

To whom it may concern,

With respect to the proposed Zone Changes concerning restrictions for RV's in residential areas (i.e. on our property).

I would like to bring to your attention some pertinent facts.

Firstly, you have to understand that many of our motorhomes cost significantly more than our homes. A great deal of money and time have been put into our chosen life style. Our RV's are usually off the property more than they are on, and when we return from a trip, we have to leave power on to keep our appliances safe i.e. freezer and refrigerators and furnaces.

If we are not allowed to keep our motorhomes on our property, we would have to completely empty them of all foods and clothing. Then we would have to find a place where it would be allowed to store them. This would no doubt be very expensive and would leave our very expensive belongings open to theft, vandalism and rodent damage; the latter of which could very easily contribute to serious health concerns.

On top of all of these problems, if we are not allowed to keep our units heated in cold weather, our water systems could very easily burst; again a very real and costly problem.

I should also mention that keeping our RV on our property brings significant money into the city i.e. Hydro, gas, groceries, etc.

I would like to urge you to take very careful consideration to my concerns before you make your decision. I know my views are shared and echoed by every person this decision will impact.

Finally, it is my opinion that it is not right to bring this matter up at this time of the year, when it is common knowledge that the large number of people who would be impacted by a negative decision, have already left the city and do not have a voice in the outcome.

Yours sincerely,

Mac Kinsella

Argyle Cres

St. Catharines

RPT	REC'D	INFO	P.D.S	INIT.
			REFERRED TO	
			E. Savara	
DATE REC'D →	OCT 16 2013		SCAN <input type="checkbox"/>	
FILE NO				

## Savoia, Ellen

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**From:** Kerry [REDACTED]  
**Sent:** October 9, 2013 4:56 PM  
**To:** Savoia, Ellen  
**Subject:** Comp By-law

Ellen:

Further to our telephone conversations specifically as it relates to the below-noted provisions, I offer the following comments:

1) Page 48: 8.3 General Provisions b) (i)

There appears to be some ambiguity in the text in terms of the component of that provision that relates to a residential building being converted to mixed use and what the "maximum combined non-residential glfa shall not exceed 50% of residential floor area on the lot" means. In other words, you clarified that the denominator of the formula will be the total square footage of residential prior to the conversion, not after the conversion as you thought that it might be.

In terms of numbers, if the residential square foot was 900 sq ft prior to conversion, the maximum square footage allowed for non res after conversion would be 450 square feet, as opposed to 300 square feet of non-residential and 600 square feet of residential if the denominator was square foot of residential AFTER the conversion.

2) Page 47 8.2.1: Footnote d) notes the Funeral Home use but there is no definition of same. Small point as that is relatively common defined use over time.

Thank you.

Kerry

Kerry Leask, CCIM, Broker of Record



Leask Realty Inc., Brokerage  
67 Queen Street  
St. Catharines, Ontario, L2R5G9  
[REDACTED]  
[REDACTED]

Click [here](#) to report this email as spam.



October 7, 2013

Ms. Ellen Savoia, MCIP, RPP  
Planner  
Planning and Development Services  
City of St. Catharines  
50 Church Street  
St. Catharines, Ontario, L2R 7C2

RPT	DECISION	P.D.S.	REFERRED TO	INITIALS
			E. Savoia	
DATE RECD	OCT - 9 2013	SCAN	<input type="checkbox"/>	
FILE NO	600-35-11 V.C. - comments			

Dear Ms. Savoia:

**RE: Comments and Recommendations on the Proposed Bicycle Parking Provisions in the Draft St. Catharines Comprehensive Zoning By-law**

The provision of secure, safe and convenient bicycle parking is extremely important if we are to encourage more people to cycle in our community. The City's newly approved Official Plan rightly places more emphasis on active transportation as a way to provide greater mobility choice and, which in turn leads to improved personal health and liveability of our City. Thus, the City's current work on the new Zoning By-law is so very important for achieving this goal. With this in mind we have the following comments and recommendations for some modest changes to the final draft By-law.

At the outset, we want to congratulate City Planning staff for their considerable work on revising and updating such an important planning and development tool. From a bicycle planning standpoint, the draft comprehensive Zoning By-law (revised August 23, 2013) introduces some new parking requirements that never existed in the current By-law. This is long overdue and quite helpful. We generally support the bicycle parking provisions proposed by Planning staff for the land use types listed in Section 3.15.

Having said this, we believe that the proposed provisions can and should be enhanced to support more trips by people who cycle. Other cities we are aware of across Ontario like Ottawa, London and Toronto, are rethinking their by-laws as they apply to bicycle parking for people who either have brief visits to a place, or may require longer-term storage while they work or travel.

In essence, it is our view that that the City's proposed zoning provisions focus primarily on the **short-term parking needs** for people who briefly visit the land use types identified in sub-section 3.15.2. A simple post and ring structure (which accommodates 2 bikes) in front of a building entrance usually is adequate for such brief visits. The zoning provisions, however, do not appear to support the **longer-term parking needs** of those people who may want to safely leave their bicycles for extended periods of time over the course of a day while they work or travel. Long-term bicycle parking should be sheltered from the elements, highly visible and more secure in order to minimize the risk of theft. Major transit stations, public parking garages, apartment buildings and work places are key land uses that would benefit from safer, more secure storage facilities like locked cages or bicycle lockers. Public recreation centres also could benefit.

Therefore, to address these concerns, it is requested that the following fairly modest changes (underlined for emphasis) be made to the draft By-law to require both short-term and long-term parking requirements for a few key land use types. Eventually, all land uses should be included:

- That the City include two new definitions in the By-law to define "**Short-term Bicycle Parking Facilities**" and "**Long-term Bicycle Parking Facilities**" according to their function, need and duration.



- **For Apartment Buildings:**

- Short-term bicycle parking- Accept City Staff proposal in sub-section 3.15.2
- Long-term bicycle parking- Minimum of 1 space per residential unit

- **For Government Offices:**

- Short-term bicycle parking- Accept City Staff proposal in sub-section 3.15.2
- Long-term bicycle parking- Minimum of 10 spaces

- **General Employment Uses (e.g. Industrial Uses):**

- Short-term bicycle parking- Minimum of 2 spaces
- Long-term bicycle parking- Minimum of 4 spaces

- **Major Transit Stations:**

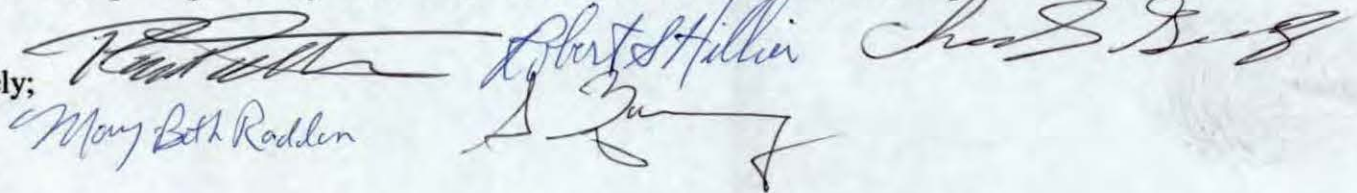
- Short-term bicycle parking- Minimum of 6 spaces
- Long-term bicycle parking- Minimum of 20 spaces

Before closing; we would like to offer two suggestions that we believe would help demonstrate the City's commitment to building a more bicycle friendly community in Niagara:

1. Like the other cities previously mentioned, St. Catharines would benefit by preparing a more detailed "Bicycle Parking Planning & Design Guidelines" document for both on-street and off-street bicycle parking. This document would be helpful to developers and the City in the development, design and location of high quality bicycle parking facilities.
2. The City should consider undertaking a pilot project at the new Carlisle Street parking garage to install a locked cage, bike station or bicycle lockers near the location of the parking attendant in order to accommodate longer-term bicycle parking. This possibly could include the required bicycle parking for the adjacent bus terminal. While the current bicycle parking racks are appropriate for brief durations, they are not designed or located for secure for longer-term use.

Finally, thank you again for including new bicycle parking requirements in the new draft comprehensive Zoning By-law. We hope that Planning staff and City Council will enhance these requirements to support cyclists who need more secure parking for longer periods in the day. It is requested that a copy of this letter be included in the information package for City Council for discussion and decision at its meeting on November 18<sup>th</sup>.

Sincerely;



Mary Beth Raddon, Robert Hillier, Paul Pattison, Charles Gervais, Connie and Gary Murphy  
Concerned Cyclists and Residents of St. Catharines



60-35.11 v.c  
comments

**Savoia, Ellen**

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**From:** Williamson, Britney  
**Sent:** October 7, 2013 8:25 AM  
**To:** Savoia, Ellen; Blozowski, Kevin; Bellows, Bruce  
**Subject:** FW: Comments on Proposed Zoning By-Law  
**Attachments:** Estate Lots.doc

Britney Williamson  
Planner I  
Planning and Development Services  
City of St. Catharines  
PO Box 3012, 50 Church Street  
St. Catharines, ON, L2R 7C2

Tel: (905) 688-5601 ext. 1704  
TTY: (905) 688-4TTY (4889)  
Fax: (905) 688-5873  
Email: [brwilliamson@stcatharines.ca](mailto:brwilliamson@stcatharines.ca)

Help Zone Your St. Catharines. Find out more at  
<http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp> and visit us on facebook at  
[www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)

**From:** John Bacher [REDACTED]  
**Sent:** Sunday, October 06, 2013 2:54 PM  
**To:** Williamson, Britney  
**Cc:** [REDACTED]  
**Subject:** Comments on Proposed Zoning By-Law

<="" style="">

Britney could you please pass on to the Planning Department. Thanks, John Bacher

Click [here](#) to report this email as spam.

Zoning-By Law Should Contain Provisions to Protect Historical Estate Lots  
October 6, 2013

by Dr. John Bacher (PhD)

A recent development through my involvement with the St. Catharines Heritage Committee has drawn my attention to a problem that is not currently adequately addressed in the current Garden City Official Plan and the zoning by-law that has been developed to implement it. This is the unique situation regarding estate lots that were created from remnant horticultural operations north of the Queen Elizabeth Highway and east of Martindale Pond.

One of the most important elements of St. Catharines' heritage is related to agriculture. While its remaining farms are protected through the Greenbelt, inside its urban boundaries are remnant farm houses that have been converted to residential use. Some of these properties have lots which are larger than normal suburban residential lot. These often are quite beautiful, with impressive arrays of trees and various flowering shrubs. St. Catharines in the 19<sup>th</sup> century became recognized as the Garden City because of the efforts at beautification of these pioneer fruit growers and nurserymen.

Where they exist estate lots created as the remnant of an intensive horticultural operation of the period between 1870 and 1900 are quite historically significant. They were part of farms during an important historical period when the Ontario Fruit Growers Association (OFGA) led the way in the development of a new sensitivity towards the natural environment in Ontario. Under the leadership of nurserymen such as Delos Beadle, who served as a municipal councillor, the OFGA led the way in the development of policies to protect Ontario's threatened forests.

Two recent cases have served to highlight the significance of estate lots in St. Catharines. One is 179 Lakeshore. Here because of the concerns of loss of tree cover the Ontario Municipal Board, (OMB) rejected an effort to subdivide an estate lot. Currently the St. Catharines Heritage Committee is engrossed in deliberations concerning another magnificently treed estate lot on 57 Lakeshore.

The Town of Niagara on the Lake has long had distinctive policies to recognize estate lots in the historic town core. This is in addition to their historic significance because of the reality that such lots by their extensive tree cover, contribute significantly to the beauty of the community. Similar provisions are needed in St. Catharines, or our remaining estate lots will soon vanish.

Before the St. Catharines comprehensive zoning by-law is adopted in November, the St. Catharines Planning Department should develop a special policy to protect estate lots. This would certainly be in keeping with the Garden City objectives of our official plan.



60-35-11-V.C  
comments

**Savoia, Ellen**

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**From:** John Perry [REDACTED]  
**Sent:** October 5, 2013 11:45 AM  
**To:** Button, Jessica  
**Cc:** Savoia, Ellen; [REDACTED]  
**Subject:** 75 Scott Street  
**Attachments:** Letter to Jessica May 28.docx

Hi Jessica:

I wrote to you on June 3, 2013 regarding my client's property at 75 Scott Street. The letter indicates that we requested C1 Zoning for lot 1 and R2 Zoning for lots 2 and 3 as shown on the attached registered plan. At that time my client's property was to be zoned C1 commercial in its entirety with the abutting lands zoned R1. The latest draft zoning by-law (August 2013) zones the area R2 but still leaves all my clients property zoned C1. Is this an over site or intentional. Please let me know. Thanks.

June 3, 2013

City of St. Catharines  
Planning Services  
P.O. Box 3012  
50 Church Street  
St. Catharine ON  
L2R 7C2

**ATTENTION: Jessica Button, Planner**

**SENT ELECTRONICALLY AND VIA REGULAR MAIL**

Re: 75 Scott Street West

Dear Ms Button:

I represent ■ the owner of property located at 75 Scott Street West in the City of St. Catharines. The property consists of 3 lots in a registered plan. The property has 244 feet of frontage along Scott Street West and 233 feet of frontage along Maywood Avenue. The property is triangular in shape. Lot 1 contains and existing commercial use. Lots 2 and 3 are vacant.

In reviewing the City's Draft Zoning By-law it appears that all of ■ property is proposed to be zoned Local Convenience Commercial (C1). This proposed zoning includes Lots 2 & 3, which are vacant and have development potential for residential use. Lot 3 for example is a through lot fronting on both Scott Street and Maywood Avenue. Lot 3 could be split into two building lots each with frontage on a public road. Lot 2 is also a through lot and could be split as well although the new lots created may need an adjustment to the zoning by-law for lot area and setbacks.

It is also noted that the block bounded by Scott Street West, Maywood Avenue and Colinwood Avenue is proposed to be zoned Residential (R1) Zone except for ■ property which is proposed to be zoned Local Convenience Commercial (C1) Zone. The lot configuration in that block would suggest that a Residential (R2) Zone would be more appropriate.



*Professional Planning Services Inc*

■ *Fairlawn Crescent*  
*Welland, Ontario*  
*L3C 5Z2*

In summary it is our request the draft zoning by-law be changed so that the block bounded by Scott Street West, Maywood Avenue and Colinwood Avenue is zoned Residential (R2) Zone with the exception of Lot 1 of ■ property which should remain zoned Local Convenience Commercial (C1) Zone.

Respectfully,

John Perry MCIP RPP

■

City of St. Catharines  
Planning & Development Services  
P.O. Box 3012  
50 Church Street, ON  
L2R 7C2

RPT	DECIDE	INFO	P.D. September 30, 2013	
			REFERRED TO	INIT.
			E-Savoia	EC
DATE REC'D →		OCT - 1 2013		SCAN <input type="checkbox"/>
FILE NO		60-55-11 v.c		

ATTENTION: Ellen Savoia, Planner

Re: [REDACTED] - 1388 Third Street, St.Catharines

Dear Ms. Savoia:

I represent the [REDACTED] located at 1388 Third Street in the City of St. Catharines. The property consists of 6.91 ha (17 acres) and is currently occupied by the church buildings and a parking area. A site plan application has been submitted to the City showing the existing church and building addition, two junior soccer fields, a playground area, future pavilion, an intermediate soccer field, two senior soccer fields and associated parking.

The City of St. Catharines Zoning By-law 84-119 was passed on the April 30, 1984. Section 11.3 of the By-law repeals all previous By-laws applying to the defined area contained in By-law 84-119. Schedule A to By-law 84-119 shows the area covered by the By-law. The subject land consisting of the property at 1388 Third Street and 1370 Third Street are zoned Agricultural (A) Zone and Environmental Protection Area (EPA) Zone. The Environmental Protection Area (EPA) Zone applies the rear portion of the property that abuts Richardson Creek. The Environmental Protection Area (EPA) Zone would apply from the top of bank as shown on the site plan to the water's edge of Richardson Creek.

Section 4 of By-law 84-119 - Definitions subsection 4.11 defines a church as:

*"4.11 Church: means a building owned by a religious organization used for worship and related religious, philanthropic or social activities, including accessory rectories, manses, classrooms, dormitories and accessory buildings."*

The [REDACTED] Church complies with the definition. Section 4.20 defines existing as existing prior to the passing of By-law 84-119. The [REDACTED] Church was existing prior to the passing of By-law 84-119



Section 6 subsection 6.1 of By-law 84-119 lists the permitted uses and regulations for lands within the Agricultural (A) Zone. Existing churches are listed as a permitted use.

The City of St. Catharines Draft Zoning By-law (August 23, 2013) proposes to zone the [REDACTED] Church property Agricultural (A1) which permits the following principal uses being: *"Agricultural Farm and Dwelling Detached* and the following accessory uses: *Agri-tourism/value added, help house, home industry, winery"*. Churches are not permitted.

The Draft Zoning By-law defines a church as:

*"Place of Worship: means a building, structure or part thereof, which is primarily used for the practice of religious and faith-based spiritual purposes wherein people assembly for faith based worship and teachings, fellowship and community social outreach."*

The preparation and passage of the City of St. Catharines Draft Zoning By-law is guided by the Provincial Greenbelt Plan, which identifies the [REDACTED] Church as being within the Tender Fruit and Grape Lands area. Section 5.2.1 – Decisions on Applications Related to Previous Site Specific Approvals, second paragraph states that:

*"Where a zoning by-law was amended prior to December 16, 2004 to specifically permit land use(s) this approval may continue to be recognized through the conformity exercise described in section 5.3 and any further applications required under the Planning Act or Condominium Act, 1998, to implement the use permitted by the zoning by-law are not required to conform with this Plan."*

By-law 84-119 replaced the previous zoning by-law 70-27. By-law 84-119 specifically permitted existing churches only. New churches are not permitted. The By-law did not identify each existing church but is specific to only churches that existed prior to the passing of By-law 84-119. In this regard by specifically referring to only existing churches Section 5.2.1 of the Greenbelt Plan is applicable and the approval of the [REDACTED] Church can continue and is in compliance with the Greenbelt Plan.

The request of the [REDACTED] Church is that the Draft Zoning By-law (August 23, 2013) be modified to identify the church property as a site specific Agricultural Zone exception permitting the full range of agricultural uses and a Place of Worship and should the Place of Worship use cease and be abandoned the lands then can only be used for agricultural purposes. The Church also requests that the definition of Place of Worship as it applies to the [REDACTED] Church be

changed to better reflect the current and planned activities of the church and propose the following definition:

*"For the purposes of Agricultural Exception A1-\_\_ Place of Worship shall include various forms of religious expression through such things as the arts, recreation and other community orientated services/activities and shall include the right for the existing use of the site to undergo internal conversions and external additions"*

I would be pleased to meet with you to discuss in detail the requested modification and if you have any questions please contact me at ■■■■■

Finally I request to be provided the notice of the required Public Meeting pursuant to the provisions of the Ontario Planning Act.

Respectfully,



John Perry MCIP RPP

■■■■■



September 28, 013

Attention ; Ellen Savoia , Planning Department  
St. Catharines City Hall ,  
50 Church Street ,  
PO Box 3012 , St.Catharines ON , L2R 7C2

Dear Ellen ,

At last week's Open House you may recall that we briefly discussed my inquiry about paper conversion & recycling . Further to this matter , please find enclosed an outline of same . Perhaps you could attend to this matter or pass it along , as you wish .

Regards

John Wilkinson

RPT	DECISION	INFO	P.D.S
			REFERRED TO
			<i>E. Savoia</i>
			INIT.
			<i>EB</i>
DATE REC'D →	OCT - 1 2013		SCAN <input type="checkbox"/>
FILE NO	<i>600-35-11 V.C</i>		

*Comments*

September 28<sup>th</sup> , 2013

An Inquiry Regarding ;  
the proposed New Zoning By Law and Changes as outlined  
in Zone Your St.Catharines , Draft March 18<sup>th</sup> , 2013.

The Inquiry centers on the wording of Special Provision #67 - an Additional Permitted Use for the industry located at 45 Merritt St. in St.Catharines.

The focus of the Inquiry centers on the terms 'paper converting' and 'recycling' as used in this wording on page 121 in Zone Your St.Catharines

"Paper manufacturing providing ..... and shall include the right for the existing use of the site to undergo internal conversions and external additions to provide for a paper converting facility and related warehouse space , however not for recycling

The concern is that these two terms require clear definitions in order to effectively operate within the framework of a 'Special Provision' .

1. Eg. Is there a difference in meaning between paper recycling and paper conversion or are they synonymous terms . Is the wording " however not for recycling " meant to imply a difference ? If so what is the difference ?
2. Eg. Do paper converted products originate entirely from paper or do they originate from a mixture of non paper and paper based materials ?
3. Eg What are clear , simple examples of products converted from paper and examples of recycled paper products ? Exactly how are they different or are they different ?

Thank you for your attention to this matter

Regards ,

John Wilkinson



**Question and Answer Session following presentation at 2:30pm**

Q: It seems that everyone wants exceptions to the existing by-law and that council approves these applications. Once approved, what is the ability to keep the zoning by-law the way it is written?

A: Everyone has the right to make an application for an amendment or a minor variance. The application is circulated to various agencies for comment, but council has the final say.

Q: If you own property on a regional road and you want to do something different with your property, do you have to deal with the Region?

A: Yes they may have comments. They may require a road widening. Many agencies comment and so there may be other restrictions.

Q: Once the draft is approved, if you want to do something different with your property can neighbours complain?

A: If the use is permitted and you meet all requirements no one can oppose what you are doing.

Q: When an exception to the by-law is approved, the average individual doesn't have the capacity to fight back. And when a developer doesn't follow all the protocol they just pay the fines imposed. How can we stop this?

A: Once the by-law is in place, there will be a document to describe how to use the by-law. This document would present information such as how one could determine when an amendment or a minor variance may be required.

We have made the zoning by-law less cumbersome. Now people can see for themselves what is permitted where. It is a public process. Anybody requiring a change has to go through the process, and then the appeal period.

It is not necessarily the case that you throw money at it and get what you want.

To give an even playing field or stability, property owners can find out what is permitted around them and what you may do with your property. The same zoning will apply across the city.

The process to allow for change exists and is legislated through the Planning Act. This is a good thing because we don't necessarily know what will be best in the future.

The official plan needs to be reviewed every 5 years and every 20 years needs an in-depth review. We anticipate coming back with a housekeeping by-law to revise the zoning by-law in about a year. It is not a static document.

*Comment: I think this by-law is readable and easy to use.*

Q: The draft zoning proposes that every school and church property is zoned to allow residential uses like stacked towns and 6 storey apartment buildings. This takes away appeal rights of neighbours who

aren't in favour of these types of developments since they will be permitted uses. Glenridge School is surrounded by single family homes. The only say the neighbours have is in the site plan application. Stable neighbourhoods like Glenridge and the Yates street area are draft zoned R2 which allows towns and so lands could be assembled to develop townhouses. I think you have gone too far with the flexibility.

A: The existing by-law permits residential uses on church and school properties.

Q: But not a six storey apartment. These sites are surrounded by upper-end singles.

A: There are restrictions such as frontage on an arterial road. There are height and setback restrictions that are relative to each other and also site plan control. We are supporting change but with parameters.

Q: It's easy to support change if you don't live in the neighbourhood. It makes a big difference to the residents. I live downtown.

A: Downtown is currently zoned business commercial which permits commercial uses. The draft zones some lands downtown R3 where commercial uses are not permitted.

Q: It seems it is destroying a nice area. The danger with a high rise is that you can no longer enjoy your property. They are looming.

A: As mentioned earlier, a higher building will be required to have a greater setback. The high buildings won't be able to locate three feet from the property line.

Q: I have a business and the draft zoning does not include it as a permitted use. Can I sell that business?

A: The use can continue. If a new owner used it for the same use it would be permitted if the use was permitted previously.

In some cases we recognized existing uses. The majority of properties currently zoned for commercial will continue to have commercial uses permitted.



**Question and Answer Session following presentation at 6:30pm**

Q: If a development proposal for a stacked townhouse meets all zoning requirements, are we subject to site plan control?

