplex dwelling. To ensure adequate tree preservation measures are applied, Community Recreation and Cultural Services staff have added conditions to the Consent application.

In the opinion of the staff, the requested variances are considered minor in nature, desirable for the appropriate development of the lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum front yard setback to a platform structure with a height above grade more than 0.6m and less than 1.2m – 254, 254B and 254C Oakdale Ave

Variance 3 of Application A-15/23, variance 4 of Application A-17/23 and variance 2 of Application A-18/23 requests a reduction to the front yard setback to a platform structure for the proposed townhouse dwellings. Zoning By-law 2013-283 requires that platform structures, such as porches and decks, with a height above grade more than 0.6m and less than 1.2 metres, provide a front yard setback of 3.0 metres. The applicant has requested a reduction of the minimum front yard setback to front porches for the following:

- 0.4 metres for 254 and 254C Oakdale Avenue
- 0.9 metres for 254B Oakdale Avenue

The intent of this provision is to ensure that adequate separation is provided between the platform structure and the lot line to provide privacy and amenity area for residents, as well as maintain a consistent streetscape. Section 7.1 of the Official Plan encourages development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. As noted, the 3.05m – 3.6m road widening being taken along Oakdale Avenue impacts the ability to provide front yard setbacks that comply with the Zoning By-law. However, the front porches will be located more than 3.0m from the road which provides an adequate buffer. The townhouse dwellings are staggered, which creates areas of privacy in which porches and amenity space can be provided for future residents, as well as adds visual interest to the streetscape. The proposed setbacks generally align with the setbacks of adjacent properties.

In the opinion of the staff, the requested variances are considered minor in nature, desirable for the appropriate development of the lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum front yard setback to a platform structure with a height of 1.2 metres or greater – 3 Capner St

Variance 3 of Application A-16/23 requests a reduction of the front yard setback to a platform structure with a height of 1.2m or greater for the proposed triplex dwelling. Zoning By-law 2013-283 requires that platform structures that are 1.2 metres in height or greater above grade achieve the same minimum front yard setback required by the

dwelling. In this case, a 3.0 metre minimum front yard setback is required to the porch for the triplex dwelling. The applicant is seeking relief from the City's Zoning By-law to construct a porch with a setback of 0.16 metres at 3 Capner Street.

The intent of this provision is to ensure that adequate separation is provided between the platform structure and the lot line to provide privacy and amenity area for residents, as well as maintain a consistent streetscape. Section 7.1 of the Official Plan encourages development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood.

The proposed porch, which extends into the already-reduced dwelling setback and nearly to the new lot line, is considered by planning and urban design staff to be too close to the lot line to uphold the above GCP policy. Staff note that while there is a 1.5m road widening being taken along Capner Street, the proposed platform structure should provide a setback of at minimum 0.5 metres to provide an appropriate buffer. An increased setback would also bring the front porch in line with the 0.5m setback along Capner Street for the southern townhouse dwelling. If this minimum is met, then the variance is considered to be in keeping with the intent of the Official Plan policy outlined above, as the potential impacts to the public realm, such as the public sidewalk, are mitigated. The porch would be less overwhelming on the streetscape if it is set back a bit further. Staff note that this could be accommodated by reducing the size of the platform structure and/or slightly increasing the overall front yard setback to the triplex dwelling. A priority of planning and design staff is the public realm. In this regard, a slightly greater setback from the sidewalk is more appropriate, particularly at the height proposed.

Based on the City's review of the plans and the City's own mapping, taking into account the required road widening, a setback of 0.5 metres from the proposed front property line would accomplish the intent of the provision under the Zoning By-law and Official Plan. As such, staff are supportive of a reduction in front yard setback to the proposed porch for 3 Capner Street, provided the setback is reduced to no less than 0.5 metres, as outlined in the recommendation of this report. This reduction is considered minor, appropriate for the desirable use of the land, and in keeping with the intent of the GCP and Zoning By-law.

Minimum interior side yard setback to dwelling – 254, 254B and 254C Oakdale Ave
Variance 4 of Application A-15/23, variance 5 of Application A-17/23 and variance 3 of Application A-18/23 request a reduction to the interior side yard setback for the proposed townhouse dwellings. The applicant has requested a reduction of the minimum interior side yard setback for the portion of the wall that extends beyond the common wall from 1.2 metres to 0 metres.

The intent of this provision is, in part, to ensure an adequate buffer is maintained between structures on adjacent properties for safety and privacy concerns, that sufficient space is maintained to support onsite drainage and access to rear yards and to ensure that the massing of a dwelling does not overwhelm adjacent properties. Where dwellings share a common wall, the setback to the common wall is permitted to be 0 metres. In this

proposal, the townhouse dwellings are staggered so that a portion of each dwelling protrudes beyond the front or rear of the adjacent dwelling, resulting in a non-common wall that is in line with the common wall at 0 metres setback.

The proposed reduction allows for more visual definition in the units. No privacy nor safety concerns are anticipated as a result of the setback reductions on the subject lots. Overall, the variances are considered minor, appropriate and in keeping with the general intent of the Official Plan and Zoning By-law.

Minimum interior side yard setback to a platform structure with a height above grade more than 0.6m and less than 1.2m – 254, 254B and 254C Oakdale Ave

Variance 5 of Application A-15/23, variance 6 of Application A-17/23 and variance 4 of Application A-18/23 request a reduction to the interior side yard setback to a platform structure for the proposed townhouse dwellings.

Zoning By-law 2013-283 establishes a 1.2 metre minimum setback from the interior side yard to platform structures, such as porches and decks, that are more than 0.6 metres and less than 1.2 metres in height above grade. The provision is intended to ensure the platform structure does not overwhelm the yard and to maintain a degree of separation from neighbouring properties, thereby mitigating safety, privacy, and overlook concerns. The applicant is seeking a relief from the City's by-law to permit the construction of a front porch setback of 0 metres from the interior side yard lot line for the townhouse dwellings.

The proposed porches are intended to access the front door of the townhouse units. The porch is proposed to be located against the abutting wall of the neighbouring townhouse, resulting in a 0m setback from the common lot line. The location of the porch against the neighbouring dwelling wall mitigates any potential privacy impacts. There is no overlook caused by the reduced setback.

Staff find the requested variances to be minor in nature, desirable for the appropriate use of lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum exterior side yard setback to dwelling – 254 Oakdale Ave

Variance 6 of Application A-15/23 requests a reduction to the exterior side yard setback for the proposed southern townhouse dwelling at 254 Oakdale Avenue. The Zoning By-law requires a minimum exterior side yard setback of 3.0 metres and the applicant is requesting a reduction to 0.5m along Capner Street.

The intent of this provision is to ensure that an adequate buffer and sightline is provided from the dwelling and the flanking road, provide privacy for residents, as well as maintain a consistent streetscape. This is supported by section 7.1 of the Official Plan, which encourages development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. The intent of the Official Plan and Zoning By-law to achieve compatible development with surrounding context is being achieved, as the dwellings have an appropriate streetscape for an R3 neighbourhood. The proposed exterior side yard

setback will be generally aligned with the abutting residential properties even with the 1.5 metre road widening being taken along Capner Street. Staff are satisfied that adequate separation is provided from the dwelling to the road.

Staff find the requested variance to be minor in nature, desirable for the appropriate use of lands, and meets the general intent of the Official Plan and Zoning By-law.

Minimum exterior side yard setback to a platform structure with a height above grade more than 0.6m and less than 1.2m – 254 Oakdale Ave

Variance 7 of Application A-15/23 requests a reduction to the exterior side yard setback to the platform structure for the townhouse dwelling at 254 Oakdale Avenue. Zoning By-law 2013-283 requires that platform structures that are more than 0.6 metres and less than 1.2 metres in height above grade achieve a 3.0 metre exterior side yard setback. The applicant is requesting a reduction in this setback to 0.5 metres for the front porch of the southern townhouse dwelling.

This provision is intended to ensure the platform structure does not overwhelm the yard or sightlines and to maintain a degree of separation from neighbouring properties, thereby mitigating safety, privacy, and overlook concerns. Section 7.1 of the Official Plan encourages development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. As noted, the 1.5 metre road widening being taken along Capner Street impacts the ability to provide exterior side yard setbacks that comply with the Zoning By-law. However, the front porch will be located more than 2.0 metres from the road which provides an adequate buffer. The proposed setback also generally aligns with the setbacks of adjacent properties.

As such, staff find the requested variance to be minor in nature, desirable for the appropriate use of lands, and meets the general intent of the Official Plan and Zoning By-law.

Minimum number of parking spaces – 254 Oakdale and 3 Capner St

Variance 8 of Application A-15/23 and variance 4 of Application A-16/23 requests a reduction in the minimum number of parking spaces required for one of the townhouse dwellings and the triplex dwelling.

The Zoning By-law requires two parking spaces for each of the townhouse dwellings with an interior accessory dwelling unit. The southern townhouse dwelling at 254 Oakdale Avenue is requesting a reduction from 2 spaces to 1 space. The Zoning By-law requires three parking spaces for the triplex dwelling, and the applicant is requesting a reduction from 3 spaces to 2 spaces. The intent of this provision is to ensure there is adequate parking provided for each residential unit. Given the location of the subject property, which is within proximity to multiple modes of active transportation, a bus transit route, and the downtown core, staff are satisfied that adequate parking is being provided for the proposed dwellings. The two other proposed dwellings meet minimum parking requirements for townhouse dwellings with an interior accessory dwelling unit.

Policy 5.4.2 of the Garden City Plan states the City will consider the reduction or elimination of vehicular parking requirements where some of these factors may apply:

- i) Shared parking is possible;
- ii) Transit is readily available or where transit facilities are provided;
- iii) Bicycle parking facilities, or community facilities are provided;
- iv) Land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;
- v) Land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.

The subject property is located directly across the road from transit stops, which connect to multiple local routes, as well as the downtown transit station which provides further access to local and Regional transit routes. The subject property also has access to a protected bike lane along Oakdale Avenue. The subject property is within proximity to the downtown core where a range of commercial and community uses and services are available. Therefore, staff find the variance to be in keeping with the general intent of the Official Plan.

In the opinion of staff, the variances are minor in nature, desirable for the appropriate use of the lands, and are in keeping with the intent of the Official Plan and Zoning By-law.

Maximum encroachment of eaves and gutters into interior side yard – 254, 254B and 254C Oakdale Ave

Variance 9 of Application A-15/23, variance 7 of Application A-17/23 and variance 5 of Application A-18/23 requests an increase in the maximum encroachment for eaves and gutters into the interior side yard for the three proposed townhouse dwellings.

Zoning By-law 2013-283 provides that eaves and gutters may encroach into a required yard but must be set back a minimum of 0.15 metres from a lot line. The provision is intended to ensure sufficient space is maintained for building maintenance and so that stormwater runoff from the roofline is wholly contained within the boundaries of a lot. Due to the staggered design of the townhouse units, there are sections of eaves and gutters along the roof that overhang onto the neighbouring property, and as such, the applicant has requested that the eaves and gutters be permitted at a 0m setback at the property line for all of the proposed attached unit types.