A: Yes.

Q: For a stacked townhouse, the 6m frontage requirement is per ground floor unit. Is the minimum lot area per dwelling unit also per ground floor unit?

A: No, the lot area is required for each unit even when the unit is not a ground floor unit. Because the zoning by-law must comply with Official Plan policies, the lot area required is such that density requirements stipulated in the Official Plan are met.

Q: Is it true that the parking of an RV on residential property is only permitted in the side or rear yard?

A: An RV can be parked in a driveway if there is enough room and so it depends on how large the front yard is. If the house is set back far enough and there is enough room beyond the required front yard it is permitted. It must be parked on a hard surface.

Q: What about commercial vehicles?

A: They are not permitted.

Q: But what if I own a roofing company and use a three tonne truck?

A: The ministry of Transportation has set a restriction on vehicles over 3600kg. The concerns we heard were mostly over safety. Site lines must be maintained for pedestrian safety and to safely exit driveways. We are trying to accommodate RV owners and enhance public safety. We are just aiming to regulate the placement of the RV.

Q: If you are concerned about safety, what about properties with hedges along the perimeter?

A: The draft zoning requires that a site triangle be maintained on corner lots. This is defined as an unobstructed area. The existing by-law doesn't address decorative rocks or other ornaments but the draft by-law prohibits any obstruction in these areas.

There is a fence by-law that has to be reviewed. Fencing will be addressed under this fencing by-law.

*Comment: I have reviewed many zoning by-laws, and this document is an example of a great zoning by-law. The planners have created a concise, readable document, and they should be commended for their hard work.*

Q: With lot areas becoming smaller and frontages shrinking, how will we accommodate an RV on a residential lot? In season, it isn't always practical to have an RV stored off-site when one works during the week and travels on weekends.

A: Some people may not be able to park their RV on their property. Remember this is not a final document.

Q: Is there room for seasonal allowances?

A: We can't regulate timelines. We will take another look at it.

Q: What happens in instances where the proposed by-law conflicts with the current by-law?

A: We looked at all 43000 properties in the City. If your use is permitted now, very few, less than 1% of property owners have lost a permissible use. The use would become legal non-conforming but can still be continued. The property can be sold to someone else and the use could continue so long as the use has not been discontinued for a period of time.





## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

September 25 2013

Please indicate below any comments

NORTH END - GRANTHAM WARD

My PRIMARY CONCERN WITH THE REVISED ZONING BY-LAW  
IS IN REGARDS TO RV PARKING DURING THE  
SPRING & SUMMER MONTHS (WHEN IT IS OUR  
PRIMARY USAGE & TRAVEL TIME)

WE HAVE A 27FT TRAILER, WITH NO ACCESS TO  
THE BACK OR SIDE YARD. EXISTING CARPORT &  
ONLY 4FT SIDE YARD ACCESS.

OUR CURRENT FRONTAGE IS APPROX 45FT  
(LOT SIZE 60 x 101.50)

\* FOR THE WINTER MONTHS THE R.V. IS  
STORED OFF PROPERTY.

HOW DOES THE NEW BY-LAW RESTRICT  
MY ABILITY TO OWN + FUNCTIONALLY  
OPERATE MY TRAILER.





Zone Your  
ST. CATHARINES



How CAN THE By Law BE ADJUSTED  
TO ACCOMMODATE MY SITUATION. ~~But~~  
SIMILAR SITUATIONS MUST ALSO EXIST ACROSS  
THE CITY WHERE LOT SIZE ARE SMALLER (NARROWER)  
AND NO ACCESS TO THE BACK OR SIDE YARD  
EXISTS.

Please Provide Your Address if you wish to be kept informed of the process

*W*

Name: DAVID KLASSEN

Address: [REDACTED] WALSH AVE

City: ST. CATH

Postal Code: [REDACTED]

E-mail: [REDACTED]

### Open House September 25 2013

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)





Zone Your  
ST. CATHARINES

Leo.35.11 v.c  
Comments



## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

September 25 2013

Please indicate below any comments

In Section 3.4 it states that driveways must have a  
hard surface. How is hard defined? Does it mean  
impermeable? What about a plastic grid that allows  
grass to grow to simulate a lawn and allow an  
environmentally friendly surface?



Zone Your  
ST. CATHARINES



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Please Provide Your Address if you wish to be kept informed of the process

Name: JOHN STEVENS

Address: \_\_\_\_\_

City: \_\_\_\_\_

Postal Code: \_\_\_\_\_

E-mail: [REDACTED]

### Open House September 25 2013

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)





Zone Your  
ST. CATHARINES

600.35.11 v.c  
Comments

## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

September 25 2013

Please indicate below any comments

1. A Park Ave we would appreciate the opportunity  
to review the research with respect to past use + past  
zoning + O.P. designations. Due to its use we would have  
expected the property to have been zoned to reflect that  
use. If it were industrial we thought that the  
zoning of the frontage to a residential zone would be  
a balanced approach. The balance of the land could  
remain L3-H1.

We would appreciate very much the opportunity  
to discuss the previous history with you prior to the public  
meeting.

Stephen Bedford  
on behalf of Merritt Projects Inc.



Savoia, Ellen

60-35-11 V.C

Comments

**From:** Pat Hicks [REDACTED]  
**Sent:** September 22, 2013 11:31 PM  
**To:** Savoia, Ellen  
**Subject:** Request for Zoning Change

Sent from my iPad

September 22, 2013.

Dear Ellen Savoia,

I had the pleasure of speaking with you at the Fairview Mall a few weeks ago and applaud your effort in providing a forum for and informing the taxpayers of St. Catharines regarding the proposed zoning bylaws changes. I wish to bring to your attention (my 89 years young) mother's situation as a long time resident at [REDACTED] Henley Drive. This residence was built around 1948 and was part of the commercial property adjacent. The commercial property facing Henley Drive and cornering Ontario Street was sold to a developer in the 1970s and a plaza was constructed housing various businesses including The Angel restaurant, ([REDACTED]) Service Canada and Sleep Country Canada. Many businesses in this plaza have come and gone due to the difficult and only entry and exit. When the sale of the original commercial property known as the Hotel Henley took place, my mother's property at [REDACTED] Henley Drive was severed and rezoned residential. The property [REDACTED] behind her property remains zoned commercial. With the changes in the traffic flow in front of my mother's property as it is now a direct ramp to the QEW and with the traffic flow from the Plaza, this has made [REDACTED] access and exit to her driveway extremely difficult. She often waits for extended periods of time to back out and often with no break in the flow of traffic, this is extremely hazardous. Our concerns are for her safety as she still drives but also for access to any emergency services should she need them. This traffic situation in front of her house greatly diminishes her property value although it did not reduce her property tax.

Our request is that her property be reinstated to its original commercial property zoning status. Our request is that her property taxes be reduced to reflect the difficult traffic situation that was created. We understand your possible concern that it is adjacent to resident properties lining Henley Drive, however my mother's property unfortunately also now has residential zoning next to a commercial property being the plaza. Is this fair and equitable?

Thank you for your consideration in this matter.

We look forward to your response.



Sincerely,

Patricia Hicks for

Patricia Dunk

Henley Drive



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**Savoia, Ellen**

---

**From:** Tim Kenny [REDACTED]  
**Sent:** September 18, 2013 11:08 AM  
**To:** Savoia, Ellen  
**Subject:** RE: Zoning issues

Hi Ellen

One more note. We had talked about the rearyard setback in the R3 zone for townhouses. I believe it is an oversight at 7.5 meters. Could you also look at this.

thanks

tim

---

**From:** [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)  
**To:** [tkenny](#) [REDACTED]  
**Subject:** RE: Zoning issues  
**Date:** Wed, 18 Sep 2013 13:06:31 +0000

Thank you for your comments. They are very helpful. We will take them into consideration when finalizing the by-law.  
Ellen

---

**From:** Tim Kenny [REDACTED]  
**Sent:** September 16, 2013 9:34 AM  
**To:** Savoia, Ellen  
**Subject:** Zoning issues

Hi Ellen

Further to our discussion last week, i would like to suggest the follow items be considered:

1. Under **definition of lot area:**

that the clause i) lands conveyed for parkland dedication and/or public road widening be amended to include land for public roadways.

I would suggest that in new subdivisions, it is difficult to provide a range of housing in the medium density areas when approximately 25% of your land is dedicated to the municipality for public roadways.

2. Check **minimum lot frontage verses lot area.**

In R1: Lot area 315m sq. vs. min width of 6m....to meet requirement for a 6 meter frontage, the lot would need to be 52.5 m in depth(172 feet).

In R1, a 8m frontage would need a lot depth of 130 feet which is probably more realistic.

Same applies in R2 zone with min lot area of 280m sq., the lot would need to be 46.6m or 153 feet deep.



By adjusting the lot area or lot frontage, you may eliminate future minor variances.

Everything else looks good to me. The city should be happy with your teams work.  
tim

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**Question and Answer Session following presentation at 2:30pm**

Q: Will people who currently have an accessory use to their residential property continue to enjoy these accessory uses when the Draft Zoning By-Law comes into force?

A: Any accessory uses currently permitted will become grandfathered uses and so will be permitted to continue on the property.

There are processes in place to allow for the addition of an accessory use (i.e. C of A).

Q: Please explain the term "grandfathered?"

A: Grandfathering is the allowance of any uses permitted by by-law to continue as a permitted use for that property. There are no timeframes imposed so the grandfathering does not "expire" based on the passage of time.

Q: Is there a hearing in front of the OMB on the by-law regarding RVs in front yards/driveways?

A: The appellant(s) are waiting to see how this will be incorporated into the final draft zoning by-law. Anyone who makes representations up to November 18, 2013 will have appeal rights with regards to this or any section of the zoning by-law.

Q: What about people who rent out many bedrooms in one house to students?

A: We cannot zone for people (one housekeeping unit). Other municipalities have sometimes tried but never successfully. Zoning cannot be tied to age restrictions or income levels, etc.

Q: Is parking an issue that falls outside of the student housing situation?

A: The by-law stipulates required parking for accessory apartments. There are also other items that control parking such as defining an acceptable parking surface, and other municipal by-laws like the maximum number of hours a car can remain parked on a street.

Q: Is there a connection between design guidelines and the final draft zoning by-law?

A: Yes, urban design guidelines are consistent with the draft zoning. The site plan control manual will help to implement the draft zoning. As well, there are design guidelines for the downtown zone that are aligned with the draft zoning. The draft zoning will guide design in other ways such as in the case of the location of parking stalls in commercial zones on arterial streets.

Q: What about development on lands not under site plan control such as a single family home - what stops them from doing something "awful?"



A: The owner wouldn't want to create something with no resale value. The zoning by-laws are not meant to over-regulate nor do they attempt to dictate design ideas. With too many regulations, it is possible that a good design would not be permitted. The goal was to strike a balance between explicit rules and room for innovative design.

*The presenters stated that they would like to receive written comments by month's end but that comments received on or before November 18 will be accepted.*



Zone Your  
ST. CATHARINES

~~Please add to mailing list.~~

60-35-11 v.c  
comments



## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

Please indicate below any comments

Since off-leash dog parks are only permitted in G3 Zones and it seems likely that Alexandra school students will be using Catherine St. Park, it seems unlikely that the current off-leash dog park will be able to remain in its current place.

It is recommended that a special exception to the G2 green space <sup>(allowing off-leash dog parks)</sup> on the other side of Catherine St. be included in the final version of the <sup>zoning</sup> by-law (the original, staff recommended, location for St. Catharines' second dog park) in order to facilitate maintaining a dog park in the only other <sup>possible</sup> location within this traditional neighbourhood (See A14 for the visual)





Zone Your  
ST. CATHARINES

Please add to  
mailing list.

600.35.11 v.c  
comments



## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

Please indicate below any comments

- Very glad to see provisions made for bicycle parking, and that a further study will be done to flush out details as part of the Transportation Plan
- However, section 3.15.2 should be expanded to include bike parking requirements for missing land uses, such as:
  - Higher density residences e.g. Townhouses
  - Major transportation hubs e.g. Transit station
  - More work places e.g. Industrial e.g. Hospitals
- As the major urban centre in the





Zone Your  
ST. CATHARINES



Niagara region community, it is  
important that St-Catharines sets  
the right direction in terms of  
a progressive tone for other  
municipalities.

Please Provide Your Address if you wish to be kept informed of the process

Name:

DAVID HUNT

Address:

Berkwood Pl.

City:

Fonthill, Ont

Postal Code:

[Redacted]

E-mail:

[Redacted]

**Open House September 16 2013**

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)





Zone Your  
ST. CATHARINES

Please add to mailing list  
for the by-law.

Co. 35.11 v.c  
comments.



## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

Please indicate below any comments

I purchased a property at 300-302 LAKE ST. ST. CATH  
in April 2013. If I understand correctly it is  
currently zoned C2 allowing its current use;  
ground floor commercial & 2nd floor residential.  
It appears the zoning is changing to C3 which  
does not allow the 2<sup>ND</sup> floor residential use.  
I am currently converting a 9 room rooming  
house to 2 one bedroom units & 3 bachelor units.  
Therefore I am requesting authorization in the  
new zoning by-law to continue this use.

Additional notes: EACH UNIT DOES NOT  
CONTAIN A WASHROOM. THEY  
HAVE KITCHENETTE, LIVING/  
SLEEPING QUARTERS.



Zone Your  
ST. CATHARINES



Please Provide Your Address if you wish to be kept informed of the process

Name: ART RATELLE

Address: JEANETTE DR.

City: ST. CATH

Postal Code: [REDACTED]

E-mail: [REDACTED]

**Open House September 16 2013**

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)





## FINAL DRAFT ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT COMMENT SHEET

Please indicate below any comments

Very glad to see that a review  
of bicycle parking is planned.  
It is very badly needed. Bicycling  
means business

Peter Warwick  
St. Catharines

10-35-11 v.c.  
Comments

**Savoia, Ellen**

---

**From:** N. Carlos Garcia [REDACTED]  
**Sent:** September 16, 2013 12:42 PM  
**To:** Savoia, Ellen  
**Cc:** kblozowski@cogeco.ca; Bellows, Bruce  
**Subject:** Re: Follow-Up to Yesterday's Presentation on Zoning By-Law

Ellen,

I drove down and picked up a hard copy to review.

There is no definition of principal on page 71 but I found it on page 70. It says Principal is the Primary entrance to a building. This is progress but, in my opinion, still not clear enough as an owner can still try to "designate" an entrance as Primary for convenience. I would recommend adding the word "use" so that it reads the "Primary use entrance to a building".

C2-10 now says Height 11m. Thank you.

Carlos  
N. Carlos Garcia  
[REDACTED]

----- Original Message -----

**From:** Savoia, Ellen <esavoia@stcatharines.ca>  
**To:** N. Carlos Garcia [REDACTED]  
**Sent:** Tue, Sep 10, 2013 10:22 am  
**Subject:** RE: Follow-Up to Yesterday's Presentation on Zoning By-Law

The definition is on page 71. The special provision section starts on page 73

**From:** N. Carlos Garcia [REDACTED]  
**Sent:** September 10, 2013 10:00 AM  
**To:** Savoia, Ellen  
**Cc:** Bellows, Bruce; Blozowski, Kevin; [REDACTED]  
**Subject:** Re: Follow-Up to Yesterday's Presentation on Zoning By-Law

Thanks Ellen. I understand that the Special Provisions do contain height restrictions but that section of the harbour area had been missed in the previous draft and was not shown as 11m.

Will look up that definition. Can you please tell me the page # or email me the section?

Thanks

Carlos

Will

N. Carlos Garcia  
[REDACTED]



----- Original Message -----

From: Savoia, Ellen <esavoia@stcatharines.ca>

To: N. Carlos Garcia [REDACTED]

Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Blozowski, Kevin <kblozowski@stcatharines.ca>

Sent: Tue, Sep 10, 2013 9:46 am

Subject: RE: Follow-Up to Yesterday's Presentation on Zoning By-Law

Carlos

Special Provisions 6, 7, 9 and 10 apply to various parcels in Port and include height restrictions.

We looked at the need for a definition of principal entrance- and added wording to the definition of principal.

Ellen Savoia

**From:** N. Carlos Garcia [REDACTED]

**Sent:** September 9, 2013 7:18 AM

**To:** Savoia, Ellen

**Cc:** Blozowski, Kevin; Bellows, Bruce; [REDACTED]

**Subject:** Fwd: Follow-Up to Yesterday's Presentation on Zoning By-Law

Ellen,

Can you please confirm that our comments have been addressed in the final draft.

Thank you.

Carlos

N. Carlos Garcia  
[REDACTED]

----- Original Message -----

From: Savoia, Ellen <esavoia@stcatharines.ca>

To: N. Carlos Garcia [REDACTED]; Blozowski, Kevin <kblozowski@stcatharines.ca>; Bellows, Bruce <bbellows@stcatharines.ca>

Cc: dwebb16 [REDACTED]; Williamson, Bruce <bwilliamson@stcatharines.ca>; Williamson, Britney <brwilliamson@stcatharines.ca>; Riddell, Jim <jriddell@stcatharines.ca>; davidhbergen [REDACTED]

Sent: Fri, May 31, 2013 1:52 pm

Subject: RE: Follow-Up to Yesterday's Presentation on Zoning By-Law

Carlos

Thank you for your comments.

Ellen Savoia

**From:** N. Carlos Garcia [REDACTED]

**Sent:** May 31, 2013 1:45 PM

**To:** Blozowski, Kevin; Bellows, Bruce; Savoia, Ellen

**Cc:** [REDACTED]; Williamson, Bruce; Williamson, Britney; Riddell, Jim; [REDACTED]

**Subject:** Follow-Up to Yesterday's Presentation on Zoning By-Law

Kevin, Bruce and Ellen,

Thank you for that very informative presentation to the Port Heritage Committee. It was very helpful.

For your records, I wanted to confirm the points/questions I raised at the meeting:

1. Height Limit Required for Harbour Area Between Lakeport and the water.

The map shows it as C2-10 which does not have a height limit. This currently has an 11m limit as in the Commercial Core of the HCD.

You agreed that it should be 11m in the new By-Law and had already noticed this must be corrected. It is understood that the Harbour Study may be addressing this but, our Committee has advised the consultant that any new construction here should be subordinate to Lincoln Fabrics in height so the 11m should work fine. In any event, should the consultant recommend a slight change, I assume this would necessitate public meetings and Council approval.

## 2. Definition of Principal Entrance to Measure Height

There currently is NO definition and this causes confusion/ambiguity and allows an applicant to try and designate the Principal Entrance according to what gives him the best height. A definition is certainly needed. I suggest it should relate to what entrance is used the most by the most people.

Carlos Garcia

N. Carlos Garcia  
[REDACTED]

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# TABOR MANOR

serving seniors with excellence, love and dignity

September 16, 2013

Ellen Savoia, Planner  
City of St. Catharines  
P.O BOX 3012  
St. Catharines, ON L2R 7C2

**RE: REQUEST FOR EXEMPTION**

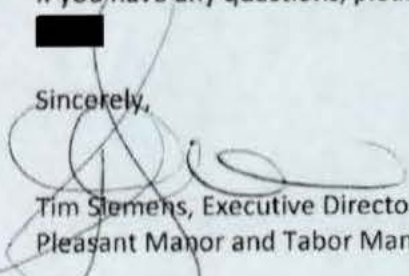
Dear Ms. Savoia,

I am writing this letter requesting for Tabor Manor's exemption as it relates to pending changes to the parking coverage by-law which I understand will be coming before Council before the end of this year.

It is our hope that Tabor Manor will be able to continue to operate under the existing by-law for parking coverage currently applied to this site.

If you have any questions, please do not hesitate to contact me directly at [REDACTED]

Sincerely,

  
Tim Siemens, Executive Director  
Pleasant Manor and Tabor Manor

Cc: Christine Leonard, Director, Tabor Manor

1 Tabor Drive, St. Catharines, Ontario L2N 1V9

RENTAL APARTMENTS  
Mapleview  
Evergreen

PROGRAM SERVICES  
Long Term Care  
Supportive Housing [REDACTED]

ADMINISTRATION  
[REDACTED]

Savoia, Ellen

Co. 35.11 v.c.  
Comments

**From:** Tim Kenny [REDACTED]  
**Sent:** September 16, 2013 9:34 AM  
**To:** Savoia, Ellen  
**Subject:** Zoning issues

Hi Ellen

Further to our discussion last week, i would like to suggest the follow items be considered:

1. Under **definition of lot area:**

that the clause i) lands conveyed for parkland dedication and/or public road widening be amended to include land for public roadways.

I would suggest that in new subdivisions, it is difficult to provide a range of housing in the medium density areas when approximately 25% of your land is dedicated to the municipality for public roadways.

2. Check **minimum lot frontage verses lot area.**

In R1: Lot area 315m sq. vs. min width of 6m....to meet requirement for a 6 meter frontage, the lot would need to be 52.5 m in depth(172 feet).

In R1, a 8m frontage would need a lot depth of 130 feet which is probably more realistic.

Same applies in R2 zone with min lot area of 280m sq., the lot would need to be 46.6m or 153 feet deep.

By adjusting the lot area or lot frontage, you may eliminate future minor variances.

Everything else looks good to me. The city should be happy with your teams work.  
tim

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**Savoia, Ellen**

---

**From:** Savoia, Ellen  
**Sent:** September 16, 2013 10:09 AM  
**To:** 'Victor Kallaur'  
**Subject:** RE: Final Draft Zoning By-law Notice of Open House

Hello

Sorry for the delay in my reply, I did receive your message. The final draft by-law includes all the same parameters that are in the current zoning for your property, plus additional uses which are not permitted today. As I noted previously you retain all the same property rights as you have today plus some additional flexibility with the range of uses that would be permitted.

Yours truly  
 Ellen Savoia

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** September 16, 2013 7:20 AM  
**To:** Savoia, Ellen  
**Subject:** Fw: Final Draft Zoning By-law Notice of Open House

Hi Ms. Savoia--did you get the email after the one below--where I gave the square footage of building allowed in 1987 by council--can that be incorporated into the draft as 446 is obviously a needed exception to the draft as city made this an unbuildable unsalable and un-donate-able lot with all the rule changes as we were never notified all along as we lived in London after I retired after living/working most of my life in St. Catharines--. I sound like a broken record.

Thank you.

VK

**From:** Victor Kallaur  
**Sent:** Tuesday, September 10, 2013 10:43 AM  
**To:** Savoia, Ellen  
**Subject:** Re: Final Draft Zoning By-law Notice of Open House

Hi Ms. Savoia:

Would the size allowed for the building in 1986-87 as per council approval then be allowed now with the current draft--I really do not understand your last email as all it states is the setbacks and nothing else---- so please help me out as I really do not know how to decipher all the info unless it is in black and white in one area.

If the present draft does not spell out the same parameters as in 1986-87 as allowed then, I would like these figures added into the present draft where you describe [REDACTED] Niagara lot setbacks--so I do have a lot that is buildable unlike now. There has to be an exception in the draft so the lot can sustain a business considering all three other corners are commercial.

Please remember that I donated the corner to the city--refusing payment for the land that I gave to the city--to make the present turn off from Scott to Niagara Street--thus "shooting myself in the foot" as a result as it made the lot smaller which then in discussions was not to be taken into account when I built later --but obviously it was forgotten--so now it is an unbuildable lot and would not be viable for any commercial undertaking--and thus no takers when listed for sale.

I have offered the lot to Habitat--and they are procrastinating--not sure that they want it---giving me all sorts of excuses for delays in their reply.

In the past I offered it to the city--and no reply--so basically by not making an exception, the city has made this lot useless with all the new extra parameters since 1986.

Again I ask that you detail the parameters of 1986-87 as allowed then in the draft so there is no misunderstanding which I will like to approach council then when they review the draft.

Please help me out--thank you.

Vic K

**From:** Savoia, Ellen

**Sent:** Monday, September 09, 2013 8:22 AM

**To:** Victor Kallaur

**Subject:** RE: Final Draft Zoning By-law Notice of Open House

Hi Victor

The final draft by-law includes all of the special requirements that are in the current site specific zoning on 446 Niagara Street. The current zoning does not mention maximum building size and therefore no maximum building size has been included in this final draft. Schedule A-9 is the map page 446 Niagara Street is shown.