To ensure that no negative impacts are created, the applicant has proposed maintenance easements over the location of the encroaching eaves and gutters. Staff are satisfied that the requested eaves encroachment for the three lots is minor in nature, desirable for the appropriate use of the land, and that the intent of the Official Plan and Zoning By-law are being upheld.

Minimum lot frontage – 254 and 254B Oakdale Ave

Variance 10 of Application A-15/23 and variance 2 of Application A-17/23 request a reduction in minimum lot frontage. The applicant is requesting a reduced lot frontage from 6.0m to 5.8m for the southern townhouse dwelling at 254 Oakdale Avenue. The applicant is requesting a reduced lot frontage from 6.0m to 5.5m for the middle townhouse dwelling at 254B Oakdale Avenue.

The intent of the minimum lot frontage provision is to ensure lots are able to accommodate a functional building footprint, provide safe access and parking, adequate side yard setbacks, amenity space, as well as maintain a consistent streetscape. The reduced lot frontages of 0.2m and 0.5m are considered minor in nature and meets the intent of the Zoning By-law for townhouse dwellings within the R3 zone. The Official Plan supports the creation of new lots to facilitate infill development in residential neighbourhoods that are compatible with the surrounding area. Staff find that the variances will not cause adverse impacts on surrounding properties given that the lots can accommodate the proposed townhouse dwellings, and the proposed lot frontages reflect some of the narrow lot frontages along Oakdale Avenue. The variances will facilitate infill development that aligns with the Official Plan designation of the lands.

Staff are satisfied that the proposed variances are minor in nature, desirable for the appropriate use of lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum distance along each lot line from corner for a corner lot sight triangle – 254 Oakdale Ave

Variance 11 of Application A-15/23 is requesting a reduction in the minimum distance along each lot line from the corner of Oakdale Avenue and Capner Street for a corner lot sight triangle from 6.0m to 0.9m. This provision is more commonly known as a sightline or daylight triangle. Section 2.5 of the Zoning By-law requires a 6.0m by 6.0m sightline triangle for residential zones. The applicant is requesting a reduction in the sightline triangle to 0.9m by 0.9m.

The intent of this provision is to ensure clear and unobstructed sightlines are provided at intersections for the safety of vehicles, cyclists and pedestrians. The Official Plan does not speak directly to sightline triangles. However, section 7.1 of the Official Plan states that development and redevelopment shall have regard for building, site, streetscape and neighbourhood context sensitive design. This includes providing adequate setbacks and supporting safe, accessible and connected transportation linkages. Transportation staff have reviewed the proposed development and have no objections to the proposed sightline triangle of 0.9m by 0.9m. Given the 3.05m – 3.2m road widening being taken along Oakdale Avenue in addition to the existing boulevard, the proposed building will be nearly 6m back from the road. Staff also note that the angle of Oakdale Avenue permits a reduction in the sightline triangle while still providing adequate sightlines for an intersection that does not have a traffic signal. Staff note there are currently no plans to install a traffic signal at this location. As such, staff are satisfied that adequate setbacks are provided for the sightline triangle and that the

proposed variance will not result in adverse impacts for the safety of road users or future residents.

Staff consider the variance to be minor in nature, desirable for the appropriate use of lands, and meets the general intent of the Official Plan and Zoning By-law.

Maximum parking area coverage – 3 Capner St, 254B and 254C Oakdale Ave

Variance 5 of Application A-16/23, variance 8 of Application A-17/23 and variance 6 of Application A-18/23 is requesting to increase the maximum paved area from 20% of the total lot area to the following for each lot:

28.8% for 3 Capner Street
26.1% for 254B Oakdale Avenue
21.4% for 254C Oakdale Avenue

The intent of the maximum paved area is to ensure that lots are not dominated by impervious surfaces and vehicular parking. Two of the three affected lots meet the requirements for minimum landscaped area, despite the increase in paved area. The proposed middle townhouse dwelling unit at 254B Oakdale Avenue is requesting a reduction in landscaped open space; however, as discussed below, staff are satisfied that adequate landscaped open space is provided.

Section 4.3.2 of the GCP states that development/redevelopment should design parking to minimize the impact on the property, surrounding area, and environment. This can be achieved by consolidating and minimizing widths of driveways. Large parking surfaces reduce the opportunity for landscaping in the front yard and detract from the aesthetics of the street. The applicant's proposal prioritizes placing shared parking in the rear of the proposed dwellings in order to reduce the amount of parking in the front. This results in an increase in the paved area, in order to pave the access to the rear of the site. However, it also ensures the proposed parking area will not overwhelm the streetscape. The increase is also requested to accommodate additional parking to construct accessory dwelling units in the proposed dwellings. The applicant has demonstrated that this can be achieved without compromising landscaped open space, lot functionality, or urban design.

As a condition of consent, prior to the new lots being created, a Lot Grading and Drainage Plan must be approved by the City. The drainage design must accommodate the increase in the impervious surface on the lot and ensure that the lot is able to drain to an appropriate outlet without draining onto neighbouring properties. Through this requirement, any impact on drainage that may be caused by these variances will be minimized.

Staff are satisfied the proposed variances are minor in nature, desirable for the appropriate use of lands, and meet the general intent of the Official Plan and Zoning By-law.

Minimum landscaped open space – 254B Oakdale Ave

Variance 9 of application A-17/32 requests a reduction in landscaped open space from 35% total lot area to 28.6% total lot area. This variance is requested for the middle townhouse unit in the three-unit townhouse block.

The intent of the minimum landscaped open space provision is to ensure the lot has adequate landscaping and softscapes to serve as amenity space and facilitate lot drainage. The intent of the provision is also to ensure the lot is not dominated by hard surfaces. The 6.4% reduction in landscaped open space does not negatively impact the ability to provide outdoor amenity space and staff do not have concerns regarding drainage. As a condition of the Consent application, a Grading and Drainage Plan is required to be approved by engineering staff to ensure the site has adequate drainage that will not negatively impact the surrounding area. The proposal includes amenity space with the front porch and rear yard landscaped area. Staff also note that the property is across the road from significant outdoor recreational amenities with access to Merritt Trail. Staff note that due to the land dedications for the road widening along Capner Street and Oakdale Avenue, this removes portions of the lot that could otherwise be considered landscape open space.

Staff find the proposed variance is minor in nature, desirable for the appropriate use of lands, and meets the general intent of the Official Plan and Zoning By-law.

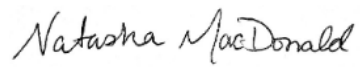
Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-03/23SC**, **B-04/23SC**, **B-05/23SC**, and **B-06/23SC** are in keeping with the relevant policies of the Official Plan, are consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that the variances requested through Applications **A-15/23**, **A-17/23** and **A-18/23**, as outlined in the recommendation of this report, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and development of the lands. Staff recommend that the applications be approved as outlined in the recommendation.

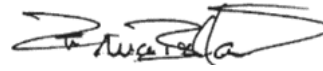
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that variances 1, 2, 4 and 5 requested through Application **A-16/23**, and variance 3 of Application **A-16/23** as adjusted and outlined in the recommendation of this report, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and development of the lands. Staff recommend that the applications be approved as outlined in the recommendation of this report.

Prepared and Submitted by:

A handwritten signature in cursive script that reads "Natasha MacDonald".

Natasha MacDonald
Planner I

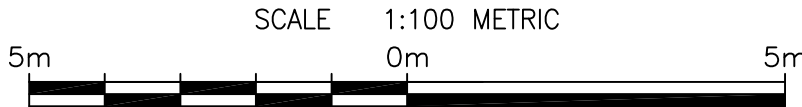
Approved by:

A handwritten signature in cursive script that reads "Bruce Bellows".

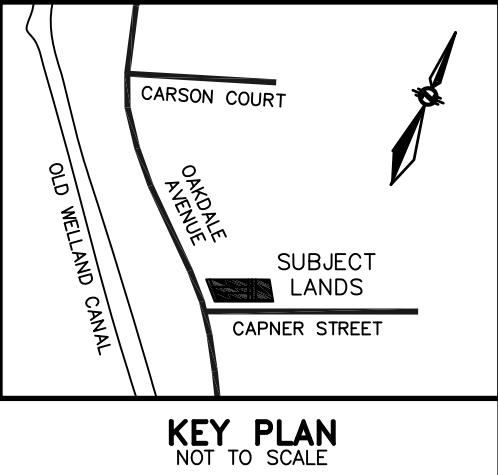
Bruce Bellows
Senior Project Manager

PRELIMINARY SKETCH TO ACCOMPANY AN APPLICATION UNDER THE PLANNING ACT

LOT 3141
CORPORATION PLAN No. 2
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA



AREA SCHEDULE		AREA SCHEDULE	
DESCRIPTION	AREA (m ²)	DESCRIPTION	AREA (m ²)
PART 1	188.3	PART 8	16.3
PART 2	146.0	PART 9	50.3
PART 3	142.7	PART 10	1.0
PART 4	215.9	PART 11	0.9
PART 5	130.1	PART 12	0.9
PART 6	18.4	PART 13	1.0
PART 7	15.6		