Ellen Savoia

---

**From:** Victor Kallaur [REDACTED]

**Sent:** September 7, 2013 12:59 PM

**To:** Savoia, Ellen

**Subject:** Re: Final Draft Zoning By-law Notice of Open House

Ms. S-

question--with the present draft--what is the maximum size of building that one can put up on [REDACTED] Niagara? I notice only set backs were mentioned--but nothing else. Please detail all as I would like a lot that works commercially otherwise I will ask for other exceptions. It was quite an undertaking for you when I look what was sent. VK

**From:** Savoia, Ellen

**Sent:** Friday, September 06, 2013 2:55 PM

**To:** Victor Kallaur

**Subject:** RE: Final Draft Zoning By-law Notice of Open House

It may be the settings on your computer. I have attached an excerpt of the by-law that I think you might be looking for (446 Niagara St). If you still want to look at the whole by-law let me know and I can have one mailed to you.



Ellen

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** September 6, 2013 1:10 PM  
**To:** Savoia, Ellen  
**Subject:** Re: Final Draft Zoning By-law Notice of Open House

Ms. Savoia:

Thank you for sending your email---but---Internet Explorer put out a banner saying that it is an insecure site--and will not let me download your draft from the two sites that you wrote down. The City is about as secure as it gets--yet I can not download it.

Any chance of couriering it to [REDACTED] Pengally Bay Road--Nobel, Ontario [REDACTED] we are at the cottage for next four weeks.

Please let me know.

Vic Kallaur

**From:** Savoia, Ellen  
**Sent:** Thursday, September 05, 2013 9:35 AM  
**Subject:** Final Draft Zoning By-law Notice of Open House

Please see the attached Notice of Open House for the final draft zoning by-law.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services  
City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

**Help zone your St. Catharines! Find out more at**  
**<http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp>** and visit us on facebook at  
**[www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)**

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\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 8784 (20130910)  
\_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

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\_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

**Savoia, Ellen**

**From:** Roger Unruh [REDACTED]  
**Sent:** September 14, 2013 1:04 PM  
**To:** Savoia, Ellen  
**Subject:** By-law Section 2.1.1b

Hi Ellen,

Thanks for responding so quickly today(Fri. Sept.13-I sent it yesterday with the wrong email). Further to our conversation:

I believe this is an overly restrictive stipulation, that I believe many, if they were aware, would agree with.

#1. 60m<sup>2</sup> = 646 ft<sup>2</sup> That's not big!! I think you agreed with that. That's a small apt. but comfortable and adequate.

#2. Based on this criteria, if one wanted a 646 sq. ft. unit, they'd have to have at least a 1600 sq. ft. house(1600x.40)

If your house is, say 1000 sq. ft., which would be a high percentage of St. Catharines, you're out of luck, your house

is TOO SMALL!!! You could have a unit, however, the max. size would be 400 sq. ft.!! That's not adequate.

#3. Under these restrictions, this by-law will take away the opportunity of many residents in St.Catharines to  
**a) gain extra needed income and b) provide more affordable house possibilities for those searching.** This is exactly  
 the opposite to some of the stated purposes of Bill 140.

What if you are a single parent, or anyone/couple/family who can only afford or wants a small 900 sq. ft. bungalow,

and wants to supplement their income with an "accessory unit" in the basement? Either you have a max. 360 sq. ft.

(900 x 40%) unit downstairs, or TOO BAD, you can't do it because the by-law restricts you.

This also restricts the number of "decent-sized" units available to those searching, of which there are many as

most know. By the way, I volunteer in a 24/7 shelter here in St. Catharines, and I see this issue first hand.

Bill 140 calls upon municipalities to make MORE affordable housing possible, not restrict it. Our city should not be simply paying "lip-service" to these changes, while in reality make it very difficult and unduly

restrictive.

In my opinion, **no % or number is appropriate.** You yourself, Ellen, responded with, " smaller than the primary dwelling ". The key word is simply **SMALLER**, that's it. If it just has to be smaller, then why put a percentage or max. size? These units would more than likely never be bigger than the principal dwelling anyway.

Another consideration is that if the 100s, maybe 1000s, of units out there now, which have been



"illegal", would choose to get permitted, many would be oversized based on the by-law in this new document. Besides upgrading possibly, they would have to **shrink** the units!!

I call upon the city to more progressive and open in this matter. **I would recommend an amendment to this by-law, simply replacing the "40%" and "60 sq.m" with the word "SMALLER".**

I will contact my city councillors to ask them to "repeal" this part of the By-Law. It simply does not make sense to me as is.

Roger

Click [here](#) to report this email as spam.

September 10, 2013

Ellen Savoia, M.C.I.P., R.P.P.  
Planning and Development Services  
City of St. Catharines  
P.O. Box 3012, 50 Church Street  
St Catharines, ON L2R 7C2

RPT	DOC	INFO	P.D.S	INIT.
			REFERRED TO	
			E. Savoia	
DATE REC'D →			SEP 12 2013	SCAN <input type="checkbox"/>
FILE NO 60.35.11 V.C				

Dear Ellen Savoia,

I was talking to Britney Williamson who told me to put my concerns about the Comprehensive Zoning By-law draft in writing and send them to you. Thus, this letter. Specifically, I am **opposed to rescinding By-law No. 6609 (Zoning Area No. 8)** which prevents the parking of utility trailers, recreation trailers, recreation vehicles, and boats in residential areas within the City of St. Catharines. My reasons are as follows. First, trailer, motor homes, and boats are made for particular locales, none of which are residential. Trailers (campers) and motor homes belong in trailer or industrial parks; boats belong in marinas (plain and simple): that is what they were built for. If people can afford to buy these luxury items, they can afford to store them properly. And properly is not on a residential street. Our real estate values are among the lowest in the country (3<sup>rd</sup> or 4<sup>th</sup> from the bottom). Rescinding By-law No. 6609 will only drive them lower. Who is going to buy a house on a street that is littered with box trailers, camper trailers, speed boats, house boats, and grotesque motor homes? The present By-law No. 6609 (Zoning Area No. 8) should be extended to the whole city, not rescinded. Extending is progressive; rescinding is regressive. Every municipality that I know (and I know several) have strict regulations against such violations. Did anyone check other municipalities outside of Niagara?

Second, when trailers and boats are parked in driveways, cars and small trucks inevitably end up being parked on our streets, creating needless congestion. This, in turn, can lead to serious safety issues (like children being hit by oncoming traffic when riding their bicycles around and between parked vehicles). Did anyone check the status quo? Wherever we presently have parked trailers and boats in the city, we have street congestion and lots of it. Take a look.

Third, street congestion creates unnecessary challenges for outside city workers. Street cleaners and snow plows have to work painstakingly around this mess (it costs the city time and affects efficiency). And garbage trucks block the street because they cannot easily move in and out between parked vehicles. Did anyone ask these people about their frustrations with the present situation?

In summary, I repeat: it is myopic to rescind By-law No. 6609. Ideally, the issue should have been decided by a plebiscite in the fall elections. Nonrandom approaches to such vital issues allow a few malcontents (those with vested interests and have the time, like RV owners) to decide for the many. A random survey of the electorate would be more democratic, less costly, and more representative of the people. I close with the old cliché: If it ain't broke, don't fix it! By-law No. 6609, as it stands (stood), has worked well for the residents of Area 8 for many years and, as a result, should be extended to the whole city, not rescinded.

Yours truly,

*Ms. P. O'Neill*

Dr. G. Patrick O'Neill, Professor Emeritus, Brock University  
Riverview Blvd.  
St. Catharines, Ontario



I oppose the whole bylaw your trying to put out here

Page 1 of 1

## **I oppose the whole bylaw your trying to put out here**

Teresa Bolus [REDACTED]

**Sent:** Sunday, September 08, 2013 7:09 PM

**To:** ZONEYOURSTCATHARINES Website Information Mailbox

60.35.11 V.C  
comments

September 8th 2013 : 6:55 pm

I oppose the new bylaws as you are trying to regulate where people can park and what they can do with their own property. I realize that permits are needed to construct any buildings but i think the city has gone too far when it comes to this whole bylaw that you have constructed.

This would mean some people can park one and half vehicles in their driveway and that you cannot do what you want to do in your own back yard I mean so long as it is not growing drugs or raising cattle in a residential area. But to tell people where they can and cannot park and if there basement is too low or too high what are you going to do tell people to reconstruct their homes get real ok !!!!! Its not going to happen . I would love to have a paved driveway or coloured stone on the base of my house are you going to come and do it ? It costs lots of money and your proposal has a bad taste .

Why dont you concentrate on who does the complaining as im sure that the people complaining have nothing better to do than sit around doing this and the parking enforcement needs to ticket all vehicles on the road that are in violation not just the one someone from timbuk two complained on as it was brought to my attention that the person doesnt even have to live in our city but can complain how absurd . Why is it no one else gets a ticket on the street or adjoining streets for parking nope just me . Dont ya think hey someone just wants to harrass her as there were more than 15 other violations on the street and he only ticketed me.

Do we live in communism right now as you are trying to tell people what they can do with property they own not you that they pay for not you how does this seem logical . Maybe the list of codes should be presented before buying a house I bet there would not be a lot of house buying especially if you cannot park in the driveway you pay taxes on

This is my submission into the meeting of OPPOSING the new bylaws

Teresa Bolus

[REDACTED] Parkview Rd St Catharines Ont  
L2M -5R8

hw / Sept 10/13

Click [here](#) to report this email as spam.

**Savoia, Ellen**

---

**From:** Victor Labreche [REDACTED]  
**Sent:** August 28, 2013 11:39 AM  
**To:** Nistico-Dunk, Bonnie  
**Cc:** Savoia, Ellen; ZONEYOURSTCATHARINES Website Information Mailbox; 'Leslie Smejkal'; [REDACTED] 'Hewer Paul'; OMeara [REDACTED] [REDACTED].com; 'Towle, Susan'  
**Subject:** Comments on the Proposed New Comprehensive Zoning By-law, St. Catharines, ON.  
**Attachments:** 2013-08-28 ltr to St Catharines on draft ZBL.pdf

Dear Ms. Nistico-Dunk,

Please accept the attached as our written comments on the above noted subject. Please confirm your receipt of this when you have a chance.

Thank you,

**Victor Labreche, MCIP, RPP**  
**Senior Principal**

**Labreche Patterson & Associates Inc.**

*Professional Planners, Development Consultants, Project Managers*

[REDACTED] Trillium Drive

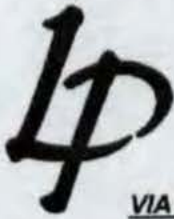
[REDACTED]  
Kitchener, Ontario

[www.lpplan.com](http://www.lpplan.com)

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## Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (bdunk@stcatharines.ca)

**Our File: P-375-09 DD**

August 28, 2013

Ms. Bonnie Nistico-Dunk  
City Clerk  
City of St. Catharines  
50 Church Street  
St. Catharines, Ontario  
L2R 7C2

Dear Ms. Nistico-Dunk:

Re: **Draft Zoning By-law  
City of St. Catharines**

---

We represent A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed draft Zoning By-law to determine if the document would apply to our clients' current and future operating interests. Please accept this as our written submission on the subject matter.

ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations and guidelines.

With the assistance of Labreche Patterson & Associates Inc., ORHMA has a strong record of working collaboratively with municipalities throughout the Province to develop mutually satisfactory regulations and guidelines that are fair and balanced in both approach and implementation for existing and new drive-through facilities ("DTF"). These planning-based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum justified stacking (queuing) requirements and setbacks relative to the actual DTF/queuing lane of the restaurant.

The draft Zoning By-law contains several policies pertaining to the development of a DTF including a minimum length of a stacking lane and requirement for where the DTF can be located on the site.

Based on our review of these policies, we object to the following:

**3.15 Drive-Thru Facility**

- a) *A drive-thru facility, including stacking lanes and service areas shall not be located between the face of the building and a public road.*

We disagree with the prevention of a DTF being located between the face of the building and a public road as this would require all DTF to be located in the rear or side yards and not in the front yard. This is not appropriate as Section 3.5 of the draft By-law permits a parking space or parking area within any yard but is not permitted to encroach into any required landscape buffer. DTF are no different in terms of



"impacts" compared to a parking area especially when designed in accordance with the provisions of the By-law. For example, parking areas in the front and exterior side yards of sites within Employment Zones must be designed in accordance with Section 7.3.6 which requires parking areas in the front and/or exterior side yard shall be:

- a) *Paved with concrete or asphalt;*
- b) *Defined by poured concrete curbing; and*
- c) *Clearly marked with pavement markings for each parking space*

If a DTF is developed in the front/exterior side yard, is paved with concrete/asphalt, defined with poured concrete curbing, and clearly marked with pavement markings, then there will be very little difference between the DTF and a parking area with a drive aisle and parking spaces. As such, DTF should be permitted within any yard to be consistent with the parking area provisions.

We also request a minor amendment to the wording in Section 3.15.1, specifically the word 'tandem':


Use	Minimum number of stacking lane <i>tandem</i> parking spaces
Restaurant	10 spaces
All other uses	3 spaces

Many restaurant service providers have started to develop restaurants with double-stacking lanes consisting of two side-by-side lanes of tandem parking spaces which merge into one lane as vehicles approach the pick-up window. These new stacking lanes increase service speed and often result in a more compact site layout. Using the word 'tandem' is not necessary and we request that it be simply deleted from the above section/table.

Based on the above, we reserve the right to provide additional comments regarding the potential impact of the proposed draft Zoning B-law on our clients' current and future operating interests based on any future drafts of the proposed new City of St. Catharines Comprehensive Zoning By-law. Thank you for your consideration to our comments herein and we look forward to working with you to mutually resolve our concerns.

Finally, please also consider this letter our formal request to be provided with copies of all future notices, reports, and Committee and/or Council considerations and resolutions related to the proposed draft Zoning By-law for the City of St. Catharines.

Yours truly,  
**Labreche Patterson & Associates Inc.**

  
**Victor Labreche, MCIP, RPP**  
**Senior Principal**

VL/jv

Copy: *Ellen Savoia, Planner, City of St. Catharines*  
*(via email only: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca))*

*[zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)*

*Clients (e-mail only)*





## Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (bdunk@stcatharines.ca)

**Our File: P-375-09 DD**

August 28, 2013

Ms. Bonnie Nistico-Dunk  
City Clerk  
City of St. Catharines  
50 Church Street  
St. Catharines, Ontario  
L2R 7C2

RPT	DECIDE	INFO	P.D.S	INIT.
			REFERRED TO	
			E. Savarin	
DATE REC'D	SEP - 3 2013	SCAN	<input type="checkbox"/>	
FILE NO	600.35.11.V.C			

Dear Ms. Nistico-Dunk:

**Re: Draft Zoning By-law  
City of St. Catharines**

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CAO/MAYOR: \_\_\_\_\_

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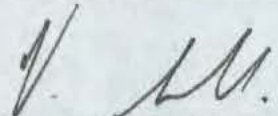
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Finally, please also consider this letter our formal request to be provided with copies of all future notices, reports, and Committee and/or Council considerations and resolutions related to the proposed draft Zoning By-law for the City of St. Catharines.

Yours truly,  
**Labreche Patterson & Associates Inc.**

  
**Victor Labreche, MCIP, RPP**  
**Senior Principal**

VL/jv

Copy: *Ellen Savoia, Planner, City of St. Catharines*  
(via email only: [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca))

[zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

*Clients (e-mail only)*



James Street  
St. Catharines, Ontario

August 26, 2013

**Judy Pihach, MCIP, RPP,**  
**Manager, Planning Services**  
City of St. Catharines  
50 Church Street – Box 3012  
St. Catharines, Ontario  
L2R 7C2

RPT	INDEX	INFO	P.D.S.
			REFERRED TO
			J. Pihach
			REVIEW
DATE	RECD →	AUG 28 2013	SCAN <input type="checkbox"/>
		Ellen	REVIEW
FILE NO		60-35-11 V. 2	

Dear Sirs:

#### **Draft New Proposed Zoning By-Law**

I would like to comment on the new St. Catharines proposed zoning by-law ("Zone Your St. Catharines Zoning By-Law, Draft March 18, 2013"). I appreciate your efforts to make St. Catharines a green city but I believe you are not addressing the reasons people are not coming to the downtown area to begin with. One of these reasons, and I hear this all the time, is the parking issue which you cover in Section 3 – General Parking Provisions of the draft zoning by-law.

You are to be commended for trying to make people realize that the parking spots are not so far away from their destination (*St. Catharines Standard*, June 6, 2013). I have now seen some of the signs up and they are very visible which is nice. However, Mr. Jacobson's statement "there's a misconception there isn't enough parking available downtown" is not accurate. I feel there are some points you have not considered in your Plan.

My concerns for the parking in the downtown area are as follows:

1. The Working Public:

One gets the impression when you look around the downtown area that there are a lot of parking lots but when you take the time to look into them, the space is actually very limited. For example:

- Lake & William Street lot (where Bethlehem Place is located at one end of the lot) – this lot has been sold and people have been told they will not be able to park there, or it will be limited parking until a decision is made what the new owners want to do; I understand another condominium is going up but they might leave a few spaces for parking

- The lot across from the court house on James Street – you telephone a number on the sign and provide someone who answers with your credit card information – as a result of this the lot only has perhaps 10 cars in it at a time (would you want to give your credit card info to a stranger on the phone?). Lately I've seen a very large van parked there, with the words "Pay Here" painted on it, (I would still question the validity of this).
- Lower level parking lot – people have been kicked out for the arena
- The former Standard building – where will the staff be parking once they have to be out of the Queen Street address permanently (even more spots gone)
- Carlisle Street parking ramp - \$81 to \$95 a month to park – everyone tells me it is too expensive for the working class and in many cases too far away from their offices
- Ontario Street parking ramp – price has gone up to \$81.50/month – many still say this is too expensive and when desperate and they call the City for a spot are often told the lot is full
- Less than a hand full of spots were behind the former store "Three" but people have now been kicked out because La Scala has moved in
- Lot owned by the Student Residence on Ontario Street (formerly known as the Welland House) - reasonably priced at \$50 but it is full
- Lot on James Street, close to Lake Street, between Lake and Raymond – full;
- Race Street city lot will be closed shortly;
- William Street on the south side of the street, between King and Church – this lot I understand, is used for the Niagara Regional staff and the general public cannot park there

These lots were all full before with downtown workers and the people who have been displaced must find new spots. This is just a sampling of the lots in town.

## 2. Living Downtown:

- you simply can't have people working AND living downtown and still have enough parking spaces for both – people who live downtown are not necessarily going to be gone during the day to open up spaces for the people coming into work (especially when you think homeowners can park in a municipal lot)



- there are many buildings downtown now (many turned into apartments) with no parking and will be competing with new development for parking spaces
- why should a person who just spent thousands of dollars on their new home have to pay another \$40 to \$100/month for a parking space
- anyone who can afford to buy one of the new condominiums will definitely own a car – where are they going to put it when you are reducing the number of spots a contractor has to have per unit
- it is inconvenient not to park beside your home – you have groceries to carry, parcels, briefcases, etc.
- attracting young people to downtown – they are most certainly going to have a vehicle and will need a parking space
- Section 11.3(k) of the "St. Catharines Official Plan (August 27, 2012)" states that underground and structured parking facilities are desirable. Many people feel, myself included, that underground lots are not safe
- even if you do ride a bicycle, the majority of the people still own a car – it is still too impractical not to own a car today
- in condominiums and high rises, there are only a limited number of parking spots allocated for visitors; the condo owner is only supposed to use one visitor spot; if you were to have friends/family over and you're living downtown, where is the second or third car to park?; and please don't tell me they can car pool because generally people come from various areas of the Niagara Peninsula

With respect to snow removal time:

- The reason people park on the road overnight is because there is no parking spots at their buildings now
- for many, Carlisle parking ramp and Ontario St. ramp are too far away to park their car overnight
- and it's not safe to leave your car there overnight
- more importantly though, By-law 89-305 clearly states you cannot leave your vehicle in a public lot overnight unless you have a permit.

- the newspaper said there were lots of empty spots after hours and on weekends – this is not so – many are privately owned and you will be towed if you park there – and it has been done (especially if they see your car when they come in the night to plough) (they have even towed people during special events in the City)
- and if it is okay to park in a particular lot, will that lot be plowed so that you're not stuck in there in the morning

### 3. Shopping Downtown:

- whether it is true or not, people have the perception that they have further to walk to a store if they are parked in the parking ramp; the perception is in people's minds and if they can't park close enough to the stores they will not come
- people are spoiled and don't enjoy shopping outside in the bad weather (generally speaking) and so want to park close to the store they are interested in
- people simply don't like to pay for their parking
- your "pop up" patios are a great idea but are eliminating more parking spaces
- you have temporarily closed off James Street between Church and King, eliminating more parking spaces
- most of the ground parking lots are not available for hourly parking;

### 4. Summary:

- you can still make the parking lots attractive whether they belong to a condo building or a privately owned lot for general parking by enforcing your Downtown Urban Design Guidelines (and perhaps give current lot owners some type of incentive to spruce their lots up now)
- if you are intent on being a "green city" (which I believe is a good thing), you should show the initiative and can start with the Ontario Street parking ramp; this could be better landscaped on the William Street side; you could easily have some nicer shade trees with some benches, etc.; working people would flock there during their lunch hours and breaks; the same with the William Street lot where the Region is parking
- if you would let the police take the Hotel Dieu spot, this would open more spots up for parking
- Carlisle parking (and Ontario Street) is too expensive for the average working person to park monthly



- and now in the summer you have your pop up patios taking away even more spaces
- Section 11.3(m) of the proposed *The Garden City Plan* states that "... with the purpose of reducing or eliminating parking requirements for commercial and residential development..." The people I have spoken to says the reason they do not shop downtown now is because parking is hard to come by

I live and work downtown and do want to see the downtown area thrive. I promote downtown every chance I can. But if you don't make it convenient for shoppers, they simply won't come. And homeowners won't come if they have to pay an additional fee to park their car, particularly if it is not beside their home. I have to pay \$40 to park my car and it is across the street and down 3 lots from my apartment. Now that doesn't sound like a big deal but it is when you are carrying groceries, parcels, etc. or the weather is not nice. To a homeowner these things some trivial but to an apartment/condominium dweller, these are everyday headaches.

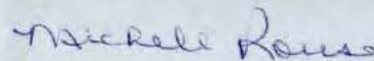
I know parking lots can be unsightly but you can make any new lots or spaces abide by your "Downtown Urban Design Guidelines". You could also have the current lots abide by these guidelines as well and certainly any ground lots owned by the City should be doing this now.

I sincerely hope you will reconsider your plans for reducing/eliminating the number of parking spots in the downtown area as I have always felt strongly that parking was a major hold back for people to come downtown.

I challenge the Mayor and all City Councillors to live downtown for a year and discover just how day to day living really works with or without a car.

Thank you for your time.

Yours truly,



Michele Rouse

cc: Councillor Mark Elliot, Ward 4  
Councillor Mathew Siscoe, Ward 4

**Savoia, Ellen**

---

**From:** Blozowski, Kevin  
**Sent:** August 20, 2013 2:44 PM  
**To:** Savoia, Ellen; Bellows, Bruce  
**Subject:** FW: "Conservation Area" pictures  
**Attachments:** ash#1.JPG; ash#2.JPG; ash#3.JPG; ash#4.JPG

FYI

KB

**From:** briannarhi@[REDACTED]  
**Sent:** Tuesday, August 20, 2013 2:20 PM  
**To:** Blozowski, Kevin  
**Subject:** "Conservation Area" pictures

Howdy KWB,

I've attached some photos for you, so you can see what the new "Conservation Area" at the rear of Jarrow Road and the adjacent areas of Cherie Rd Park looks like. These will illustrate some of the concerns that I have about this area, which I pointed out in my e-mail to you, and which we can discuss next week.

In this e-mail, I have attached photos of four of my five LARGE ash trees---I believe that they're all about 60-75 years old. My back yard also contains a couple of maples, a spruce, a small tulip tree and a magnolia, and a couple of heirloom fruit trees which I haven't taken pictures of this time.

I will send some creek erosion photos in another e-mail.

CCB.

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**Savoia, Ellen**

---

**From:** Blozowski, Kevin  
**Sent:** August 20, 2013 2:45 PM  
**To:** Savoia, Ellen; Bellows, Bruce  
**Subject:** FW: creek erosion photos  
**Attachments:** creek-southwest.JPG; creek-southeast.JPG; creek-widest point.JPG; creek-Cherie Park.JPG

FYI

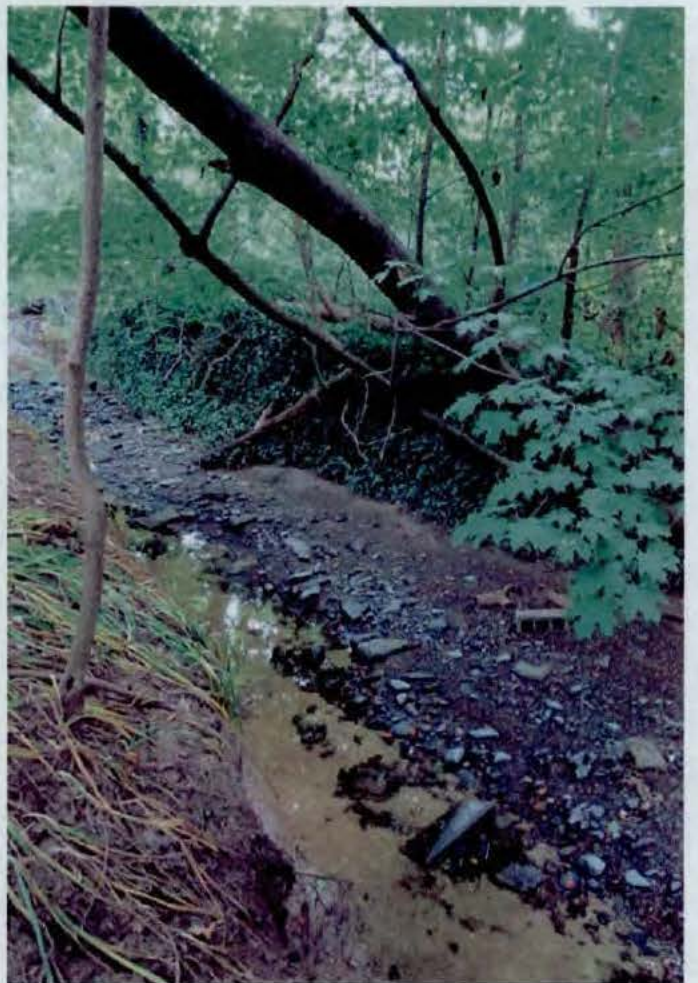
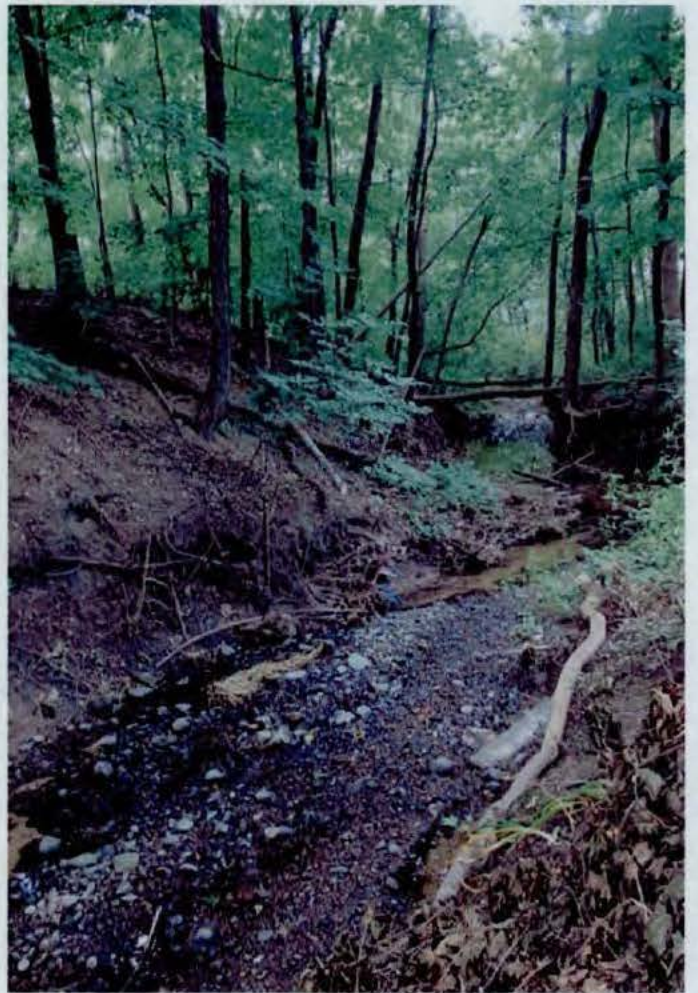
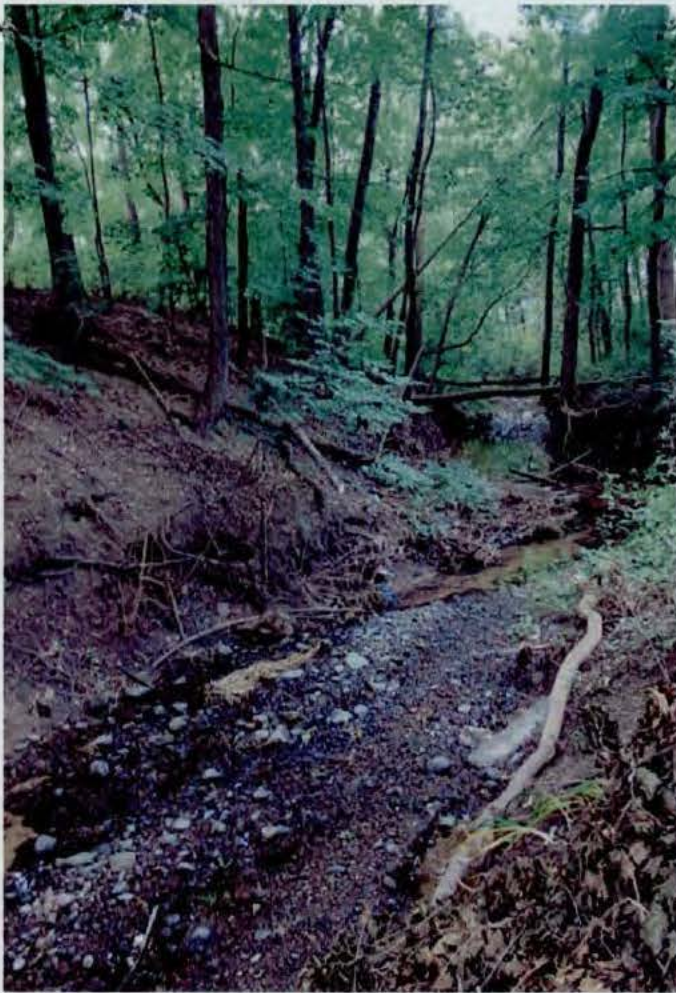
KB

**From:** briannarhi@[REDACTED]  
**Sent:** Tuesday, August 20, 2013 2:29 PM  
**To:** Blozowski, Kevin  
**Subject:** creek erosion photos

Here are pictures of the creek erosion, which is a problem for everyone on the south side of Jarrow. This creek was narrow enough when I was a child that we could step across it. Due to subdivision development upstream from us, and the storm sewer run-off which used to flow into the creek (maybe still does?) this creek can turn into a raging freshet in a matter of minutes, and can subside as quickly. But in the process, it erodes the creek banks terribly. At its widest point on my property, this creek measures about 25 feet from edge of bank to edge of bank. And it's about a 7 foot drop from the top of the bank to the creek bottom. As you can see, in the one photo, my century old sugar maple is having it's roots undercut now. It's just a matter of time until this tree topples over across the creek, as have several of the smaller trees growing right along the banks. There used to be a wide bit of flat land on the opposite side of the creek in my backyard, which has all but been eroded away. The creek beyond my property line is not being remediated (unlike other sections of Walker's Creek), and as a result it's an eyesore, and a real breeding ground for mosquitoes---as if the park adjacent to Jarrow, which is not being maintained in any way.

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# CHURCH OF THE TRANSFIGURATION

Diocese of Niagara

Anglican Church of Canada

Glenridge Avenue, St. Catharines, [REDACTED]

August 20<sup>th</sup>, 2013

Office of City Clerk  
City of St Catharines  
PO Box 3012  
50 Church St.  
St. Catharines, ON  
L2R 7C2

P.D.S	
REFERRED TO	INIT.
J. Riddell	
EOWING	
AUG 23 2013	
SCAN <input type="checkbox"/>	
E-SAVE	
FILE NO	60.35.11 v.c

To Whom It May Concern:

The Church of the Transfiguration is in the process of obtaining appropriate licenses and permits for its columbarium that has been operating on site since 1984. In light of recent changes to the Funeral Burial and Cremation Services Act (FBCSA) we want to ensure that we are in full compliance with the new regulations. We are completing an *Application for Consent to Establish, Alter or Increase the Capacity of a Cemetery and to Establish a Crematorium on Cemetery Land*. In addition, we are completing an *Application for a Cemetery Operator's Licence*.

In order to ensure compliance, the application requires written approval from the City of St. Catharines to operate our columbarium. In addition to written approval, we require a copy of the Approval Notice as published by the Municipality. This Approval Notice must be published in the local paper.

Our columbarium is located at 320 Glenridge Avenue in the chapel of our church. It has seventy-two (72) niches, forty (40) of which are occupied. Twelve (12) other niches are empty and have been reserved. Twenty (20) niches are empty and available for future use. Each niche can hold two urns.

We would be happy to provide you with any information necessary to grant us written approval from the municipality. Please contact our church office administrator, Rebecca Sinan with any requests. She can be reached on weekday mornings at (905) 684-0722, electronically at [office@thetransfiguration.ca](mailto:office@thetransfiguration.ca) or at our mailing address:

320 Glenridge Ave.  
St. Catharines, ON  
L2T 3K7

We look forward to hearing from you.

Regards,

Rebecca Sinan  
Office Administrator

**RECEIVED**

AUG 23 2013

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ST. CATHARINES, ONTARIO

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CAO/MAYOR: \_\_\_\_\_



**Savoia, Ellen**

---

**From:** Blozowski, Kevin  
**Sent:** August 19, 2013 3:57 PM  
**To:** 'briannarhi@  
**Cc:** Savoia, Ellen; Bellows, Bruce  
**Subject:** RE: re-zoning questions

Hi CCb

*The short answer is that the proposed zoning follows directly from the NPCA regulated floodplain and valley land related regulations and that the City's Official Plan ( ie the zoning has to be in compliance with the Official Plan). As such we are obliged to change the zoning now in order to comply with the Plan. Further the zoning does not allow any more access to private property than is currently allowed. It may make it easier from an administrative perspective to allow creek remediation in the future. The City would not come in on private property to clean underbrush etc. I think you would have to approach MPAC in order to see if any tax relief could be had.*

*If you like we could meet with you and I have copied my colleagues on the zoning team your comments below and my response. We are in a time crunch this week as to completing the final draft of the by-law however if you'd like to sit down with us for an hour or so next week let me know and we can arrange. If affirmative let me know what your schedule looks like*

Regards

KB

**From:** briannarhi@  
**Sent:** Monday, August 19, 2013 2:09 PM  
**To:** Blozowski, Kevin  
**Subject:** re-zoning questions

Howdy KWB,

I'm still a little bit puzzled and concerned, as are my neighbours, as to why the city wishes to rezone the back portions of our properties on Jarrow as natural/conservation areas.

I think what has us a little concerned ---if we are reading the new zoning regulations properly--- is the fact that it appears that we will still retain legal ownership over the part that is being re-zoned, but that our full use and enjoyment of the property will be greatly curtailed. ie, if we can't build sheds or other structures on it, limitations re: tree removal &c. &c. &c. I doubt that any of us will be building boat ramps back there.

If the new zoning goes through, and if that land is re-zoned as natural area, I have a few questions. They might sound like dumb questions, but I really don't know all the legal rights that this new zoning would create for me and my neighbours as adjoining owners.

- 1) Is this paving the way for a possible future expropriation of that land? Why rezone it now at this particular point in time?
- 2) will it be any easier for creek remediation to be done?
- 3) will there be any clean-up efforts made on the adjacent greenbelt areas? (part of Cherie Road Park, Lot 606 on Plan 111.) It's not a big area of park adjacent to my house, but it's a tangled mess of underbrush---some poison ivy out there, stinging nettle, and TONS of mosquitoes which can be a concern now with West Nile. Also, the park is filled with ash trees that will eventually succumb to the ash beetle---some I think might already be infected---the dead and dying ash trees will eventually pose a danger to anyone using that park for recreational purposes

4) if it is re-zoned as conservation area, does that give the city or Conservation Authority the right to enter into the property to, let's say, build a walking trail---and does it give hikers the right to make use of our backyards as a spot to camp out if they so decide.

5) would there be any tax relief for the property owners on Jarrow? because if we can't fully enjoy the property once it's re-zoned, and since we have all lost a substantial amount of land through creek erosion, is there any grounds for appealing our assessments?

Inquiring minds want to know. I can always meet with you to sit down and have a chat about this, if it's too much to answer via e-mail.

Mr. B.

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## Savoia, Ellen

---

**From:** Paul Speck [REDACTED]  
**Sent:** August 6, 2013 9:27 AM  
**To:** Savoia, Ellen  
**Subject:** RE: Henry of Pelham

Hi Ellen,

The original intention of the email was to formalize what we would like to do and ask for comments. After speaking with Jim a couple of weeks ago it is clear we need to do a revision to the by-law for the Old Barn/hospitality project. Converting the existing farm barn into offices is not an issue for the city and from the latest correspondence from the NEC it looks like it will not be an issue with them. I have separated the two projects dealing with the offices first. Jim was to get me a letter of support or at least a letter that states the city has no issue with the office project and once we have approval from the NEC we will be submitting for a city building permit. I have not received it yet. If there is something I need to fill out to get the ball rolling on the Barn/hospitality project or if this and the previous email will work please let me know.

Thanks

Paul

Paul Speck  
President  
[REDACTED]  
[REDACTED] Pelham Rd.  
St. Catharines, Ontario  
L2R-6P7  
[www.henryofpelham.com](http://www.henryofpelham.com)  
[REDACTED]  
[REDACTED]

-----Original Message-----

**From:** Savoia, Ellen [<mailto:esavoia@stcatharines.ca>]  
**Sent:** Friday, August 02, 2013 4:39 PM  
**To:** Paul Speck  
**Subject:** RE: Henry of Pelham

Hello Paul

We are reviewing all of the comments we received regarding the draft zoning by-law. Your letter and email received June 3 outline concerns with current NEC policies and your development plans. I am unclear if your comments are also intended as requests for revisions to the draft zoning by-law. Could you please confirm if you are looking for revision to the draft by-law.

Thank you  
Ellen Savoia

-----Original Message-----

From: Paul Speck [REDACTED]

Sent: June 3, 2013 3:12 PM

To: [patrick.robson@niagararegion.ca](mailto:patrick.robson@niagararegion.ca)

Cc: Riddell, Jim; Bellows, Bruce; Savoia, Ellen; [kblozowski@stcatharines.ca](mailto:kblozowski@stcatharines.ca); Oakes, David; McMullan, Brian; [brian.baty@niagararegion.ca](mailto:brian.baty@niagararegion.ca); GNCC; Briggs, Colin

Subject: Henry of Pelham

Hi Everyone,

Thank you again for taking the time to meet with me. I have enclosed my first draft on our project. Any comments will be helpful.

Please feel free to contact me at anytime.

Thanks

Paul

Paul Speck

President

[REDACTED]

[REDACTED] Pelham Rd.

St. Catharines, Ontario

L2R-6P7

[www.henryofpelham.com](http://www.henryofpelham.com)

[REDACTED]

[REDACTED]

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**Savoia, Ellen**

---

600-35-11  
V. C  
comments

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**Sent:** August 6, 2013 9:27 AM  
**To:** Savoia, Ellen  
**Subject:** RE: Henry of Pelham

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Thanks

Paul

Paul Speck  
President  
[REDACTED]  
[REDACTED] Pelham Rd.  
St. Catharines, Ontario  
L2R-6P7  
[www.henryofpelham.com](http://www.henryofpelham.com)  
[REDACTED]  
[REDACTED]

-----Original Message-----

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**Sent:** Friday, August 02, 2013 4:39 PM  
**To:** Paul Speck  
**Subject:** RE: Henry of Pelham

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Thank you  
Ellen Savoia

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From: Paul Speck [REDACTED]  
Sent: June 3, 2013 3:12 PM  
To: [patrick.robson@niagararegion.ca](mailto:patrick.robson@niagararegion.ca)  
Cc: Riddell, Jim; Bellows, Bruce; Savoia, Ellen; [kblozowski@stcatharines.ca](mailto:kblozowski@stcatharines.ca); Oakes, David; McMullan, Brian; [brian.baty@niagararegion.ca](mailto:brian.baty@niagararegion.ca); GNCC; Briggs, Colin  
Subject: Henry of Pelham

Hi Everyone,

Thank you again for taking the time to meet with me. I have enclosed my first draft on our project. Any comments will be helpful.

Please feel free to contact me at anytime.

Thanks

Paul

Paul Speck  
President  
[REDACTED]  
[REDACTED] Pelham Rd.  
St. Catharines, Ontario  
L2R-6P7  
[www.henryofpelham.com](http://www.henryofpelham.com)  
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**Savoia, Ellen**

---

**From:** Ken Mech [REDACTED]  
**Sent:** August 2, 2013 10:28 AM  
**To:** Savoia, Ellen  
**Subject:** RE: [REDACTED] Church [REDACTED] Queenston Street

Hi Ellen,

The church I was calling about is at [REDACTED] Queenston Street. It is called Westview Christian Fellowship.

Ken

---

**From:** [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)  
**To:** [kenmech\[REDACTED\]](mailto:kenmech[REDACTED])  
**CC:** [bbellows@stcatharines.ca](mailto:bbellows@stcatharines.ca); [kblozowski@stcatharines.ca](mailto:kblozowski@stcatharines.ca)  
**Subject:** Westminster Church [REDACTED] Queenston Street  
**Date:** Thu, 1 Aug 2013 17:35:14 +0000

Hi Ken

Please find attached the site specific zoning by-law that includes [REDACTED] Queenston Street. Thank you for advising me that we had omitted zoning the lands Institutional. The revised draft zoning by-law, to be released this September to the public will zone the lands I2.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services  
City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

**Help zone your St. Catharines! Take our surveys at**  
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**Savoia, Ellen**

---

**From:** Savoia, Ellen  
**Sent:** August 1, 2013 1:35 PM  
**To:** 'kenmech [REDACTED]  
**Cc:** Bellows, Bruce; Blozowski, Kevin  
**Subject:** Westminster Church [REDACTED] Queenston Street  
**Attachments:** 2010-219.pdf

Hi Ken

Please find attached the site specific zoning by-law that includes [REDACTED] Queenston Street. Thank you for advising me that we had omitted zoning the lands Institutional. The revised draft zoning by-law, to be released this September to the public will zone the lands I2.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services  
City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

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**[www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)**



**Savoia, Ellen**

---

**From:** Glenn [REDACTED]  
**Sent:** July 31, 2013 11:45 AM  
**To:** Savoia, Ellen  
**Cc:** Riddell, Jim  
**Subject:** Draft CZB - R3  
**Attachments:** 2013 07 31 Suggested R3 for CZB.PDF

Hi again, Ellen

Here are my comments on Section 5.6 – R3:

The principles are similar:

1. Front-loaded, Rear-loaded and Site Development should be treated differently
2. For Front-loaded lots the minimum frontage should be based upon the narrowest practical house, (the same for detached, semis & townhouses) including driveway or garage + side-yards
3. For Rear-loaded lots the minimum frontage should be based upon the narrowest practical house, (the same for detached, semis & townhouses) + side-yards.
4. Site Development should be controlled primarily by Site Plan Control with zoned minimum density, minimum access and maximum height.

The differences between the R3 areas and the R2 & R1 areas are:

1. They are typically on busier streets
2. The frontage lots are frequently not as deep
3. Most buildings will be 2-storeys or more
4. The apartment form will be permitted

Therefore, for Front-loaded lots in my opinion we should discourage driveways and garages but permit smaller lots. However the urban design elements should still control the minimum widths.

In my suggested Section 5.6, for Front-loaded lots I have used the following principles:

1. Maintaining a maximum 60% garage to dwelling width is critical

2. Maintaining a maximum 50% front yard parking is critical. Per my approach with R1 & R2 I would apply the rule **"3m maximum width for lots up to 12m and 6m maximum width for lots 12m and wider"**
3. Using a minimum house width of 6m (20') for detached, semi, & townhouse lots. This width maintains #1 & #2 above.
4. Permitting shallower lots. Minimum areas are based upon a nominal lot depth of 25m (82').
5. Exterior side yards need not be greater than interior side yards

In my suggested Section 5.6, for Rear-loaded lots I have used the following principles:

1. Using a minimum house width of 4.6m (14') for detached, semi, & townhouse lots.
2. Maintaining a maximum 75% rear-yard parking. Per my approach with R1 & R2 I would apply the rule **"3m maximum width for lots up to 8m and 6m maximum width for lots 8m and wider"**
3. Permitting shallower lots. Minimum areas are based upon a nominal lot depth of 30m (100).
4. Exterior side yards need not be greater than interior side yards.

In my suggested Section 5.6, for Site Development I have used the following principles:

1. The zoning should control the density, height, access and pavement coverage only. Setbacks should be controlled by SPC.
2. For ground-oriented housing (detached, townhouses etc.) I find that there is no need to have more than 35% pavement coverage. Buildings don't generally exceed 35% coverage. Therefore landscaping ends up at least 30%. The 30% is fine as long as it is in the right location – another reason to control through SPC rather than zoning.
3. For apartments, at-grade parking should be discouraged for residents. Visitor parking should be at grade because underground parking is frequently controlled through security systems.
4. For apartments with underground parking, there is no need to go higher than 4 storeys because the garage-level floor plate wouldn't provide enough parking for more unless it was more than one level deep or beyond the building foot-print. This is economically impractical for the R3 areas and will likely be for a very long time. Therefore, in my opinion the height can be restricted to 4 storeys in the R3 areas if the pavement area is restricted to 15%. The end result would be a dramatic improvement in urban design for apartment sites over what has developed to date and what is presently in the Draft CZB.
5. Rather than defining "height" in meters, perhaps it would be better to control the number of storeys. Height is tricky because of varying ceiling heights, roof designs etc.
6. For all Site Development, the street access need only provide for a driveway (6m), a sidewalk (1.2m) and landscape buffer (total perhaps 5m). Therefore a minimum street access of 12m width should be acceptable & narrower for some small townhouse sites.

## **ADDENDUM to my notes on Section 3.8 Residential Parking Coverage**

**I believe that the provisions of this section should be moved to each of the zone charts R1, R2, R3 & R4.**

1. They should be different for each zone



2. Because they control what goes on a lot, they should be "up front" together with minimum areas setbacks etc.

I haven't produced sketches to illustrate the results of my comments because I am running out of time. However, I would be pleased to do so if you think that they would be helpful.