KEY PLAN
NOT TO SCALE

CORPORATION PLAN No. 2

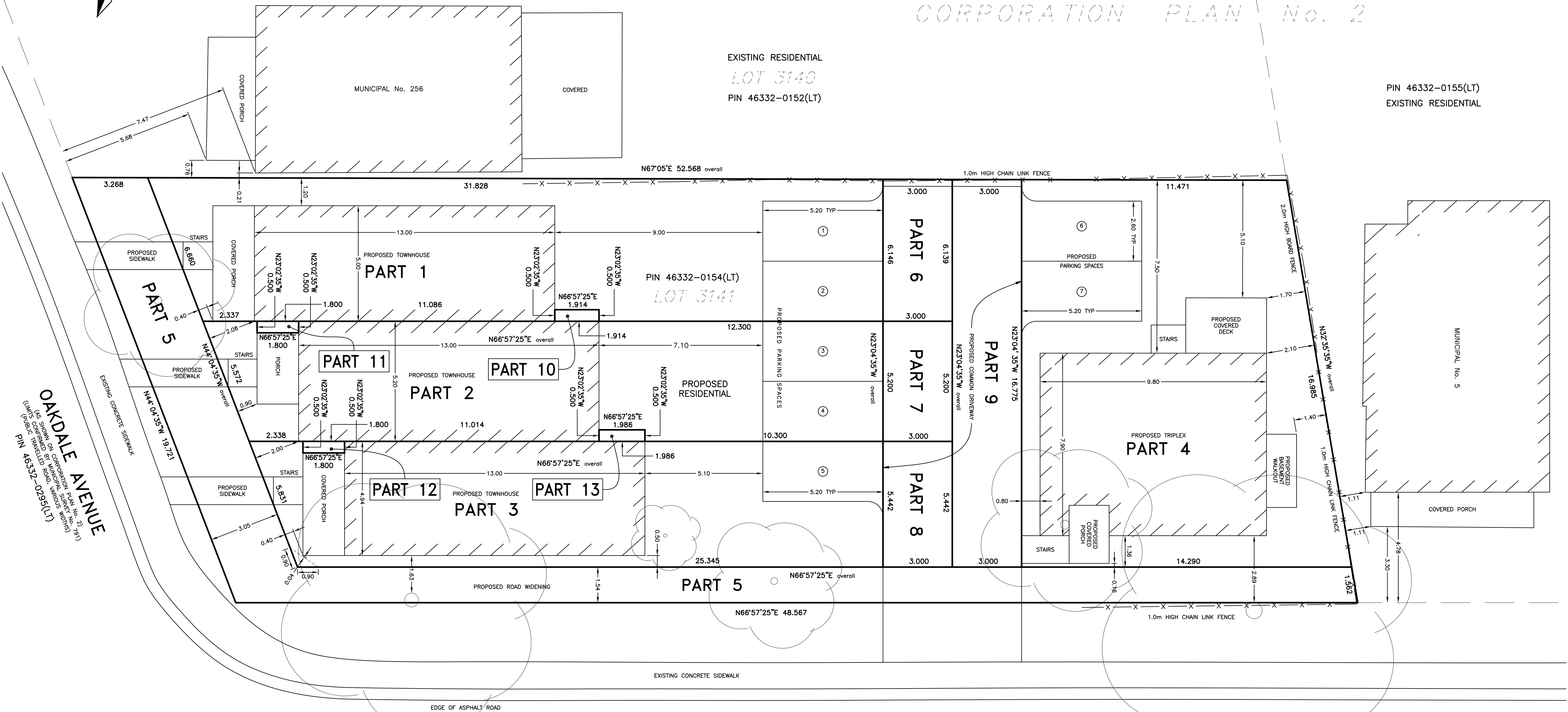
EXISTING RESIDENTIAL

LOT 3140

PIN 46332-0152(LT)

PIN 46332-0155(LT)

EXISTING RESIDENTIAL



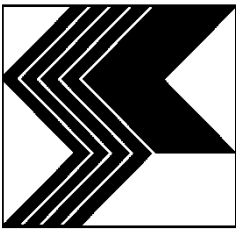
OAKDALE AVENUE
LIMITS SHOWN ON CORPORATION PLAN No. 2, 791
(LIMITS CONFIRMED BY MUNICIPAL SURVEY No. 791)
PIL 46332-0155(LT)

O.L.S.
JANUARY 27, 2023 BRENT LAROCQUE

RICHARD LAROCQUE LIMITED
ONTARIO LAND SURVEYORS & CONSULTANTS
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6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO
905-358-8400
www.larocquegroup.ca

THIS SKETCH IS PREPARED FOR AN APPLICATION UNDER THE PLANNING ACT AND ALL DIMENSIONS ARE TO BE CONFIRMED BY SURVEY.	NOTE: THE LOT DIMENSIONS ILLUSTRATED HEREON WERE OBTAINED FROM PLANS AND DOCUMENTS ON FILE AT THE LAND REGISTRY OFFICE.	METRIC NOTE: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.	© RICHARD LAROCQUE LIMITED No person may copy, reproduce or alter this plan in whole or in part without the written permission of RICHARD LAROCQUE LIMITED.	DRAWN BY: D.B.	CHECKED BY: B.L.	DATE: JAN. 27, 2023	FILE: DWG. FILE: 2021-123A-11
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REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-03-06/23SC



January 20, 2023

ENGINEERING FILE 300-36

Hearing Date: February 1, 2023
Applicant: Ream Professional Investment Corporation
Location: 254 Oakdale Avenue

MUNICIPAL SERVICES

	Oakdale Avenue	Capner Street
Water:	300mm PVC	200mm PVC
Sanitary:	250mm	200mm Clay - North Boulevard 250mm Conc. - Road Centre
Storm:	300mm - West boulevard	375mm - Road Centre
Sidewalks:	Yes	Yes
Road Allowance:	16.50m (Varies)	15.24m

**GENERAL COMMENTS AND ENGINEERING CONDITIONS TO BE IMPOSED IF
CONSENT GRANTED:**

Comment(s): It is noted the Owner wishes to sever Parts 1 & 10, Parts 2, 11 & 13, Parts 3 & 12, Part 4, and Parts 6, 7, 8 & 9, for the construction three townhouse dwellings, a triplex dwelling, and access/egress rights over the above properties to the proposed benefitting owners, respectively, creating new lots on Oakdale Avenue and Capner Street. Part 5 is proposed to be dedicated to the City as a road widening, **however separate parts for the widenings along Oakdale Avenue and Capner Street must be accommodated.**

Roads

Oakdale Avenue is designated Collector Mixed-Use Corridor as per the City’s Transportation Master Plan, with a desired right-of-way width of 23.0m along this section. The City shall require a road widening along Oakdale Avenue of 3.048m in accordance with a widening previously acquired as per Plan 30R-8358 and transferred to the City free and clear of any encumbrances to be known as Public Highway *Oakdale Avenue*. A separate part for the Oakdale Avenue widening shall be identified further.

Capner Street is designated a Community Road as per the City’s Transportation Master Plan, with a desired right-of-way width of 20.0m. The City shall require a road widening along Capner Street of 1.54m in accordance with a widening previously acquired as per Plan 30R-14900 at 260 Oakdale Avenue and transferred to the City free and clear of any encumbrances to be known as Public Highway *Capner Street*. A separate part for the Capner Street widening shall be identified further.

A draft reference plan shall be submitted for review and approval prior to the registration in the Land Registry Office and forwarded to the City. The City will then move forward with acceptance of the land transfers by Municipal By-law.