Cheers for now,

Glenn Barr, P.Eng., CNU-A

**Barr Associates**  
***Neighbourhood Development Consultants***

██████████  
██████████ Tulip Tree Common  
St. Catharines, ON ██████████

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### 5.6 Provisions for Residential (R3) ZONE

Suggested by Barr Associates

2013 07 31

### 5.5.1

**For lots with front access to a public or private street**

Permitted Uses	Lot Area per Dwelling Unit		Min Lot Frontage per unit	Min Front Yard	Min Rear Yard	Min Interior Side Yard	Min Exterior Side Yard	Max Height	Max Pavement Coverage
	Min	Max							
Detached	210 m2	336 m2	8.4 m	3 m	6 m	1.2 m	1.2 m	11 m	n a
Semi Detached	180 m2	288 m2	7.2 m	3 m	6 m	1.2 m	1.2 m	11 m	n a
Townhouse End Unit	180 m2	288 m2	7.2 m	3 m	6 m	1.2 m	1.2 m	11 m	n a
Townhouse Interior Unit	150 m2	240 m2	6 m	3 m	6 m	0 m	0 m	11 m	n a
Stacked Townhouse	180 m2	288 m2	7.2 m	3 m	6 m	1.2 m	1.2 m	11 m	n a
Duplex	180 m2	288 m2	7.2 m	3 m	6 m	1.2 m	1.2 m	11 m	n a
Driveways	Maximum width 3 m up to 12 lot width and 6m for lots grater than 12 m width								

### 5.5.2

**For lots with rear vehicular access to a public or private street**

[illegible]



## 5.5.2

For lots with parking provided in collective lots

Detached, Semi-detached, Duplex, Townhouse, Stacked Townhouse, Triplex, Fourplex	174 m <sup>2</sup>	288 m <sup>2</sup>	10 m	Setbacks to be determined through Site Plan Control per Current Urban Design Guidelines	11 m	35%
Apartments	n a	n a	12 m	Setbacks to be determined through Site Plan Control per Current Urban Design Guidelines	4 storeys	15%

Savoia, Ellen

---

**From:** Glenn [REDACTED]  
**Sent:** July 30, 2013 9:57 AM  
**To:** Savoia, Ellen  
**Cc:** Riddell, Jim  
**Subject:** Draft CZB - R1  
**Attachments:** 2013 07 29 Draft CZB R1 Comments Sketch A.PDF; 2013 07 29 Draft CZB R1 Comments Sketch B.PDF; 2013 07 29 Draft CZB R1 Suggested Section 5.4.PDF

Hi Ellen

Here are my comments on the Draft CZB R1 Zone:

The principles behind them include:

1. The key difference between the R1 & R2 criteria is the 3m side yards setback requirement on one side. This will give greater house separation for R1 infilling and make the R1 infilling more acceptable to the public.
2. The 50% rule in the Draft CZB will encourage wide driveways and 2-car garages for Detached and semis. My suggested 40% rule will restrict driveways and garages to single-car unless the lot is 15m wide.
3. The 50% Rule in the CZB will make the driveways and garages dominate street townhouses. My suggested 40% Rule and lot widths will generate 9' garage doors on 25' wide houses which are quite acceptable.
4. Even in the worst case (interior townhouses) the resulting minimum landscaping is 38% for my suggested lot sizes.
5. Per previous comments, The same house (7.8m wide) can be built on detached, semi-detached and all townhouse lots.

I haven't produced sketches for the Rear-loaded lots but the principles applied would be the same as in my R2 comments. Application of a Rear-loaded 60% Rule (See Addendum below) would require a lot width of 10m for Detached, Semi-detached, Townhouse, Stacked Townhouse or Duplex lots.

As in my R2 comments, the driveways for corner lots should be encouraged on the flankage by permitting a 1.2m setback to the garage.

Rather than a 5m setback to the house and a 6m setback to the garage, I suggest a 5m setback to the house and a 1.2 m setback from the garage door to the front of the house or covered porch.

Per my notes for R2, I believe that setbacks for Site Development (per my R2 definition) can't be practically controlled by the CZB. In my opinion, Site Development has to be controlled by density and height through the CZB and setbacks etc by Urban Design Guidelines at the SPA stage.

### **ADDENDUM TO MY NOTES TO SECTION 3.8**




I think that I overdid it with the 50% Rule for Rear-loaded lots. Application of a 60% rule for both R1 & R2 would encourage Rear-loading vs Front-loading (should we be so lucky) and still make rear lanes acceptable. The "Oakville Syndrome" would still largely be avoided.

Cheers,



Glenn Barr, P.Eng., CNU-A

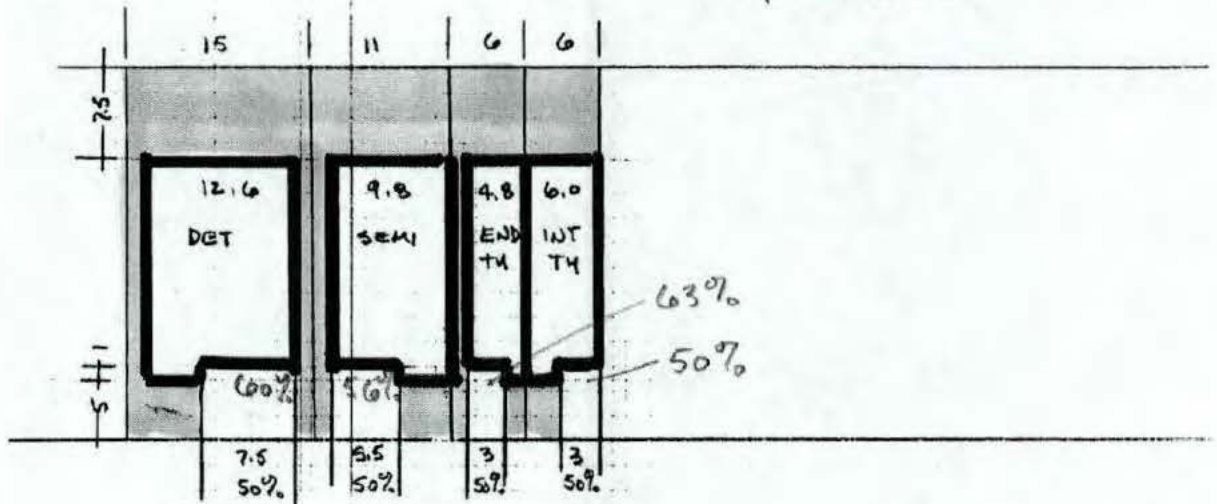
**Barr Associates**  
***Neighbourhood Development Consultants***

  
Tulip Tree Common  
St. Catharines, ON  

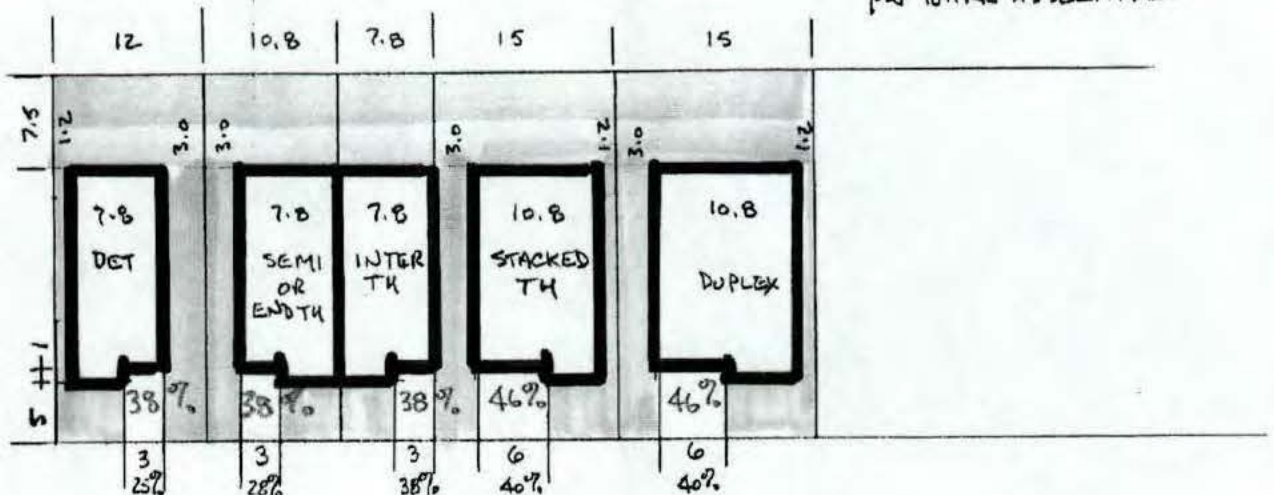
Click [here](#) to report this email as spam.

# SKETCH A

R1  
FRONT LOADED LOTS  
WITH MINIMUM FRONTAGES  
PER DRAFT C2B  
& 50% RULE



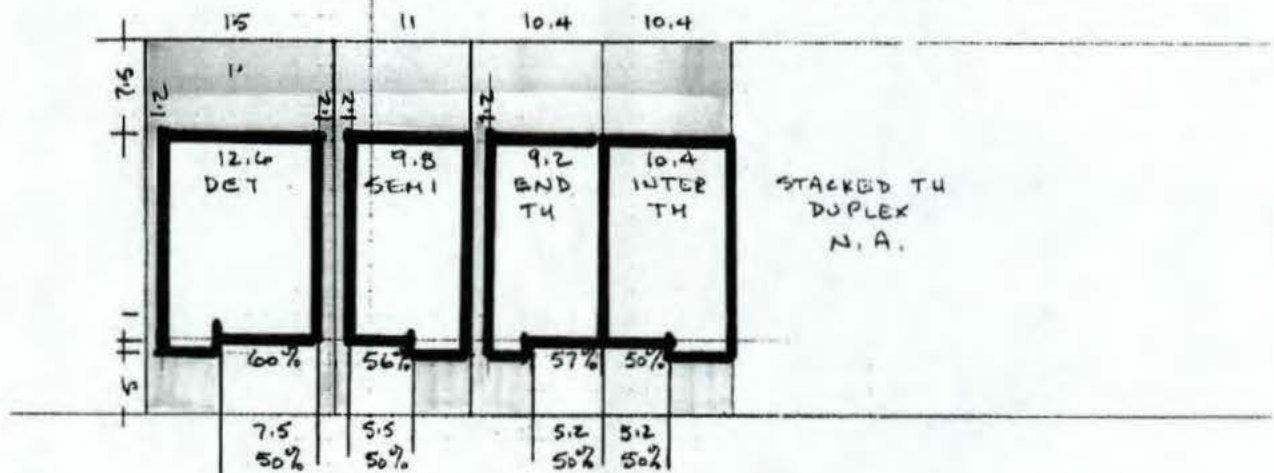
R-1  
FRONT LOADED LOTS  
WITH MINIMUM FRONTAGES  
& 40% RULE  
PER BARR ASSOCIATES



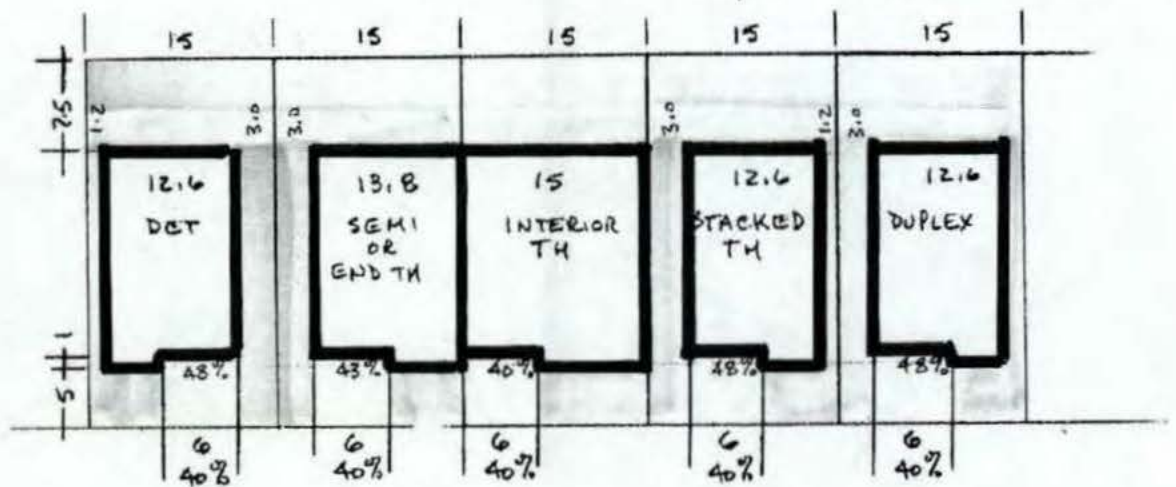


# SKETCH B.

R1  
FRONT LOADED LOTS  
WITH MINIMUM FRONTAGE  
& 2-CAR GARAGES  
± 50% RULE  
PER DRAFT C2B



R1  
FRONT LOADED LOTS  
WITH MINIMUM FRONTAGE  
& 2-CAR GARAGES  
± 40% RULE  
PER BARR ASSOCIATES SUGGESTION



## 5.4 Provisions for Residential (R1) ZONE

Suggested by Barr Associates

2013 07 29

### 5.4.1 For lots with front access to a public or private street

Permitted Uses	Lot Area per Dwelling Unit		Min Lot Frontage per unit	Min Front Yard	Min Rear Yard	Minimum Interior Side Yard		Min Exterior Side Yard	Max Height	Max Pavement Coverage
	Min	Max				One Side	Other Side			
Detached	360 m2	600 m2	12 m	5 m	7.5 m	1.2 m	3 m	3 m	11 m	n a
Semi Detached	324 m2	540 m2	10.8 m	5 m	7.5 m	3 m	n a	3 m	11 m	n a
Townhouse End Unit	324 m2	540 m2	10.8 m	5 m	7.5 m	3 m	n a	3 m	11 m	n a
Townhouse Interior Unit	234 m2	384 m2	7.8 m	5 m	7.5 m	0 m	0 m	3 m	11 m	n a
Stacked Townhouse	225 m2	384 m2	7.5m	5 m	7.5 m	1.2 m	3 m	3 m	11 m	n a
Duplex	225 m2	384 m2	7.5 m	5 m	7.5 m	1.2 m	3 m	3 m	11 m	n a

NOTE: Maximum driveway width 3m for lots up to 15m wide; 6m for lots 15m wide or greater

### 5.5.2 For lots with rear vehicular access to a public or private street

Detached	375 m2	600 m2	10 m	5 m	12 m	1.2 m	3 m	3 m	11 m	n a
Semi Detached	330 m2	540 m2	8.8 m	5 m	12 m	3 m	n a	3 m	11 m	n a
Townhouse End Unit	330 m2	540 m2	8.8 m	5 m	12 m	3 m	n a	3 m	11 m	n a
Townhouse Interior Unit	217 m2	384 m2	5.8 m	5 m	12 m	0 m	0 m	3 m	11 m	n a
Duplex	202 m2	384 m2	5.4 m	5 m	12 m	1.2 m	3 m	3 m	11 m	n a



Stacked Townhouse	202 m2	384 m2	5.4 m	5 m	12 m	1.2 m	3 m	3 m	11 m	n a
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NOTE: Maximum driveway width 3m for lots up to 12m wide; 6m for lots 12m wide or greater

**5.5.2 For lots with parking provided in collective lots**

Detached, Semi-detached, Duplex, Townhouse, Stacked Townhouse, Triplex, Fourplex	300 m2	480 m2	12 m	Setbacks to be determined through Site Plan Control per Current Urban Design Guidelines	11 m	35%
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**Savoia, Ellen**

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**From:** Glenn [REDACTED]  
**Sent:** July 29, 2013 10:15 AM  
**To:** Savoia, Ellen  
**Subject:** RE: Comments on Draft CZB #2 - R2  
**Attachments:** 2013 07 28 Suggested CZB R2 ZONE.PDF

Here it is, Ellen

R1, R3 & Residential General coming shortly

Cheers, Glenn

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**From:** Savoia, Ellen [mailto:esavoia@stcatharines.ca]  
**Sent:** July-29-13 8:41 AM  
**To:** Glenn  
**Subject:** RE: Comments on Draft CZB #2 - R2

Thanks Glenn. The attachment 2013 07 28 suggested Section 5.5 has some text cut off. Could you please see if you can re-create the pdf and resend? Thank you

---

**From:** Glenn [REDACTED]  
**Sent:** July 28, 2013 7:06 PM  
**To:** Savoia, Ellen  
**Cc:** Riddell, Jim  
**Subject:** Comments on Draft CZB #2 - R2

Hi again, Ellen

My comments regarding the Residential sections of the draft CZB are closely related to the Parking portion and in particular the 50% Rule vs my proposed 40% Rule. My view is not conventional; **zoning would be framed from an urban design perspective**. The quality of our neighbourhoods is largely dependent upon how well we provide for the storage of vehicles.

First, some principle items:



## 5.5 Provisions for Residential (R2) ZONE

Suggested by Barr Associates

2013 07 28

### 5.5.1 For lots with front access to a public or private street

Permitted Uses	Lot Area per Dwelling Unit		Min Lot Frontage per unit	Min Front Yard	Min Rear Yard	Min Interior Side Yard	Min Exterior Side Yard	Max Height	Max Pavement Coverage
	Min	Max							
Detached	300 m2	500 m2	10 m	3 m	6 m	1.2 m	3 m	11 m	n a
Semi Detached	260 m2	400 m2	8.8 m	3 m	6 m	1.2 m	3 m	11 m	n a
Townhouse End Unit	260 m2	400 m2	8.8 m	3 m	6 m	1.2 m	3 m	11 m	n a
Townhouse Interior Unit	225 m2	350 m2	7.5 m	3 m	6 m	0 m	n a	11 m	n a
Stacked Townhouse	225 m2	350 m2	7.5	3 m	6 m	1.2 m	3 m	11 m	n a
Duplex	225 m2	350 m2	7.5 m	3 m	6 m	1.2 m	3 m	11 m	n a

### 5.5.2 For lots with rear vehicular access to a public or private street

Detached	300 m2	500 m2	8 m	3 m	12 m	1.2 m	3 m	11 m	n a
Semi Detached	255 m2	425 m2	6.8 m	3 m	12 m	1.2 m	3 m	11 m	n a
Duplex	195 m2	325 m2	5.2 m	3 m	12 m	1.2 m	3 m	11 m	n a
Townhouse End Unit	255 m2	425 m2	6.8 m	3 m	12 m	1.2 m	3 m	11 m	n a
Townhouse Interior Unit	210 m2	350 m2	5.6 m	3 m	12 m	0 m	n a	11 m	n a
Stacked Townhouse	195 m2	325 m2	5.2 m	3 m	12 m	1.2 m	3 m	11 m	n a

## 5.5.2

### For lots with parking provided in collective lots

Detached, Semi-detached, Duplex, Townhouse, Stacked Townhouse, Triplex, Fourplex	270 m <sup>2</sup>	450 m <sup>2</sup>	10 m	Setbacks to be determined through Site Plan Control per Current Urban Design Guidelines	11 m	35%
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**Savoia, Ellen**

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**From:** Glenn [REDACTED]  
**Sent:** July 21, 2013 4:02 PM  
**To:** Savoia, Ellen  
**Cc:** Riddell, Jim  
**Subject:** Comments on Draft CZB #1  
**Attachments:** 2013 07 20 Sketch depicting 50% Rule draft CZB.JPG; 2013 07 20 Sketch Depicting 40% Rule CZB.JPG

Hi Ellen,

I have been reviewing the Draft CZB off and on over the past several weeks. Development of the Draft, I am sure, has been a tremendous task. Review and testing of it is also a challenge. As a result, I am commenting in parcels as I complete each.

Before doing so, I would like to compliment your group for a tremendous document. If approved with substantially the same content, I expect that it will transform the built urban fabric of the City over the next generation.

The format of the residential and mixed use zones will permit a dramatic increase in residential supply and diversity. However, I would be terrific if this opportunity were also used to improve the quality of the new supply. That is why I am initially commenting of Section 3 – PARKING.

#### Section 3 – PARKING

The storage of vehicles essentially controls all land development. And the storage of vehicles is the single biggest challenge in urban design. As a result of our suburban era parking regulations our cities are cluttered with vehicles, parking lots and garage doors rather than outdoor living spaces. Nevertheless, we all love the freedom that vehicles provide and we have to find a way to accommodate them in modern society. I believe that we can do it better and I think that the CZB is the opportunity to do so locally.

If I had my druthers, I would eliminate the minimum parking requirement and focus on the control of size, number and location of vehicle storage (driveways, parking lots and garages). There is no benefit in dictating a minimum parking requirement. The market determines what on-site parking is required. A house without parking would simply have a lower value than the identical house next door with on-site parking. The 1950's argument about overflow into the streets is illogical because people know what they are buying or renting and the City controls street parking. However, I expect that dropping the minimum requirement would be too far a departure from the existing By-laws for it to be incorporated into the CZB at this time. Therefore, I am assuming that minimum parking requirements will stay.

3.2 I think that the definition of "lot" needs refining. In a Vacant Land Condo, the "lot" wouldn't necessarily have the parking within it.

3.4 I don't think that the surface should be in the CZB. This should be a Site Plan Control item. For instance, in some cases I prefer to use a loose chip surface for environmental purposes.

3.6 I don't think that the additional width of spaces next to obstructions should be in the CZB. This also should be a Site Plan Control item. For instance, in a parking garage, the column spacing is set by the parking space widths; to allow for wider spaces at obstructions the column spacing would have to vary. That can be a very expensive issue. The problem is typically solved by the market – the restricted parking spaces sell last. Even if you retain



this provision, I think that you will need a definition of "obstructed" – all of the length?, half the length? This may generate an inordinate number of C of A apps.

- 3.8 **This is my biggest concern about quality.** In my opinion 50% is too much. See sketches attached (they depict the same 5 houses at the same scale).

With the 50% rule, the minimum lot width would be 5.2m for a lot with 1 parking space (2.6m wide) and 10.4m for a lot with 2 spaces side by side (5.2m wide). Developers will always gravitate to the minimum requirements. Houses without side yards built to the minimum would be 50% garage door. Detached houses could be 100% garage door in width ( $5.2 - 1.2 - 1.2 = 2.8\text{m}$  wide) for single car garage house (impractical) or 63% garage door ( $10.4 - 1.2 - 1.2 = 8.0\text{m}$  wide) for a two car garage house. From my experience, I have found that in order to avoid garage door prominence (especially for bungalows) garage doors should not be more than 1/3 of the width of the front face. 63% is way too much.

Also,

- The high proportion of garage removes opportunities to bring a portion of the dwelling (or verandahs) forward from the garages. This strongly encourages "garage-controlled" architecture.
- After removal of walkways and driveway flares, the public realm may be diminished to 40% green or less and,
- The 50% rule virtually eliminates the opportunity for curb-side parking.

After trying many alternatives in the design of Chicory Meadows I had the zoning restricted to 3.0m driveways and it works well. This formula permits verandahs, allows for curb-side parking and diminishes the impact of the garages and driveways.

**My suggestion is that driveway widths be restricted to 3.0m for all interior lots up to 15m wide and 6.0m for all lots larger than 15m. If this suggestion is accepted, minimum lot widths should be adjusted in the various residential zones.**

In my opinion, this single provision will dramatically improve the urban design quality of new development and will be easier to administer. Indeed, if this is not done there is risk of push-back by the public and the whole diversification aspect of the CZB could be put in jeopardy.

- 3.13.1 The requirement of 1.5 spaces per unit of Apartment and Private Road Development while most other residential uses require 1.0 spaces per unit is illogical. I think that it can be demonstrated that the demand for parking in Apartments and many Private Road Developments is less than detached or semi-detached etc. I suspect that this illogical mindset was perhaps generated in the 1950's as a result of the fear of public housing parking spilling out into adjacent neighbourhood streets. In today's world this is nonsense – purchasers and renters know how many spaces they are buying/renting and the City controls parking on municipal streets. Where I think the potential friction lies is in the provision of visitor parking. Public street-oriented housing typically has curb-side visitor parking; apartment or Private Road Developments do not.

**Therefore I suggest that Apartment uses and Private Street Developments be required to have a minimum of 1 parking space per unit plus 0.25 spaces per unit dedicated to visitors.**

**For Private Road Developments (typically Vacant Land Condos), the parking would not likely be within the "lot" but would be within the Condo boundaries or, in the case of Village on the Twelve with Shared Facilities, within the Shared Facilities. Also, "frontage" is somewhat meaningless in VLCs. Special Parking Provisions for Private road Developments should be incorporated into the CZB.**

- 3.14 Landscape Provisions



What is the definition of a "Parking Lot"? Is it 2 spaces? 3? 30? Since all new parking lots will be generated through Site Plan Control, Landscape Provisions can be imposed at that time. Including them in the CZB is messy and likely will generate minor Variances.

### 3.16 Bicycle Storage

What is required physically? A pad? A rack? This is also messy and in my opinion should be dealt with at the Site Plan Control process.

### Corner Lots

On corner lots driveways (and therefore garages) should be located on the flankage. Driveways on flankages should be permitted to a maximum of 6.0m. See my future notes on Corner Lots.

### Rear Lot Vehicular Access

The best urban design solution to controlling parked vehicles and garages is to provide for the at the rear (rear lanes etc). My notes above relate only to front-loaded lots and notes related to rear-loaded lots are contained in future notes.

Glenn Barr, P.Eng., CNU-A

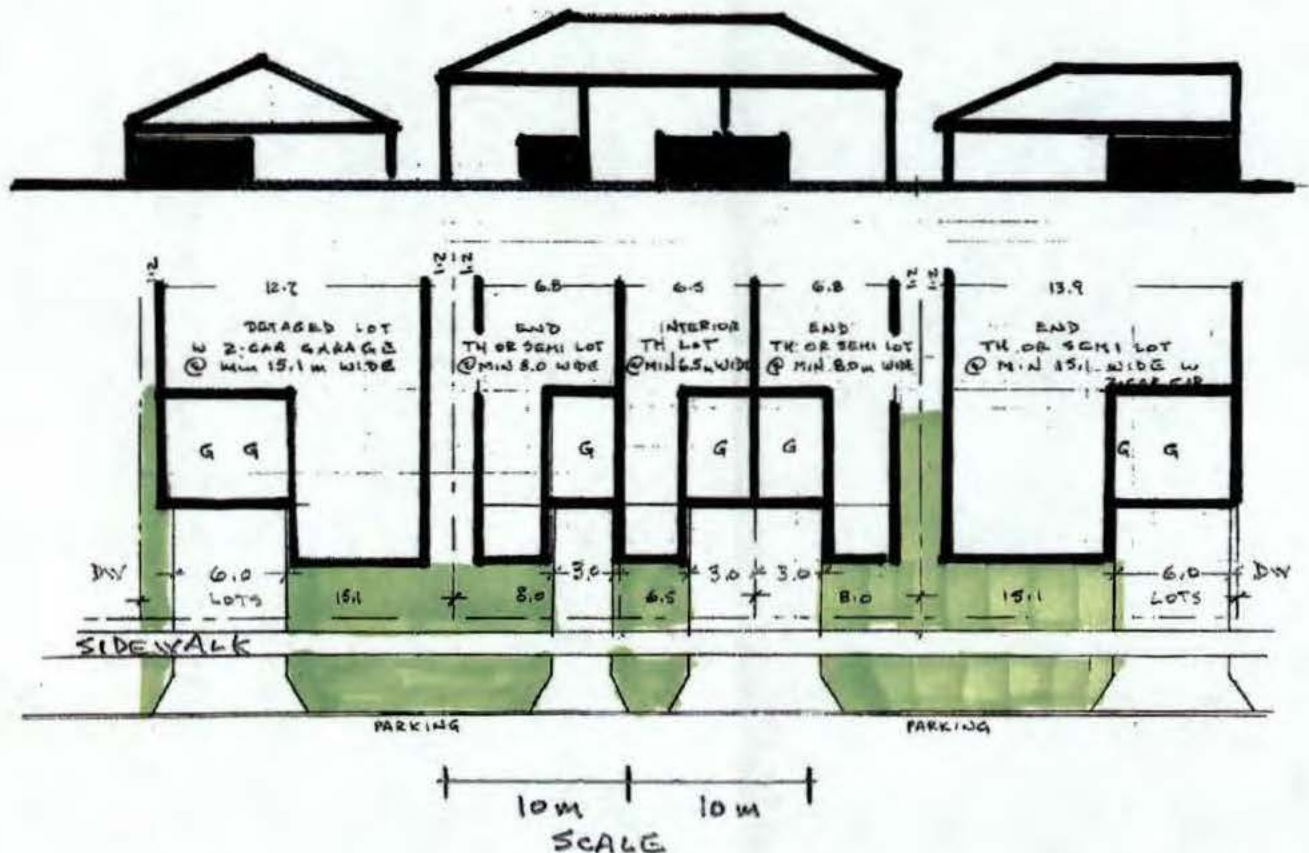
**Barr Associates**  
***Neighbourhood Development Consultants***

[REDACTED]  
Tulip Tree Common  
St. Catharines, [REDACTED]

# BARR ASSOCIATES

Neighbourhood  
Development  
Consultants

**Sketch Illustrating the Impact of the 40% Rule\* Upon the  
Front Elevations and Site Frontage of New Infill Development  
Per Barr Associates Suggested Minimum Lot Sizes for the R2 Zoning  
Draft Comprehensive Zoning By-law  
City of St. Catharines  
2013 07 20**

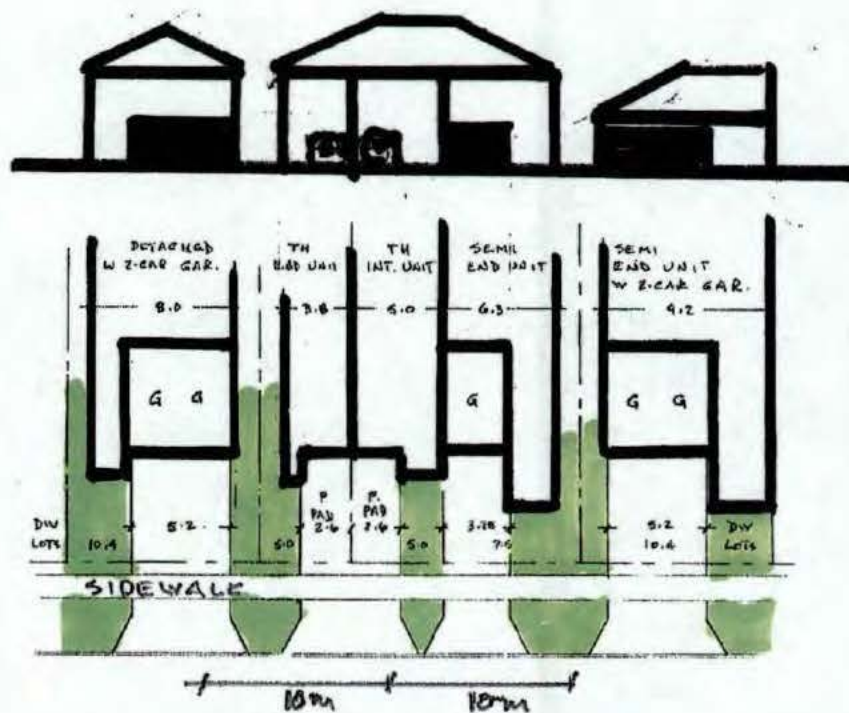


**\* = Section 3.8 – Residential Parking Coverage**

Parking to be restricted to a maximum width of 3.0m for lots up to 15m in width and 6.0m for lots greater than 15m in width. Lot sizes approximate 40% of lot frontages are driveways.



**Sketch Illustrating the Impact of the 50% Rule\* Upon the  
Front Elevations and Site Frontage of New Infill Development  
Per the March 18, 2013 Draft Comprehensive Zoning By-law R2 Zoning  
City of St. Catharines**



\* = Section 3.8 – Residential Parking Coverage

Parking to be restricted to a maximum of 50% of Area and Frontage of Lots

**Savoia, Ellen**

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**From:** Savoia, Ellen  
**Sent:** July 19, 2013 9:34 AM  
**To:** 'Victor Kallaur'  
**Subject:** RE: [REDACTED] Niagara St. Lot

Hi Victor

I am directly involved along with several other members of staff in drafting the new zoning by-law. The team reviews all requests. Rest assured that your requests have been sent to the right place. Your emails are sufficient notice for your requests to be taken into consideration and for you to receive notice of meetings etc. for zoning by-law review process. Based upon requests in your earlier emails, we have revised the draft by-law to apply the C1- Local Convenience Commercial zone including the other special provisions that were included in the 1986 by-law to [REDACTED] Niagara Street. The final draft will be released for public comment in September. You will be able to review the final draft by-law and provide additional comments. We will take into consideration all feedback when preparing the final by-law that will be put forward for Council's consideration at a public meeting in November. Council will decide then if they want to approve the by-law in whole or in part. There is an appeal process should you or anyone else be dissatisfied with Council's decision. You will receive notice of the decision which will include information on how to appeal. This link to an overview of the zoning by-law process may be of interest. <http://www.mah.gov.on.ca/Page1758.aspx>

I hope that this helpful to you. I would be happy to answer any additional questions through email or over the phone.

Ellen Savoia

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**From:** Victor Kallaur [REDACTED]  
**Sent:** July 19, 2013 8:08 AM  
**To:** Savoia, Ellen  
**Subject:** 446 Niagara St. Lot

Hi Ms. Savoia:

I really do not know how the draft document is produced and who prepares it.

During our exchange of emails, you advised us that we still could add to the draft under the circumstances.

Do you yourself do the inclusions or is it done by some committee or by those private citizens who want to be included in the draft document.

Is there some forms to fill out with the information on a particular property?

Here is some past history.

As I donated the corner to the city way back for easy access from Scott St to Niagara Street northward, this made the lot smaller.

I do believe at the time, council took that into consideration and allowed us the 1986 set backs, the size of the building and the number of parking spots as if the corner was there.



The mayor then even thanked us for the donation at the council meeting.

Since we live in London after I retired from practice in St. Catharines, unfortunately we did not get notices of changes as we only get the property tax bill.

This may explain why we were not able to sell the lot all these years on the market as changes occurred--I truly do not know.

Would you please include us in the draft where we ask that council allow us to keep the same parameters as offered in 1986 so it can be a buildable commercial lot like in 1986 unlike now--but under the new proposed zoning name change--C 1 --local convenience commercial.

All that area is very commercialized and no one will want to live in a residence on a tiny lot on a corner with heavy traffic----and to put up a house--it will not sell and probably no one will want to rent who have the means to pay for rent.

Then, the only hope left is to find out if the city wants to buy the lot as a green belt or donate it to the city provided the donation slip is acceptable for a tax write off.

I know that way back on the corner donation, Revenue Canada, now CRA did not allow it as a deduction.

I have tried donating the lot to other charity groups and no one wants it to date.

If you can add this info to the draft on your own, kindly send us the page of the draft where it will appear.

I also ask that you inform us of any future meetings concerning the lot as we would like to give our input and attend in person.

If in case council decides to reject this part, can we still ask for another minor variance in the future--or is that not allowed under the new zoning name?

I apologize for my lack of knowledge how all this works but you have been very helpful... which is greatly appreciated.

Sincerely,

Vic Kallaur

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 8584 (20130719)

\_\_\_\_\_ The message was checked by ESET NOD32 Antivirus.

\_\_\_\_\_

**Savoia, Ellen**

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**From:** Victor Kallaur [REDACTED]  
**Sent:** July 10, 2013 7:20 AM  
**To:** Savoia, Ellen  
**Subject:** Re: [REDACTED] Niagara St

Ellen:  
 Thank you.

Mother and baby are home now after one day at hospital----and doing well.  
 My son in law who is a lawyer usually faints when he sees blood unlike his brother who is a doctor--but he cut the cord and changed the diapers several times yesterday--and it did not bother him---  
 ammmmmmmmmmmmmmmmmazing what a person can do when adrenalin takes over.

Back to the lot:

Is it possible to add the same size of building as was allowed in 1986 to the draft--that way it still will be a lot that can work and is saleable which this point should be indicated and emphasized saying that otherwise it is a useless unbuildable lot. You know the details what needs to be said.

Let's face it, the other three corners are VERY commercial and noone will want to live in a house here just as a residence---and with the present size of building allowed due to changes since 1986 that we were never informed of changes noone will want to build as you wrote about the size required in a mall just to function commercially.

Please let me know if you will add this to the draft and please email us a copy of this wording.

Also please keep us informed of any meeting etc as we would like to join in.

gain THANK YOU for all your info and help.

Sincerely,

Vic

**From:** Savoia, Ellen  
**Sent:** Tuesday, July 09, 2013 12:16 PM  
**To:** Victor Kallaur  
**Cc:** Bellows, Bruce ; Blozowski, Kevin  
**Subject:** RE: [REDACTED] Niagara St

Congratulations on the birth of your grandchild. I hope that everyone is healthy.  
 Based upon your comments below, we will revise the draft zoning on your property to Local Convenience Commercial (C1), with the 3 m yard for the side and rear yard as per the 1986 zoning by-law.  
 You have been added to our mailing list and will receive notice of the open house meetings scheduled for this September . You will also receive notice of the public meeting, tentatively November, 2013.

Yours Truly



Ellen Savoia

(905)688-5601, ext 1752

**From:** Victor Kallaur [REDACTED]  
**Sent:** July 8, 2013 9:47 AM  
**To:** Savoia, Ellen  
**Subject:** Re: 4 [REDACTED] Niagara St

Hi Ellen: Please read my areas in red----and maybe use the same email to respond ---say in green for your input beside my comments and questions to make it easier.

**From:** Savoia, Ellen  
**Sent:** Thursday, July 04, 2013 4:17 PM  
**To:** Victor Kallaur  
**Subject:** RE: [REDACTED] Niagara St

Hi Vic

The Local Convenience Commercial (C1) zone would indeed allow a wider range of commercial uses than the current zoning which only permits a dentist office with two apartments. The Local Convenience Commercial C1 zone did not exist in 1986. In 1986 there was a different Official Plan which is the over-arching land use policy document that guides how land is used and ultimately what we can and cannot put in a zoning by-law. Your current zoning may have been that due to the different land use policies in place at that time; or it may have been that because your lot is small for a commercial property the planners of the day recommended limiting the range of commercial allowed; or it could be you only asked for a dentist office with two apartments and that is what was approved. It is really hard to say without the historic files.

At the time, in 1986 I just wanted to put up a dental office plus two apartments so I asked it be changed from the barber shop, beauty salon and one apartment use that was C2--however if you read your attachment, I believe that it remained as C2 general commercial where I asked for a dental office to go in plus two apartments on top floor with 3 m set back from the rear and side.

The lot was NOT too small for the drawings submitted to the building department--which were put on hold for medical reasons at the time.

The C1 zone is a proposed zone now as part of the new draft zoning by-law. It has yet to be approved by City Council. We hope to have Council approve the final draft this November. A person could appeal (object to) the by-law once passed by Council. There is a 20 day appeal period. Neighbours can only appeal during that time period. The neighbours cannot stop a use in the by-law once the by-law is in place.

The new by-law will establish different setbacks from the 1986 by-law. I have attached the 1986 by-law for you to compare with the requirements for the C1 shown on page 40. See also Section 3 for the requirements that will apply to the parking area (how many spaces, the landscape requirements). You can however, also request that we include the yard requirements from the 1986 by-law.

How do I go about this--where my lot would be included in the draft for consideration--where I would like special consideration for this unique lot.

Here are the reasons.

Way back the city asked for the corner for a road easement from Scott to Niagara St--that is why you see the complete corner not on the site plan--I offered it for free then--why for free ---- as they allowed the size of the building that we wanted plus the 3 m side and rear set back which would not be altered by the city after taking this chunk of land from me.

As a good "St. Catharines-olite" I refused to accept the amount offered and donated that piece to the City.



If you look at the correspondence to the city closing lawyer, the city would "owe" me one for this good gesture.

This lot is unique in that to begin with, it was small but adequate for my purpose in 1986 as allowed by the city then ie the square footage of the building, the parking spot number and the set backs -----.

I understand that it is the only lot in the draft from talking with you that is effected so badly making it completely useless-----the only one in the present state where if the new official is acted out makes it useless for commercial and residential--not even a residence as noone will want to live or rent on a corner where the other three sides are commercial now--especially after spending all that money to have it changed to the 1987 zoning plus paying property taxes as commercial for the last 25 plus years.

The city has to take that into consideration (as I am sure I will not be refunded anything for all the money spent).

By the city enacting the new official plan causes a massive financial loss as the lot becomes unbuildable.

Surely that is not the intent of the city to create such hardship especially when one is a senior citizen--or on the public in general by enacting a general new official plan.

Even in the past, we were never warned of any changes locally affecting this lot so we could take advantage of the original zoning of 1986 and build as allowed.

I do realize that the city tried to warn all those living in St. Catharines by various means but failed to address those who live outside St. Catharines--and we are few which the city should have made an effort to contact on such a grave issue where big dollars can be lost--I joke that the city can send a registered letter if the grass is too high--I am not complaining but I feel that the city should have made an effort to contact those living away from St. Catharines-- the best method would be putting such info as a notice with the tax bill as all property owners get a tax bill.

When in past I informed MPAC that the lot was useless they claimed that they talked to the city and told differently so I was paying big dollars for property taxes----yet unable to sell it after a potential buyer would talk to the city telling them that it was unbuildable--sorry for the sour grapes on my part here--but this is costly to me--so I would like the city to consider the lot separately from other lots.

Here is what I would like the city to consider and put into the draft.

I would like the new official plan to make an exception on this lot because of the fact that land was given to the city to keep what was allowed in 1987 ----where I be allowed the same three m rear and side set back as in 1987 plus be allowed to put up a building of the square footage as allowed in 1987 and the same number of parking spots.

This lot is different that any other lot and I do think that the city should make an exception in this case as all can not be grouped under one plan.

The city also has to consider that the three corners are already commercial and built plus there are other properties already built like Avondale or the beer store plaza at 446 Scott street that are in the area --which are surrounded by homes unlike at this lot location.

How do I go about this to include this in the draft for debate?

Are there other ways of doing this --like a future variance etc if the draft throws my proposal out and will not allow an exception for this unique case.



Is there any chance that the city would like to buy the lot and keep it as a green belt? --as the city is creating this lot to be useless.

That sure would solve my dilemma.

I will take your comments above as your request to zone the property commercial with the current yard requirements included. That would zone the property Local Convenience Commercial. From what I understand that should solve your dilemma. The Official Plan does not set out the specifics of yard or parking requirements.

The proposed parking requirements are 1 parking space per apartment in a mixed use building. The parking requirements for commercial in 1 parking space for every 20 m2 of gross leaseable floor area. These are slightly reduced from the currently parking requirements.

I don't know if the list of uses that are permitted in the Local Convenience Commercial zone will result in the property finally being developed. It is a very small parcel for a commercial use. I suspect that is the main reason it remains vacant.

We proposed Low Density Residential- Suburban (R1) zoning as we think that is appropriate given the size and location of the land. The proposed R1 would allow a range of residential uses including street townhouses. I did mention to Stephanie that it may be helpful to you to consult a land use planner who could evaluate the property and proposed zoning etc. on your behalf.

Would that be someone from the city?

The consultant could be from here but doesn't need to be.

I will be happy to answer any additional questions you may have. Please note that I will be away Friday and Monday, I will respond as soon as I can upon my return.

-----you can have another day off--joking--my sister in law used to work for City of NF in the same capacity as you way back--so you deserve time off.

Please do not take any of my remarks in the wrong light as they are open discussions on my part, trying to find a solution. After all the city has to consider that the city is us--the people that make up the city.

I can use all the advice you have as I am truly green when it comes to this--I really appreciate all your help thus far--  
Sincerely--Vic Kallaur.

Have a nice weekend.

Yours truly  
Ellen Savoia

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** July 4, 2013 6:33 AM  
**To:** Savoia, Ellen  
**Subject:** Re: [REDACTED] Niagara St

Hi Ellen:

Thank you for your reply.

Your reply certainly has got us out of the "shock" stage as there is another avenue to follow--thank you.

Changing the zoning to LCC seems better than what the 1986 zoning was in that it opens the lot to more things--am I right?. Did it exist in 1986?

What I do not understand is why would whoever at the city change this to a better situation from my view, allowing more things to go in there that may be negatives to neighbours--or am I not reading this right.

Example---Let's say someone buys the lot --under LCC--they can put up a gas station--and the zoning allows that--can the neighbours object and stop it even though the zoning allows it? That's an extreme situation which in the past I refused to sell to such as I believe in the golden rule.

I could have sold that lot many times over if I had the present things allowed as in the LCC zoning--or did LCC not exist then and so I had to go the expensive route as I did in 1986.

The comprehension is not that good when one gets into the 70's--so that is why all the questions as you are the expert on this.

What are the negatives going into this suggested new zoning route----that is from the present 1986 zoning.

Please list.

Are the setbacks the same now as with the 1986 zoning in effect now or the size of building the same from building now with the 1986 zoning or do they change differently when transferring to the LCC zoning.

Please give all the info possible so we can make a decision.

Sincerely,

Vic Kallaur

**From:** Savoia, Ellen

**Sent:** Wednesday, July 03, 2013 9:52 AM

**To:** Victor Kallaur

**Cc:** Bellows, Bruce ; Blozowski, Kevin

**Subject:** RE: [REDACTED] Niagara St

Hi Vic

The Local Convenience Commercial zoning would permit a dental office with two apartments. The problem with your parcel will be complying with the current development standards due to the size of the land. I reviewed a development proposal in 2008 for a commercial residential building, that was approximately 2000 square feet of commercial space. At that time, the proponent was advised that we were unable to support the proposal and that it was unlikely that even a building half that size would fit on the lot with current development standards.

The present zoning would not be grandfathered once this draft new zoning by-law is approved. The old zoning will be repealed and rescinded with the approval of the this new zoning by-law. Any lawful use on the property would be grandfathered but the zoning permissions would not. Therefore if you already had a commercial use on the property and the zoning was changed to residential the commercial use could legally continue. It would not matter who owned



the property. However since the land is vacant there is no use established. The zoning is not connected to the ownership of the land.

I mentioned to Stephanie yesterday this draft new zoning by-law is a draft. We are seeking input on the it and it is not too late to make comments on that draft. There is no cost to providing comments on the draft zoning by-law. The zoning currently proposed for your parcel at [REDACTED] Niagara Street is Low Density Residential- Suburban Neighbourhood (R1). We can zone the your property Local Convenience Commercial (C1) which would allow the same uses that you have permissions for today (dental office with two apartments). We look for your direction on how to proceed. I had the draft zoning by-law couriered to your house yesterday. I marked the pages which I thought were the most relevant to your situation. Please review and provide your comments as soon as you are able. In September a final draft new zoning by-law will be released, with a public meeting before City Council anticipated for November.

I understand your frustration with not having heard about the process earlier. Due to cost, we were not able to mail out notices to each property owner. We had ads on three radio stations, in the St. Catharines Standard, Niagara This Week, Facebook, in St. Catharines Transit buses, Cogeco Cable Community News. We also have a Zone Your St. Catharines Facebook page (we paid for ads on Facebook as well), twitter feed, and information on the City website. In March a four page insert was included in the free Thursday edition of the St. Catharines Standard that is distributed to all households in the City. We were at the Home Show at Seymour-Hanna Arena Easter Weekend. We just recently completed 9 open house meetings that were held throughout the City including one at the Pen Centre, from April to June. Information was included in water bills this spring. I have added your names to our contact/ mailing list for the zoning by-law. You will receive notice of future meetings. I will also investigate the other avenues to give notice for the Fall meetings.

I received a request to call you through another staff member. I am sorry that you were 'bounced around' and did not connect directly with me earlier to answer your questions. I tried to call this morning prior to preparing this email. Please call if you have more questions.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services  
City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

**Help zone your St. Catharines!** <http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp>  
**Visit us on facebook at** [www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** July 2, 2013 7:48 PM  
**To:** Savoia, Ellen  
**Subject:** Re: [REDACTED] Niagara St

Hi Ellen:

Under "local convenience commercial" zoning--can I still build a dental/medical office plus two apartments later on --I realize that the size will be reduced from what I was allowed in 1986.