Sidewalks

Sidewalks exist along both frontages. Sidewalk damage deposits shall be obtained through the Building Permit process to ensure the protection of these services throughout the construction process, if approved.

Engineering Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. The owner must retain at their cost, a qualified Engineer, or Ontario Land Surveyor to prepare a Master Lot Grading and Drainage plan for the proposed lot. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the consent. City staff will review the plan to ensure that the drainage scheme of the proposed future lots convey drainage to suitable outlet(s), while at the same time not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer **exists** on Capner Street, weeping tile drainage shall be discharged via sump pump to a dedicated storm sewer lateral through the front foundation walls only, **applicable to the Proposed Triplex dwelling and the southern-most proposed townhouse dwelling**. The remaining northerly townhouse dwellings shall discharge sump pump flows at grade to the front yard only, through the front foundation walls. The house designs shall ensure rainwater leaders (downspouts) and sump pumps are directed and discharged accordingly.

The Owner shall be responsible to pay the fees for City crews to locate, trace, inspect and document the water and sewer service laterals for the existing dwelling, to confirm they do not conflict with any existing or future lot lines. If any of the existing services are determined to conflict with existing or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit. The Owner shall also pay the City to relocate any portion of those services on public property. The Owner must also pay the City to install a water service, storm, and sanitary laterals for the new lots from the City sewers and watermain to the property lines, through the Building Permit process. Payment for the services for the newly created lots shall be obtained at the building permit stages. **The City shall not authorize the installation of services to new lots prior to the lots being registered and legally created through the severance application.**


The City has recently received inquiries from the Owners of 5 Capner Street, regarding the sewer service lateral for that dwelling potentially crossing onto and within the rear of the subject property. Confirmation between the applicant and owners of 5 Capner Street should be confirmed regarding the location of this private sewer lateral, as City records cannot confirm the location of laterals on the private portions of properties, without requests and payments made accordingly by the Owners.

Condition(s): Prior to the finalization of the proposed consent the Owner shall:

- Provide the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City, free and clear of any encumbrances, the widenings across the frontages of the subject property, to be known as Public Highway *Oakdale Avenue* and *Capner Street*; and
- Pay the fee for City crews to locate, trace, inspect and document the sewer laterals and water services for the existing dwelling; and
- If determined existing laterals or water services conflict with

existing or future lot lines, the Owner shall complete any relocation works on private property through a Plumbing Only Permit. The Owner shall also pay the City to complete any associated relocation works required on City property; and

- Arrange to have a Master Lot Grading and Drainage plan prepared by a qualified Engineer or Ontario Land Surveyor for review and approval by City staff



Prepared by:

Brad Johnston, C.E.T.
Development Engineering Technologist

- c. Development Engineering Staff (2), (email only)
Manager of Building and Development, (email only)



Memorandum

To: Jayne Nahachewsky,
Committee of Adjustment Secretary-Treasurer

From: Sean Ip, *Development Engineering Technologist*

CC: City Committee of Adjustment Staff Members

Date: January 20, 2023

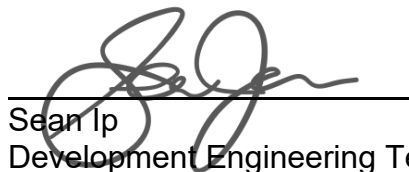
Hearing Date: February 1, 2023

Subject: **Committee of Adjustment - Minor Variance Applications**
18 St. Louis Street – A-01/23
125 Westchester Crescent – A-03&04/23
174 Woodside Drive – A-05/23
77 Roehampton Avenue – A-09/23
10 A & 10B Smythe Street – A-11&12/23
254 Oakdale Avenue – A-15,16,17,&18/23
539 Eastchester Avenue East – A-20/23

Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants are to be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:



Sean Ip
Development Engineering Technologist

To: Jayne Nahachewsky, Committee of Adjustment Secretary-Treasurer, PBS

Cc: Natasha MacDonald, Planner I, PBS
Lawrence Martineau, Urban Forestry Technician, MW

From: Amanda Knutson, Community Project & Development Planner, CRCS

Date: January 30, 2023

Subject: 254 Oakdale Avenue
Applications for Consent to Sever and Minor Variance
February 1, 2023 Hearing

File Nos.: 254 Oakdale Avenue, Consent, B-03/23SC, 22 115387 LD
254 Oakdale Avenue, Consent, B-04/23SC, 22 115395 LD
254 Oakdale Avenue, Consent, B-05/23SC, 22 115397 LD
254 Oakdale Avenue, Consent, B-06/23SC, 22 115402 LD
254 Oakdale Avenue, Minor Variance, A-15/23, 22 115390 MV
254 Oakdale Avenue, Minor Variance, A-16/23, 22 115393 MV
254 Oakdale Avenue, Minor Variance, A-17/23, 22 115394 MV
254 Oakdale Avenue, Minor Variance, A-18/23, 22 115396 MV

CRCS staff have reviewed the materials submitted with above-noted applications and offer the following comments.

There are several existing mature trees location along the Oakdale Avenue and Capner Street frontages of the subject property, two of which are either wholly or partially located in the City's road allowance. As was requested during the pre-submission consultation stage, the applicant submitted with these applications a Vegetation Protection Plan, prepared by Pineridge Tree Services and dated October 3, 2022. Unfortunately, the location of existing trees was not accurately depicted in neither the VPP, nor the survey sketch. While CRCS has had an opportunity to review the revised survey sketch, dated January 27, 2023, a revised VPP was not available as of the date of this Memo.