Also how much time do I have---- to build under the local conven. comm. zoning --and what is the cost to change to this new zoning---and in the alternative under the present 1986 zoning as now which is still in effect---by when do I have to get a permit and by when does the building have to be completed.

Someone told me that the lot is "grandfathered" with the present 1986 zoning and the city cannot change it as long as it is in our names but can once it is sold--is that true?

This all comes as a shock--finding out by coincides from the realtor within the last two weeks--as we retired to London after living most of my life in St. Catharines..

Sincerely,

Vic Kallaur

**From:** Victor Kallaur

**Sent:** Tuesday, July 02, 2013 1:59 PM

**To:** [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)

**Subject:** [REDACTED] Niagara St

Dear Ellen;

Thank you for the effort that you have made to help me out today!

It is much appreciated!

After a moment of thought, I was wondering about your suggestion i.e. to change to local convenience commercial zoning.

Does that therefore mean that only a convenience store will be allowed to go in? > and therefore a professional office with apartments would not be allowed?

Also, when you mentioned that a 1,000 sq ft building is reasonable, is that on ground coverage of the lot?

Sincerely,

Stephanie Kallaur  
[REDACTED]

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[REDACTED]

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Please consider the environment before printing this email.

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6035-11 KC

Dear Ellen and Brittney:

Enclosed are some photos to illustrate some of the issues that I raised in my submission.

If more large trailers and carts are allowed in our residential areas, some of these vehicles will be used for third party advertising as is shown in some of the photos. Most other cities in Ontario do not permit this practice (i.e. vehicles used in a manner unrelated to their normal use as vehicles)

The visual integrity of our "Garden City" is already overwhelmed by advertising, and this urban blight will be extended into our residential neighbourhoods if you do not enact preventive regulations.

Some large vehicles are parked on the road allowance. Other ones are left permanently on the property and may not be properly maintained and protected.

Please make some changes that will create a framework for building an attractive city. The majority of our residents have civic pride and look after their properties. Let's not destroy their efforts by listening only to those who show little concern for how their actions will affect their neighbourhoods or our streetscape. Let us leave the next generation of inhabitants with a very beautiful, green, and environmentally sustainable St. Catharines.

Sincerely,

*Joanne*

Joanne Atkinson



JOANNE E ATKINSON

ST. CATHARINES ON  
CANADA

RPT	INFO	REFERRED TO	INIT.
		E. Savard	EB
DATE REC'D →	JUL - 4 2013		SCAN <input type="checkbox"/>
FILE NO			

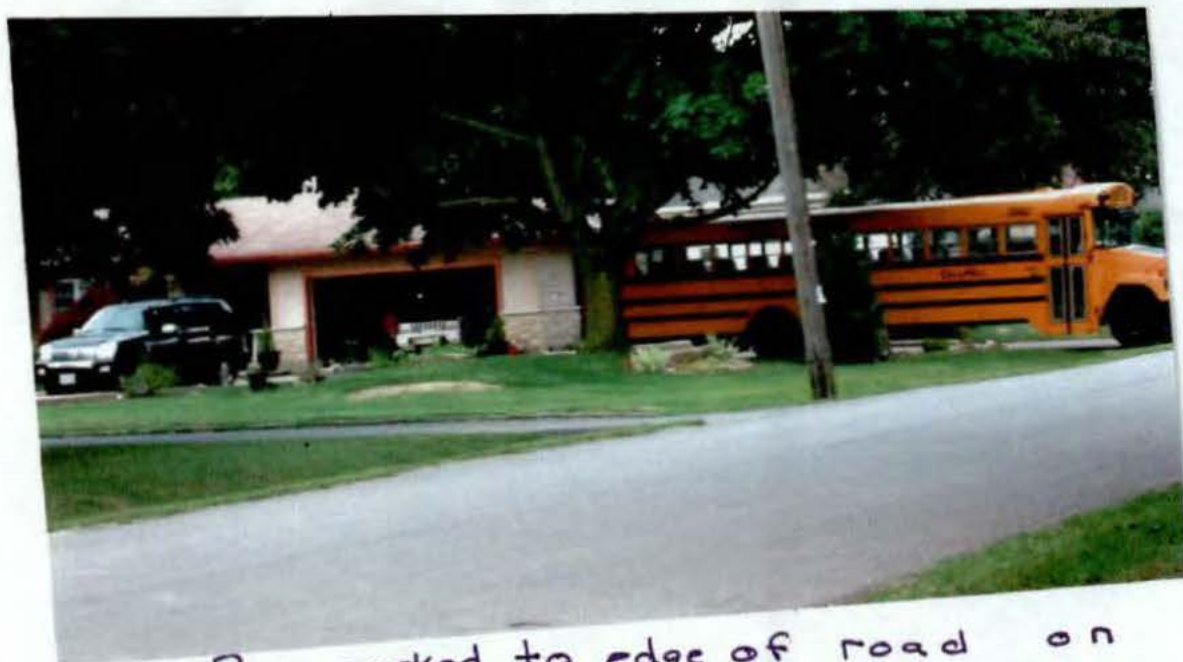




Three large Vehides parked on Corner  
lot.  
Front View of Property



Side View of Property  
Large Rig



Bus parked to edge of road on  
city road allowance



Numerous accessory structures plus  
trailer and RV. (seems to be inhabited)





Large Trailer Rigs Being Used  
for Third Party Advertising



Old Cart Used for Advertising and Parked Permanently on Lot

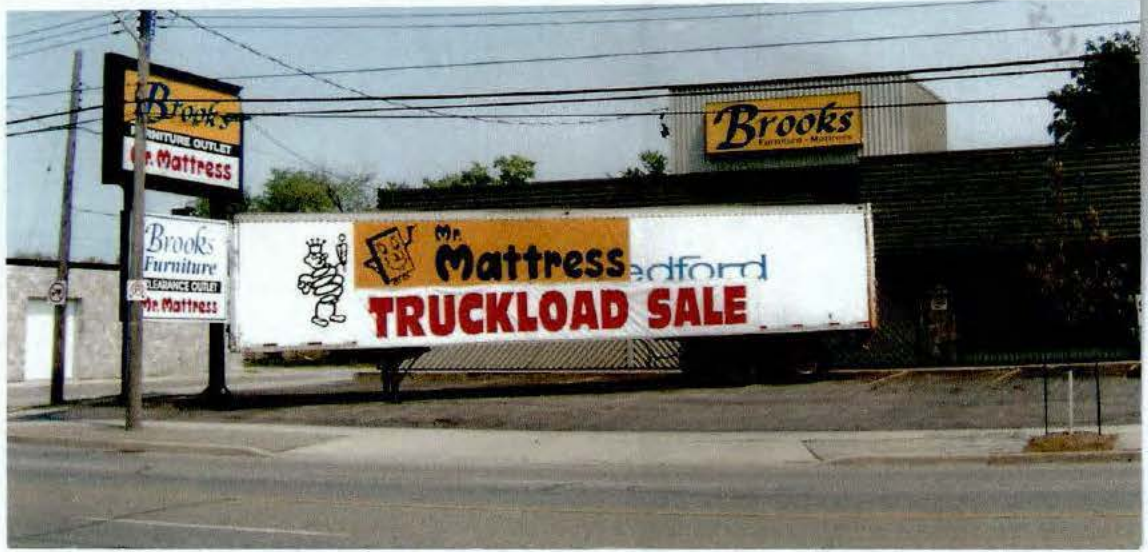


Old Derelict Truck Used For Advertising  
(Q.E.W and Ontario St. Intersection)



(Lines are flat and it is permanently parked there to advertise.





Truck Rigs Used For Advertising



00-35.11 v-c

**Savoia, Ellen**

---

**From:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Sent:** July 3, 2013 4:08 PM  
**To:** Savoia, Ellen  
**Cc:** Bellows, Bruce; Blozowski, Kevin  
**Subject:** FW: Comments regarding the new zoning by-law  
**Attachments:** IMG\_2069.JPG; IMG\_2074.JPG

---

**From:** paul pattison [REDACTED]  
**Sent:** Thursday, June 27, 2013 12:09 AM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Cc:** Willie Abattison  
**Subject:** Comments regarding the new zoning by-law

I'm disappointed that the new by-law does not address the matter of recreational type vehicles/trailers being parked for extended periods beyond building setback lines.

I believe that building setbacks were established to hilitte the streetscape and to provide residence with a street view. In addition there are the safety issues regarding obstructing the driver sightline when exiting a driveway or an intersecting street.

I question why a large object like an RV would be permitted to park on what can be a permanent basis beyond the setback line (normally about 6 metres) however the building itself must adhere to an established setback. What is the logic?

The attached two photos illustrates why I feel that the proposed new zoning by-law must restrict the parking or storage of Commercial and RV's in front and sideyards of residential lots.

IMG\_2069 Typical example of an RV parked 24/7 for more then six months. In Huntington Estates I located three similar situations including a large boat, in many cases extending beyond the streetline  
IMG\_2074 View from porch and living room window of [REDACTED] Huntington Lane illustrating how the streetview would be totally obstructed if a large RV was permitted to park 24/7 in the shown driveway.

I would also like to go on record as supporting the recent submission regarding "Model Zoning Provisions for Bicycles" as submitted by Dave Hunt & Ken Forgeron etc.

Thank you for the opportunity to provide these comments and I commend you for the extensive effort that has been put forth in attempting to advise the public about this new zoning by-law.

Paul & Willie Pattison  
[REDACTED] Huntington Lane  
St.Catharines ON  
[REDACTED]  
[REDACTED]











60-35-11  
V.C

## Savoia, Ellen

---

**From:** Savoia, Ellen  
**Sent:** July 3, 2013 9:53 AM  
**To:** 'Victor Kallaur'  
**Cc:** Bellows, Bruce; Blozowski, Kevin  
**Subject:** RE: [REDACTED] Niagara St

Hi Vic

The Local Convenience Commercial zoning would permit a dental office with two apartments. The problem with your parcel will be complying with the current development standards due to the size of the land. I reviewed a development proposal in 2008 for a commercial residential building, that was approximately 2000 square feet of commercial space. At that time, the proponent was advised that we were unable to support the proposal and that it was unlikely that even a building half that size would fit on the lot with current development standards.

The present zoning would not be grandfathered once this draft new zoning by-law is approved. The old zoning will be repealed and rescinded with the approval of the this new zoning by-law. Any lawful use on the property would be grandfathered but the zoning permissions would not. Therefore if you already had a commercial use on the property and the zoning was changed to residential the commercial use could legally continue. It would not matter who owned the property. However since the land is vacant there is no use established. The zoning is not connected to the ownership of the land.

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I received a request to call you through another staff member. I am sorry that you were 'bounced around' and did not connect directly with me earlier to answer your questions. I tried to call this morning prior to preparing this email. Please call if you have more questions.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services



City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

Help zone your St. Catharines! <http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp>  
Visit us on facebook at [www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** July 2, 2013 7:48 PM  
**To:** Savoia, Ellen  
**Subject:** Re: [REDACTED] Niagara St

Hi Ellen:

Under "local convenience commercial" zoning--can I still build a dental/medical office plus two apartments later on --I realize that the size will be reduced from what I was allowed in 1986.

Also how much time do I have---- to build under the local conven. comm. zoning --and what is the cost to change to this new zoning---and in the alternative under the present 1986 zoning as now which is still in effect---by when do I have to get a permit and by when does the building have to be completed.

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This all comes as a shock--finding out by coincides from the realtor within the last two weeks--as we retired to London after living most of my life in St. Catharines..

Sincerely,

Vic Kallaur

---

**From:** Victor Kallaur  
**Sent:** Tuesday, July 02, 2013 1:59 PM  
**To:** [esavoia@stcatharines.ca](mailto:esavoia@stcatharines.ca)  
**Subject:** [REDACTED] Niagara St

Dear Ellen;

Thank you for the effort that you have made to help me out today!

It is much appreciated!

After a moment of thought, I was wondering about your suggestion i.e. to change to local convenience commercial zoning.

Does that therefore mean that only a convenience store will be allowed to go in? > and therefore a professional office with apartments would not be allowed?

Also, when you mentioned that a 1,000 sq ft building is reasonable, is that on ground coverage of the lot?

Sincerely,

Stephanie Kallaur



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## Savoia, Ellen

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**From:** Savoia, Ellen  
**Sent:** July 2, 2013 4:12 PM  
**To:** 'Victor Kallaur'  
**Subject:** RE: [REDACTED] Niagara St

Stephanie

You are welcome. The draft zoning by-law went out today by courier.

In the draft zoning by-law the Local Convenience Commercial zone permits a limited range of commercial uses : animal care establishment, day care, cultural facility, indoor recreation establishment, motor vehicle gas station, office, place of worship, restaurant, retail store, service commercial, social service facility and apartment dwelling units. The Local Convenience Commercial does not allow free standing residential use.

I mentioned that 1000 square feet was generally the smallest square footage for a viable commercial space, given the expense of construction etc. It is the smallest unit size for example in most small strip malls. I am not sure that you could fit that square footage on 446 Niagara Street. Municipal requirements such as parking, landscape buffers of 3 metres wide along all lot lines as well as possible dedication of land for road widenings along both Scott Street and Niagara Street, must be taken into consideration. As I mentioned it may be prudent for you to seek the opinion of a professional planner.

I hope that the above information clarifies things. Please let me know if you have any additional questions.

Ellen Savoia, M.C.I.P., R.P.P.  
905-688-5601, ext. 1752

---

**From:** Victor Kallaur [REDACTED]  
**Sent:** July 2, 2013 1:59 PM  
**To:** Savoia, Ellen  
**Subject:** [REDACTED] Niagara St

Dear Ellen;

Thank you for the effort that you have made to help me out today!

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Sincerely,

Stephanie Kallaur  
[REDACTED]

---

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6035.1) u.c

**Savoia, Ellen**

---

**From:** Pihach, Judy  
**Sent:** July 2, 2013 3:30 PM  
**To:** Bellows, Bruce; Blozowski, Kevin; Savoia, Ellen  
**Subject:** FW: Review of St. Catharines Draft Zoning By-law  
**Attachments:** NCGI - Response to St. Catharines Draft Zoning - July 2, 2013.pdf; Appendix A.pdf; Appendix B.pdf; Appendix C.pdf; Appendix D.pdf; Appendix E.pdf; Appendix F.pdf; Appendix G.pdf; Appendix H.pdf; Appendix I .pdf

Fyi

Judy Pihach  
Manager, Planning Services  
Planning and Development Services  
City of St. Catharines  
P.O. 3012, 50 Church Street  
St. Catharines, ON  
L2R 7C2

Phone 905 688 5601 ex 1725  
E-mail [jpihach@stcatharines.ca](mailto:jpihach@stcatharines.ca)

---

**From:** Amanda McNeish [REDACTED]  
**Sent:** Tuesday, July 02, 2013 3:19 PM  
**To:** Pihach, Judy; Riddell, Jim  
**Cc:** Terri Johns  
**Subject:** Review of St. Catharines Draft Zoning By-law

Good Afternoon Judy and Jim,

Please find attached NovaCore Consulting Group Inc.'s review of the City of St. Catharines Draft Zoning By-law.

We would appreciate your review and comment.

If you have any questions, please do not hesitate to contact our office.

Thank you very much,





Amanda McNeish, BES, MCIP, RPP  
Planner  
NovaCore Consulting Group Inc.  
Planning Division

[REDACTED] Garth Street, Suite 201  
Hamilton, ON [REDACTED]

[REDACTED] [REDACTED]



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July 2, 2013

Ms. Judy Pihach  
Manager Planning Services  
50 Church Street  
St. Catharines, ON L2R 7C2

Mr. Jim Riddell  
Director of Planning and Development Services  
50 Church Street  
St. Catharines, ON L2R 7C2

Dear Ms. Pihach and Mr. Riddell:

**RE: COMMENTS ON CITY OF ST. CATHARINES DRAFT ZONING BY-LAW  
RESPECTING HERITAGE POINT SUBDIVISION AND WOODBURN AVENUE**

---

**NOVACORE CONSULTING GROUP INC. (NCGI)** represents Brickyard Developments Limited, the owner of the above noted lands.

Please be advised we have reviewed the City's Draft Zoning By-law against the currently approved zoning for the subject lands, and have included for your reference comparison tables. **Please see Appendices A to I.**

We have identified specific provisions from the proposed Draft Zoning that do not carry over the as-of-right permitted provisions of the existing By-law. These provisions have been highlighted in red. In some cases, we respectfully request that the Draft Zoning By-law be amended to include our requested changes (highlighted in blue). This is to ensure that units currently existing and/or under construction do not become legal non-conforming uses, as well as to ensure as-of-right provisions are carried over. In some cases, we have posed some questions for clarification (highlighted in green).

Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,  
**NOVACORE CONSULTING GROUP**

A handwritten signature in blue ink, appearing to read "Amanda McNeish", is written over a faint, larger blue ink signature.

**Amanda McNeish, BES, MCIP, RPP**  
Planner





City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX A

Subject Lands:	Municipal Address	Legal Description
	1,3,5,7,9,11,13,15,17 Avery Cres.	Blk 7, Plan 30M-382
	1,3,5,7,9,11,13,15,17 Guest Place	Blk 9, Plan 30M-382
	2,4,6,8 Guest Place	Part of Blk 10, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

	Zone	Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 62-86/By-law 2004-263/By-law 2007-312	Mar. 18, 2013		
		R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
Provisions for Street Towns	Min. Lot Frontage	5.5m/unit (max. 8 attached units)	5.5m/unit (max. 6 attached units)	Conforms.	5.5m/unit (max. 8 attached units) requested.
	Min. Lot Area	165 sq.m.	min. 165 sq.m., max. 348 sq.m.	1 Avery Cres. (351 sq. m.) and 17 Avery Cres. (413 sq. m) exceeds	No maximum requested.
	Max. Lot Coverage	55%	x	Conforms.	No change requested.
	Min. Front Yard	6m to an attached garage, 4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard.	5m to dwelling, 6m to attached garage	Conforms.	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to an attached garage (where the garage door faces the flanking yard), 3m to main wall of dwelling, porch or verandah. No encroachments are permitted into the min. flanking yard.	x		
	Min. Side Yard	1.2m	min. 1.2m interior, min. 3m exterior		
	Min. Rear Yard	7.5m	7.5m		
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	2 spaces/unit with one space provided in an attached garage. Tandem permitted.	1	Conforms.	No change requested.
	Min. Landscaped Open Space	25%	25%		
	Min. Density per Hectare	x	20 units	Conforms on a block basis and per unit.	Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?

City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX B

Subject Lands:	Municipal Address	Legal Description
	19, 21, 23 Avery Crescent	Blk 6, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 62-86/By-law 2004-263/By-law 2007-312/Minor Variance A-67/10	Mar. 18, 2013		
	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
Provisions for Street Towns	Min. Lot Frontage	5.0m/unit (max. 8 attached units) per approved Minor Variance A-67/10.	5.5m/unit (max. 6 attached units)	Exceeds.	Requested to be reduced to 5.0m per approved Minor Variance A-67/10. Max. 8 attached units requested.
	Min. Lot Area	165 sq.m.	min. 165 sq.m., max. 348 sq.m.	Exceeds. (480 sq. m, 365 sq.m., 629 sq.m.).	No maximum requested.
	Max. Lot Coverage	55%	x	Conforms.	No change requested.
	Min. Front Yard	6m to an attached garage, 4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard.	5m to dwelling, 6m to attached garage	Conforms.	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to an attached garage (where the garage door faces the flanking yard), 3m to main wall of dwelling, porch or verandah. No encroachments are permitted into the min. flanking yard.	x		
	Min. Side Yard	1.2m	min. 1.2m interior, min. 3m exterior		
	Min. Rear Yard	7.5m	7.5m		
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	2 spaces/unit with one space provided in an attached garage. Tandem permitted.	1	Conforms.	No change requested.
	Min. Landscaped Open Space	25%	25%		
	Min. Density per Hectare	x	20 units	19 and 21 Avery Cres. conform on an individual lot basis. 23 Avery does not meet (16 units/ha). Overall, meets on a block basis.	Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?



City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX C

Subject Lands:	Municipal Address	Legal Description
	28, 30, 32, 34, 36, 38 Woodburn Avenue	Parts 1-7, Plan 30R-14125

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

	Zone	Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 62-86/By-law 2004-263/By-law 2007-312	Mar. 18, 2013		
Provisions for Street Towns		R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
Provisions for Street Towns	Min. Lot Frontage	5.5m/unit (max. 8 attached units)	5.5m/unit (max. 6 attached units)	Conforms.	5.5m/unit (max. 8 attached units requested).
	Min. Lot Area	165 sq.m.	min. 165 sq.m., max. 348 sq.m.	28 Woodburn Ave. (492 sq. m.) and 38 Woodburn Ave. (420.7 sq. m.) exceeds.	No maximum requested.
	Max. Lot Coverage	55%	x	Conforms	No change requested.
	Min. Front Yard	6m to an attached garage, 4m to main wall if dwelling, porch, or verandah. No encroachments permitted into the min. front yard.	5m to dwelling, 6m to attached garage	Conforms	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to an attached garage (where the garage door faces the flanking yard), 3m to main wall of dwelling, porch or verandah. No encroachments are permitted into the min. flanking yard.	x		
	Min. Side Yard	1.2m	min. 1.2m interior, min. 3m exterior		
	Min. Rear Yard	7.5m	7.5m		
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	2 spaces/unit with one space provided in an attached garage. Tandem permitted.	1	Conforms	No change requested.
	Min. Landscaped Open Space	25%	25%		
	Min. Density per Hectare	x	20 units	Conforms on a block basis and individual unit basis.	Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?

City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX D

Subject Lands:	Municipal Address	Legal Description
	44,46,48,50,52,54 Woodburn Avenue	Block 12, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 62-86/By-law 2004-263/By-law 2007-312	Mar. 18, 2013		
	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
Provisions for Street Towns	Min. Lot Frontage	5.5m/unit (max. 8 attached units)	5.5m/unit (max. 6 attached units)	Conforms.	5.5m/unit (max. 8 attached units requested).
	Min. Lot Area	165 sq.m.	min. 165 sq.m., max. 348 sq.m.	WE DO NOT HAVE THIS INFORMATION. UNLESS JOHN DOES A PLAN FOR US???	No maximum requested.
	Max. Lot Coverage	55%	x	Conforms.	No change requested.
	Min. Front Yard	6m to an attached garage, 4m to main wall if dwelling, porch, or verandah. No encroachments permitted into the min. front yard.	5m to dwelling, 6m to attached garage	Conforms.	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to an attached garage (where the garage door faces the flanking yard), 3m to main wall of dwelling, porch or verandah. No encroachments are permitted into the min. flanking yard.	x		
	Min. Side Yard	1.2m	min. 1.2m interior, min. 3m exterior		
	Min. Rear Yard	7.5m	7.5m		
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	2 spaces/unit with one space provided in an attached garage. Tandem permitted.	1	Conforms.	No change requested.
	Min. Landscaped Open Space	25%	25%		
	Min. Density per Hectare	x	20 units	Conforms on a block basis.	Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?