CRCS and Forestry Services staff have attended the site to evaluate three mature trees in particular; a Silver Maple (tree no. 1 in the VPP), a Sugar Maple (tree no. 5 in the VPP), and a Norway Maple (tree no. 10 in the VPP).

The Silver Maple tree located on what is currently private property but will become public property once the required road allowance widening (Part 5 on the attached plan) is dedicated to the City. The tree is not a desirable specimen; it will need to be removed and stumped by the applicant prior to the City receiving the road widening.

The Sugar Maple tree is located at the corner of Oakdale Avenue and Capner Street, adjacent to the proposed corner townhouse unit. The tree straddles the boundary between the subject lands and road allowance and is therefore co-owned by the City. Although the tree is currently in excellent condition, development of the townhomes in such proximity to the tree will have significant impacts on it. We note that the tree would be impacted even if the proposed exterior side yard setback of 0.5 metres was increased to the minimum 3.0 metres prescribed by the Zoning By-law. Forestry Services staff estimate that the post-development lifespan of this tree is estimated to be less than ten years. As such, the City will not require that this tree be retained, rather the applicant will be responsible for the cost for City crews (or our contractors) to remove and stump the tree, as well as the cost to replace the tree at a rate of 4:1.

The Norway Maple tree is located along Capner Street, in front of the proposed triplex dwelling. This tree is also in excellent condition, but will enjoy a larger separation from the building foundations than the Sugar Maple. While to offer no objection to the proposed reduced front yard setback, CRCS will require that this tree be preserved and protected. To that end, the applicant will need to submit a revised Vegetation Protection Plan to the satisfaction of the City, outlining the necessary tree preservation and protection methods to be implemented through the future development agreement process. Further, the applicant will be required to pay the cost for City crews (or our contractors) to complete necessary pruning of the tree prior to construction. We note that the driveway and site services for the triplex dwelling will need to be located outside of the minimum tree protection zone, likely beneath the proposed driveway.

CRCS offers no objection to the proposed severance, nor the related minor variances. However, should the applications for consent be approved, CRCS recommends the following conditions be imposed:

1. That the applicant submit a cash payment in lieu of parkland dedication in accordance with the City's Parkland Dedication By-law No. 74-72 or 2022-173, whichever applies. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit payment for the placement of one new 60mm boulevard tree for each new lot created, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for removal of the existing Sugar Maple tree located at the corner of Oakdale Avenue and Capner Street by City crews, or its contractors.
4. That the applicant submit payment for four new 60mm boulevard trees as replacement for the existing Sugar Maple tree to be removed.
5. That prior to the required road widening being dedicated to the City, the applicant remove completely, at its own expense, the Silver Maple located within the road allowance widening to be dedicated to the City, and that the boulevard in the affected area be reinstated with fine grading and sod, all to the satisfaction of the City.

6. That the applicant submit to the City for review and approval a revised Vegetation Protection Plan addressing the City's existing Norway Maple tree to be retained along the Capner Street frontage.
7. That the future development agreement and associated site plan, site servicing, and grading and drainage plans incorporate the recommendations of an approved Vegetation Protection Plan (including tree preservation and protection clauses) for the existing Norway Maple tree.
8. That the applicant submit payment for any necessary pruning of the City's existing Norway Maple tree by City crews, or its contractors.

*Amanda Knutson
Community Project and Development Planner
Community, Recreation and Culture Services*

January 17, 2023

City of St. Catharines
City Hall
50 Church St
P.O. Box 3012
St. Catharine's, ON
L2R 7C2

Attention: Jayne Nahachewsky

File# 22 115390 MV, 22 115393 MV, 22 115394 MV, 22 115395 MV, 22 115396 MV, 22 115397 MV, 22 115387 MV, 22 115402 MV

Re: 254 Oakdale Ave

In response to your correspondence dated January 16, 2023, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- Proposed townhouse development is in conflict with existing overhead secondary service to 256 Oakdale Ave. Contact ICI Group to review options for new and relocated services.

We would also like to stipulate the following:

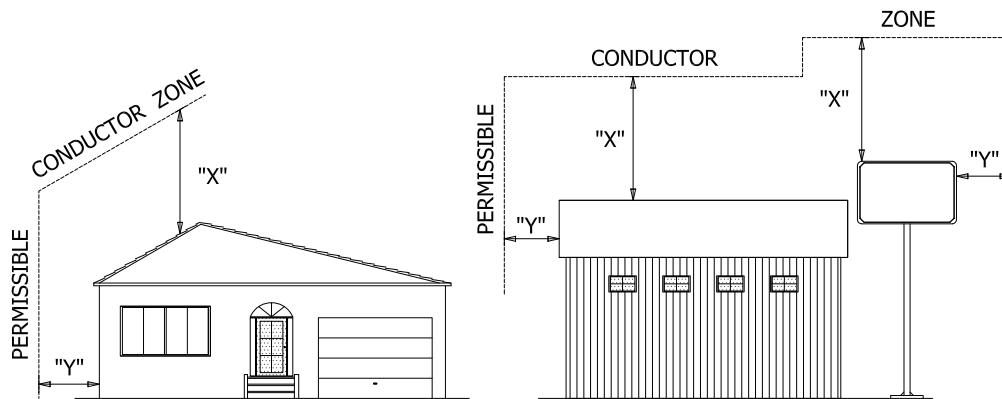
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



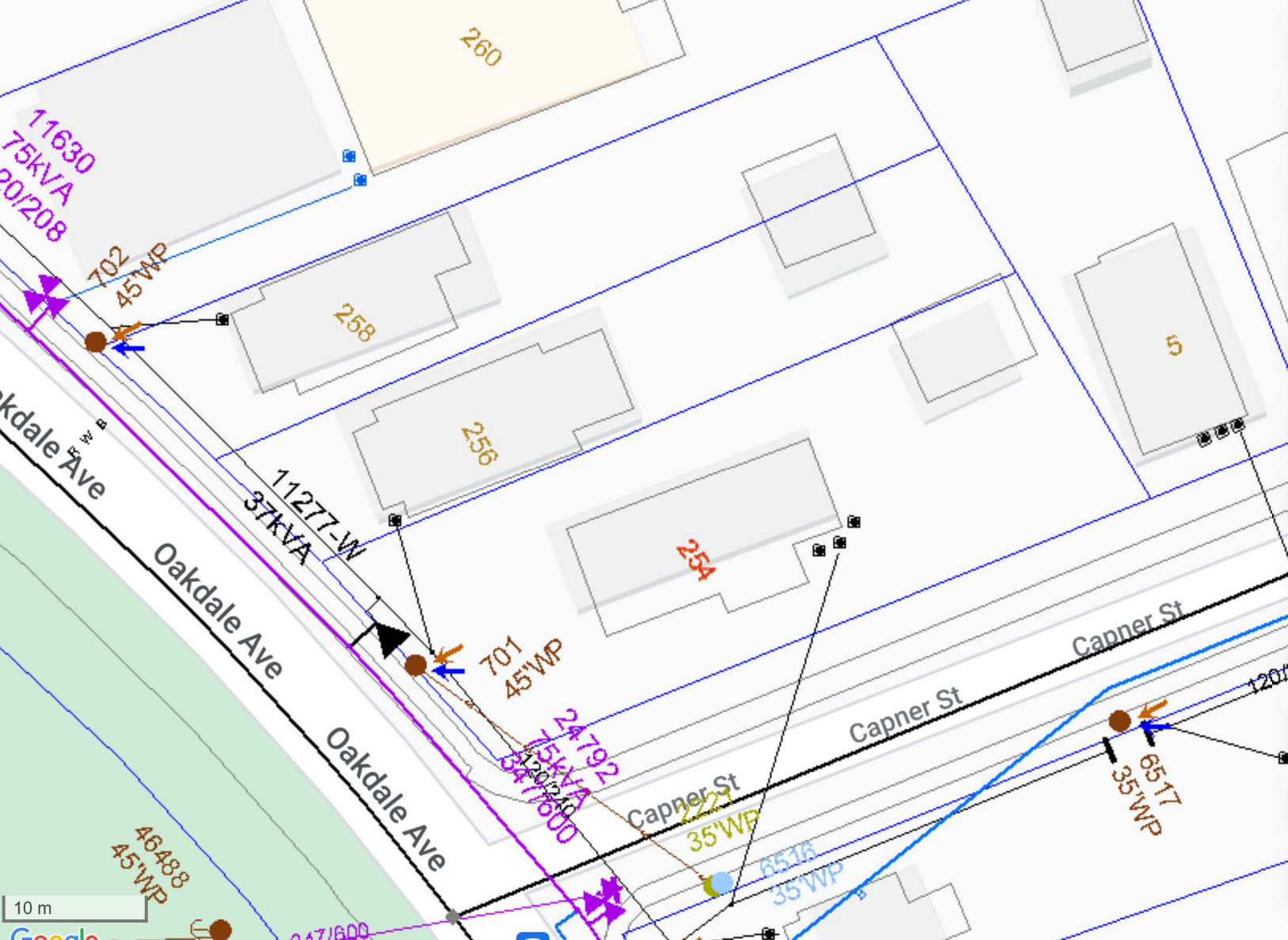
- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.



Nahachewsky, Jayne

From: Doug Crown
Sent: Tuesday, January 17, 2023 1:45 PM
To: Nahachewsky, Jayne
Subject: Re: Request for Comments - Committee of Adjustment Applications for Hearing to be held on February 1st, 2023

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jayne
Cogeco has no concerns with these applications.

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

On Mon, Jan 16, 2023 at 10:48 AM Nahachewsky wrote:

Good Morning;

Hope you are well.

Please find the links for each application that includes the Notice of Hearing, application, justification reports and sketches scheduled for the Wednesday, February 1st, 2023 Hearing @ 5pm below. If you have any comments, please forward them to us by Monday January 23, 2023.

18 St. Louis Place

174 Woodside Drive

Nahachewsky, Jayne

From: SHLLAKU Paul <Paul.Shllaku@hydroone.com>
Sent: Tuesday, January 24, 2023 10:03 AM
To: Nahachewsky, Jayne
Subject: St.Catharines - 254 Oakdale Avenue- B-03-23SC

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

We are in receipt of your Application for Consent, B-03-23SC dated January 16,2023. We have reviewed the documents concerning the noted Application and **have no comments or concerns at this time.** **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map

Nahachewsky, Jayne

From: Wendy Edmonson
Sent: Friday, January 27, 2023 10:42 AM
To: Nahachewsky, Jayne
Subject: 254 Oakdale Avenue Notice of Hearing

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I own the property at 5 Capner St. I share a property line with 254 Oakdale . My sewer line is on the property being developed at 254 Oakdale Avenue. In the past I have had sewage issues at my home. This is when the city found out that my sewer line is on this property. I was instructed by city staff to contact previous owners the " Parent family ". I was to ask permission for the city to remove Parents fence so repairs to the sewer line caused by the large tree beside my house, but on city property could be completed. Work was completed and I have had no issues since. The city have no record of the repair or where the sewer line is. I just want this noted in your Hearing on Feb 1, 2023.

Thank you
Wendy Edmonson
5 Capner St.
St. Catharines , Ontario.