City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX E

	Municipal Address	Legal Description
Subject Lands:	67 Avery Crescent	Lot 5, Plan 30M-382
	69 Avery Crescent	Lot 4, Plan 30M-382
	71 Avery Crescent	Lot 3, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 2004-263/By-law 2007-312 (Site Specific)/Minor Variance A-70/12 and A-71/12 increases max. coverage to 46% for 69 and 71 Avery Cres.	Mar. 18, 2013		
Provisions for Single Detached Dwelling	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
	Min. Lot Frontage	9m	9m		
	Min. Lot Area	275 sq.m.	min. 275 sq.m, max. 372 sq. m.	67 Avery Cres. (517.83 sq. m.) exceeds.	No maximum requested.
	Max. Lot Coverage	45% or 46% for 69 and 71 Avery Cres. (minor variances)	x	Conforms. Unit SC-02 results in 45.6% coverage on 69 and 71 Avery Cres. Approved Minor Variances increases permitted coverage to 46%.	FYI - per approved Minor Variance, coverage was increased to 46% for 69 and 71 Avery Cres.
	Min. Front Yard	6m to attached garage where garage door faces flanking yard, 3m to main wall of dwelling, porch or verandah. No encroachments permitted.	5m to dwelling, 6m to attached garage	69 Avery Cres. does not conform. Covered porch is 4.58m from front lot line. Enclosed structures must meet building setbacks.	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to attached garage where x garage door faces flanking yard, 3m to main wall of dwelling, porch or verandah. No encroachments permitted.			
	Min. Side Yard	1m	1.2m interior side yard, 3m exterior side yard	Does not conform.	Min. side yard of 1m requested.
	Min. Rear Yard	7.5m	6m	Conforms.	
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	1	1	Conforms.	
	Min. Landscaped Open Space	25%	25%		

City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX F

Subject Lands:	Municipal Address	Legal Description
	14,16,18,20,22,24,26 Woodburn Ave.	Parts 1-11, Plan 30R-14061

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning By-law 62-86/By-law 2004-263/By-law 2007-312	New Draft Zoning Mar. 18, 2013	Conformity	NCGI Requested Change
	Zone	R5 Mixed Density Residential with Site Specific Provisions	R2 Low Density Residential - Traditional Neighbourhood		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		long term care facility			
		retirement dwelling			No change requested.
		any railway line existing at date of passing of By-law			
Provisions for Street Towns	Min. Lot Frontage	7m/unit	5m (max. 6 attached units)	Does not conform. 7 unit townhome currently exists.	Max. 8 attached units requested.
	Min. Lot Area	165 sq.m.	280 sq.m.	16, 18, 20, 22, 24 Woodburn Ave. do not conform.	Min. 165 sq. m requested.
	Max. Lot Coverage	55%	x	Conforms.	No change requested.
	Min. Front Yard	6m to an attached garage, 4m to main wall if dwelling, porch, or verandah. No encrachsments permitted into the min. front yard.	3m to dwelling, 6m to attached garage	Conforms.	4m to main wall if dwelling, porch, or verandah. No encrachments permitted into the min. front yard is requested.
	Min. Flanking Yard	6m to an attached garage (where the garage door faces the flanking yard), 3m to main wall of dwelling, porch or verandah. No encroachments are permitted into the min. flanking yard.	x		
	Min. Side Yard	1.2m	min. 1.2m interior, min. 3m exterior	Conforms.	No change requested.
	Min. Rear Yard	6m	6m		
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	2 spaces/unit with one space provided in an attached garage. Tandem permitted.	1	Conforms.	No change requested.
	Min. Landscaped Open Space	25%	25%		
	Min. Density per Hectare	x	20 units	Conforms on a block basis and individual lot basis.	Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?



City of St. Catharines Existing Zoning vs. New Draft Zoning

APPENDIX G

Subject Lands:	Municipal Address	Legal Description
	40 Woodburn Ave.	Block 14, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning	New Draft Zoning	Conformity	NCGI Requested Change
		By-law 62-86/By-law 2004-263/By-law 2007-312	Mar. 18, 2013		
	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3-47-H8 Medium Density Residential with Site Specific Provisions and Holding		
	Permitted Uses	single detached dwelling	single detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		long term care facility	long term care facility		
		retirement dwelling			No change requested.
		any railway line existing at date of passing of By-law			
Provisions for Apartment	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3-47-H8 Medium Density Residential with Special Provisions and Holding		
	Min. Lot Frontage	10m	10m		
	Min. Lot Area	550 sq. m.	N/A for lot area per dwelling unit	Conforms.	No change requested.
	Max. Lot Coverage	40%	x	Conforms.	No change requested.
	Min. Front Yard	6m	6m		
	Min. Flanking Yard	4.5m	x	Conforms.	No change requested.
	Min. Side Yard	min. 6m from golf course, min. 10m northerly side yard, 1/2 building height	min. 6m from golf course, min. 10m northerly side yard, 4m interior side yard	Conforms.	No change requested.
	Min. Rear Yard	13.5m	13.5m		
	Max. Height	4 storeys up to max. of 13.5m	16m	Conforms.	No change requested.
	Min. Parking Per Dwelling Unit	1.5 per rental unit, 1.75 per condo unit	1.5 per unit, 1 per unit for a mixed use building		
	Min. Landscaped Open Space	25% and min. 4m landscape strip along side and rear lot lines abutting an R2C zone.	25% and min. 4m along side and rear lot lines abutting an R2 zone		
	Min. Density per Hectare	x	min. 25 units, max. 99 units	Does not conform.	No maximum requested. Is this measured on an overall block basis or on an individual unit basis (i.e. lots created from part lot/severance)?
	Balconies	shall be permitted to encroach 1.2m into any required yard	shall be permitted to encroach 1.2m into any required yard.		
	Holding	RSC, 100 yr floodplain limit be relocated	RSC, 100 yr floodplain limit be relocated		

# City of St. Catharines Existing Zoning vs. New Draft Zoning

## APPENDIX H

Subject Lands:	Municipal Address	Legal Description
	77 Avery Crescent, Units 1-26	Block 13, Plan 30M-382

RED FONT = COMPLIANCE ISSUE

BLUE FONT = REQUESTED CHANGE TO NEW DRAFT ZONING

GREEN FONT = QUESTION/FOR CLARIFICATION

		Existing Zoning By-law 2004-263/By-law 2007-312 (Site Specific)/Minor Variance A-62/12 reduces min. rear yard to 6m.	New Draft Zoning Mar. 18, 2013	Conformity	NCGI Requested Change
	Zone	R5 Mixed Density Residential with Site Specific Provisions	R3 Medium Density Residential/Approved Minor Variance A-62/12		
	Permitted Uses	single detached dwelling	detached dwelling		
		semi-detached dwelling	semi detached dwelling		
		duplex dwelling	duplex dwelling		
		two-unit dwelling	triplex dwelling		
		street townhouses	street townhouse		
		quadruplexes	fourplex dwelling		
		planned unit development	private road development		
		apartment	apartment building		
		long term care facility	long term care facility		
		retirement dwelling	stacked townhouse		Retirement dwelling requested to be carried over as a permitted use.
		any railway line existing at date of passing of By-law			
Provisions for Private Road Development	Min. Lot Frontage	30m	12.7m (for the lot not per unit). Max 8 attached units.	Conforms.	No change requested.
	Min. Lot Area	1000 sq. m.	n/a		
	Max. Lot Coverage	40%	x		
	Min. Front Yard	6m to the front lot line.	5m to dwelling/6m to attached garage	Conforms.	No change requested.
	Min. Flanking Yard	4.5m	3m exterior side yard	Conforms.	No change requested.
	Min. Side Yard	1.2m	3m from end wall, 6m from rear wall	Does not conform. Min. 1.2m provided.	Min. 1 m side yard requested.
	Min. Rear Yard	6m (as approved by minor variance A-62/12)	3m from end wall, 6m from rear wall	Conforms.	FYI - per approved Minor Variance, min. rear yard was reduced to 6m.
	Min. Between Buildings	x	6m between end walls, 7.5 between rear walls, 6m between end and rear walls	Does not conform.	No min. between buildings requested. Is this applicable to ALL uses i.e. will the same standards apply to single, towns, apartments, etc. ?
	Min. Distanct From Private Road	x	6m to attached garage, 3m to dwelling	Conforms.	No change requested.
	Max. Unit Driveway Width	x	50% of unit width	Does not conform.	No maxiumum unit driveway width requested.
	Max. Height	11m	11m		
	Min. Parking Per Dwelling Unit	1	1.5	26 single detached units with a min. of 1 attached single car garage with driveway (i.e. additional parking spot) is proposed.	1 parking spot per dwelling unit is requested. Is tandem parking permitted? Is a 26 unit private development with a min. of one single car garage and driveway per unit exempt from provision of accessible parking? Is visitors parking required?
	Min. Landscaped Open Space	25%, min. 3m wide landscape strip shall be provided along the front and flanking lot line.	25%	Conforms.	
	Min. Density per Hectare	x	min. 25 units, max. 99 units	Does not conform.	No min. or max. requested.



Savoia, Ellen

---

60-35-11  
V.C  
comments

**From:** Mel Bird [REDACTED]  
**Sent:** June 27, 2013 10:37 AM  
**To:** Savoia, Ellen  
**Subject:** Fwd: Great Western Street lands

Good morning Ellen:

and thank you for your past assistance respecting the proposed Comprehensive Zoning By-law in regards to the marginally noted property. We will be submitting written concerns to your attention shortly with respect to the M1H proposed designation and the restrictive nature thereof as regards our future uses of the existing buildings and expansions and or redevelopment of the excess lands. We would prefer the removal of the H altogether but would be amenable to its retention with some clarifying footnote i.e. whereby any future uses of the existing building or developments on the excess lands could be carried out having in mind some reasonable predetermined set back or coverage or specific area for accomodating access and parking for the hoped for Transit Site OR Can we make the H relate only to the need not to impact on a future Transit Site. " Mr. Paul Chapman, our consultant in these maters will be writing to you on our behalf and we look forward to further discussions in that regard.

Sincerely,

G Mel Bird

--

G Mel Bird

Click [here](#) to report this email as spam.

600-35.11 v.C  
Ellen

CHAPMAN PLANNING SERVICES

MISSISSAUGA ROAD

ST. CATHARINES, ON



Sent by email only

June 26th, 2013

City of St. Catharines Planning and Development Department

50 Church Street,

P.O. Box 3012

St. Catharines, ON

L2R 7C2

Attention: Judy Pihach

RE: Proposed Zoning for Great Western Street

Dear Ms. Pihach:

I am writing to you on behalf of the party that has an agreement to purchase the above noted property. The City's proposed zoning of the site is M1-83-H6. I understand this to mean that the site is zoned Medium Density Mixed Use (M1) and that Special Provision 83 and the H6 provision applies to this site. In terms of the range of uses proposed, these are acceptable.

I am concerned about future interpretation of Special Provision 83. This provision appears to allow only existing uses of the site to undergo internal conversions in addition to the rail station. The current wording does not appear to allow other permitted M1 uses. At this time, there is a vacancy within the building. If this vacancy is not filled prior to the passage of the by-law, it would appear that a new use would not be permitted to be established. If that was the intent, the property has effectively been frozen. This property has a history of a wide range of uses in addition to the railway station. These uses include offices, restaurants, educational uses/institutional uses, a bingo hall and an electronics recycling facility. If the intent was not to freeze the uses of the site to the current uses, I believe a clarification of the provision would be desirable.

In reading the H6 provision, it would appear that the intent of this provision applies only to the Major Transit Station and a limited number of small scale ground floor uses which are presumably introduced when the Major Transit Station is opened. There is no wording in this provision that suggests that it

Like  
first  
"in  
Agric  
Zone...  
no  
alternativ  
use permitted  
JP



would apply to other permitted uses on the site. Please confirm in writing that this is the City's intent. If this is correct, then Clarifying Special Provision 83 to provide for the same intent would assist in future bylaw interpretation. If the intent is otherwise, this needs to be discussed further before the by-law is presented.

In order for ease of by-law administration, the City may wish to add a statement at the bottom of Special Provision 83 as they have for Special Provision 20 that the H6 provision also applies to the site.

The City has worked hard to simplify the proposed by-law and to make by-law administration easier in the future. There is much that is good in the proposed by-law but for this property, there is a need for some additional work to ensure that it is clear which permitted uses in the M-1 zone are permitted.

I look forward to working with your staff to develop wording that will both provide the owner the opportunity to use the property for the permitted uses and also protect the City's interest related to the site of a future Major Transit Station. We would be pleased to meet with your staff to discuss this further. I do believe that we can find wording that is acceptable to all.

Yours truly

Paul Chapman, R.P.P., M.C.I.P

Chapman Planning Services

c.c. Mel Bird

**Savoia, Ellen**

---

**From:** Pihach, Judy  
**Sent:** June 26, 2013 3:47 PM  
**To:** Savoia, Ellen  
**Subject:** FW: Proposed Zoning for Train Station Site  
**Attachments:** revlettocityrepropzon.docx

Fyi

Judy Pihach  
Manager, Planning Services  
Planning and Development Services  
City of St. Catharines  
P.O. 3012, 50 Church Street  
St. Catharines, ON  
L2R 7C2

Phone 905 688 5601 ex 1725  
E-mail [jpihach@stcatharines.ca](mailto:jpihach@stcatharines.ca)

---

**From:** Paul Chapman [REDACTED]  
**Sent:** Wednesday, June 26, 2013 12:59 PM  
**To:** Pihach, Judy  
**Subject:** Proposed Zoning for Train Station Site

Hello

Please find a letter concerning the proposed zoning for [REDACTED] Great Western. As outlined in the letter, I believe there is a need for clarification of the City's intent for the site so as not to freeze the property with only its current uses.

We look forward to discussing this with you in the near future.

Paul Chapman  
Chapman Planning Services

Click [here](#) to report this email as spam.



CHAPMAN PLANNING SERVICES

■ MISSISSAUGA ROAD

ST. CATHARINES, ON



Sent by email only

June 26th, 2013

City of St. Catharines Planning and Development Department

50 Church Street,

P.O. Box 3012

St. Catharines, ON

L2R 7C2

Attention: Judy Pihach

RE: Proposed Zoning for ■ Great Western Street

Dear Ms. Pihach:

I am writing to you on behalf of the party that has an agreement to purchase the above noted property. The City's proposed zoning of the site is M1-83-H6. I understand this to mean that the site is zoned Medium Density Mixed Use (M1) and that Special Provision 83 and the H6 provision applies to this site. In terms of the range of uses proposed, these are acceptable.

I am concerned about future interpretation of Special Provision 83. This provision appears to allow only existing uses of the site to undergo internal conversions in addition to the rail station. The current wording does not appear to allow other permitted M1 uses. At this time, there is a vacancy within the building. If this vacancy is not filled prior to the passage of the by-law, it would appear that a new use would not be permitted to be established. If that was the intent, the property has effectively been frozen. This property has a history of a wide range of uses in addition to the railway station. These uses include offices, restaurants, educational uses/institutional uses, a bingo hall and an electronics recycling facility. If the intent was not to freeze the uses of the site to the current uses, I believe a clarification of the provision would be desirable.

In reading the H6 provision, it would appear that the intent of this provision applies only to the Major Transit Station and a limited number of small scale ground floor uses which are presumably introduced when the Major Transit Station is opened. There is no wording in this provision that suggests that it

would apply to other permitted uses on the site. Please confirm in writing that this is the City's intent. If this is correct, then Clarifying Special Provision 83 to provide for the same intent would assist in future bylaw interpretation. If the intent is otherwise, this needs to be discussed further before the by-law is presented.

In order for ease of by-law administration, the City may wish to add a statement at the bottom of Special Provision 83 as they have for Special Provision 20 that the H6 provision also applies to the site.

The City has worked hard to simplify the proposed by-law and to make by-law administration easier in the future. There is much that is good in the proposed by-law but for this property, there is a need for some additional work to ensure that it is clear which permitted uses in the M-1 zone are permitted.

I look forward to working with your staff to develop wording that will both provide the owner the opportunity to use the property for the permitted uses and also protect the City's interest related to the site of a future Major Transit Station. We would be pleased to meet with your staff to discuss this further. I do believe that we can find wording that is acceptable to all.

Yours truly

Paul Chapman, R.P.P., M.C.I.P

Chapman Planning Services

c.c. Mel Bird



Mr. Kevin Blozowski,  
Planning & Development Services,  
City of St. Catharines.

Kevin,

RPT	REUSE	INFO	P.D.S	
			REFERRED TO	INIT.
			Kevin Blozowski	
DATE REC'D →			JUN 26 2013	SCAN <input type="checkbox"/>
FILE NO			60-35.11 v. c	

Further to our brief discussion at one of the public open houses re: the new comprehensive zoning by-law, I wanted to confirm in writing my opinion that the parking requirement for long-term care facilities (Section 3:13) needed to be adjusted upwards from the proposed figure of 0.30 parking spaces per bed.

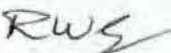
As I had mentioned to you, the Henley House Long-Term Care Facility (160 beds) on Ernest St. was built in our neighbourhood in 2002 and provided 50 parking spaces (0.31 spaces/bed); a figure which slightly exceeded the by-law requirement of 48 spaces. After eleven years of operation, if we ask ourselves the question whether the parking provided was sufficient to accommodate nearly all of the normal daily parking requirements generated by the facility, the neighbours would indicate a resounding 'no'. This is evidenced by the number of vehicles related to the Henley House facility which on a daily basis have to find parking spaces on Ernest St., Cecil St. and Elma St.

Ernest St. is most-heavily impacted with 10-12 vehicles parked in front of the facility every day up until around 5 pm and other vehicles parked along the same street in the vicinity of both Bolger St. and Centennial Dr. When these spots are taken, the residual demand is serviced by Cecil St. and Elma St. Overflow parking onto my own street (Elma St.), is more variable than on Ernest St. in that at times during the day there are only three or four vehicles parked on the street and at other times I've counted as many as fifteen vehicles going back beyond the curve on Elma St. Parking demand is even higher on special days (e.g. Christmas, Easter, etc.) when there is a larger number of visitors to the facility.

The impact of Henley House's parking demand spilling out onto the surrounding streets results mainly in what I would call minor inconveniences to the neighbourhood. These include: (a) the loss of visitor parking for people visiting friends in the neighbourhood (especially Ernest St.), (b) vehicles regularly being parked in 'No Parking' areas on Ernest St., thereby obstructing the sight line for traffic coming out of Elma St. onto Ernest St.; (c) neighbours having their driveways blocked by people trying to squeeze into spaces which are too short for their vehicles; and (d) frequent turning of vehicles into neighbourhood driveways as people seek overflow spots on Cecil St. and Elma St.

The current situation is certainly not a disaster. However, knowing what we know today after eleven years of operation of this long-term care facility, we would feel justified in stating that the 0.30 spaces per bed requirement is insufficient and that any new long-term care facility built in the future should have a higher requirement for parking of at least 0.35, and preferably 0.40, parking spaces per bed. It is of interest to note that Kris Jacobsen of your staff had argued at the 2001 Henley House OMB hearing that 48 parking spaces were insufficient. The OMB Chair supported the position of the applicant's traffic engineers instead. In hindsight, Kris' evaluation of parking insufficiency was correct.

Hoping these comments are of some value in your final review of the new by-law.

  
Bob Crawford  
Elma St.  
June 26, 2013



**Savoia, Ellen**

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**From:** Ben Hannan [REDACTED]  
**Sent:** June 21, 2013 11:36 AM  
**To:** Bruce Bellows; Savoia, Ellen; Blozowski, Kevin  
**Subject:** Report to "Friends of Walker's Creek" members and friends ...

Yo Bruce, Ellen and Kevin ...

Thanks again for the fine information sharing Wednesday evening past.

The following has now been reviewed by the WCNA Directors and so will be added to the WCNA website imminently ... one more attempt to inform and engage the people. Your support of the WCNA meeting warrants an advance sharing. Any comments you may wish to provide can be added to this 'blog', at your discretion.

Happy, restful weekend....

Regards

Ben Hannan  
Chair, WCNA

\*\*\*\*\*  
\*\*\*\*\*

Proposed New Zoning Bylaw ..... "The Friends of Walker's Creek" Community meeting ...

Bruce Bellows, Ellen Savoia and Kevin Blozowski, the three principal City Planning Staff members responsible for the development of the Proposed new Zoning Bylaw, met with Members of the "Friends of Walker's Creek" on Wednesday June 19th. This was the final meeting of these leaders with the public before reviewing the many suggestions, recommendations and concerns resulting from a number of "Open House" public meetings, written submissions, meetings with the Chamber of Commerce, The Downtown Business Association, Real Estate Companies, various City Committees including the Mayor's Development Review Task Force and more. It is obvious in reviewing the 150 page document, also available on the City website, that a tremendous amount of work has been done to consolidate, harmonize and respond to the very many special regulations presently affecting various Wards, districts and situations that currently exist. Now it is the City Staff's responsibility to review, consider and revise the initial document before again presenting it to the public for comment in the autumn. They anticipate City Council dealing with the final version and adopting it prior to the New Year. With "The Garden City Plan" as the major guide, the new Zoning Bylaw will reflect and drive the future planning of the City and its many unique requirements.

The initial expectation of the Wednesday evening's meeting was a focus on Grantham Ward as a primarily residential area. As the City Staff presented a Power Point review of the new Bylaw, it was soon apparent that many items affecting other areas of the City will also affect Grantham Ward. Consolidation of many regulations means that planning will be more consistent across the City, that new regulations from the Provincial Government, the Region, the Niagara Peninsula Conservation Authority, imposed since the former



Bylaw was adopted, had to be incorporated, that concerns experienced in the past could and will be remediated with the new Zoning Bylaw.

There are many instances where situations exist that will not conform with the new Bylaw, but what exists at the time the Zoning Bylaw is adopted, will be accepted ... "Grandfathered" ... until such time as there may be major redevelopment, at which point the regulations of the New Zoning Bylaw will be implemented and enforced. An example of this is where a school is built in a residential area, the school property will be identified as "Institutional", however a provision of this regulation will state that when the school is no longer required and the land is offered for development, the new development must reflect the neighbourhood, namely "Residential". When existing retail shopping centres, such as the Pen Center or the Smart Center, seek to redevelop, or when new centers are developed, the new Bylaw will require fewer parking spaces to better reflect the normal need for parking. The space taken from parking will then be used for landscaping providing fewer acres of just asphalt, adding trees and such for shade and better water retention and certainly a better appearance and safer walkways for shoppers. Walker's Creek drains from the Walmart parking area at Bunting and Welland. After a heavy rainstorm, the Creek rises dramatically and an oil sheen can be seen on the water flowing to the Lake. With additional landscape absorbing more of this water, this pollution will hopefully be reduced significantly.

Discussion included parking on residential streets, where the new Zoning bylaw will permit small business use, with one additional employee, in private homes or where permit driven additional accommodation, such as a basement apartment, will see increased population, without additional dedicated parking spaces on the private property. Concerns expressed were in regards to increased No Parking restrictions requested by residents, inadequate parking remaining for visitors to other homes and potential danger to children playing or crossing streets. The matter of restricted sight lines for neighbours adjacent to homes where large RV vehicles or large boats are parked in driveways, was also raised. There is an inherent danger when backing out of a driveway and not being able to clearly see traffic on the street onto which the backing vehicle seeks to enter. The large vehicles and boats also create a vision barrier, especially when parked for long periods of time, and, in some peoples' opinion, detracts from the residential appearance of the neighbourhood. Both of these concerns had been brought to the attention of the City Planning Staff and they will be considering solutions.

Given the 'landlocked' nature of the City of St. Catharines, it is understandable that 'infill' development and additional considerations be given to appropriate accommodation for an increased population. With height limits on new buildings in force to maintain a neighbourhood appearance, consideration of town houses with separate upper and lower homes is mentioned. Multi family dwellings, such as apartment buildings or condos, will be more acceptable on arterial roads ... with possible retail space on the lower levels to support a 'walkable' community. With a realignment of the Downtown region, the intention to support the appropriate services for residents, along with promoted accommodation, the future of an active City core will be enhanced.

As in such a sweeping adjustment of this primary set of regulations, implementation will be a 'learning curve' for the City and the population. "Friends of Walker's Creek" are very pleased to hear that Parks, green spaces and parkettes are considered secure as part of the Garden City Plan and the new Zoning Bylaw. Approved uses of agricultural land is considerate, progressive and appropriate to the history and attractiveness of our area. Enforcement of the new Bylaw will be an ongoing concern as St. Catharines operates on a 'complaint' based response. The expense of additional staff to see to enforcement is considered a serious hurdle that is yet unresolved. While inspections and permits will help control construction and development, enforcement of signage, building without a permit, as has happened with some student housing and additional accommodation in private homes, will be a challenge.

Attention to details in the autumn will assure that the new Zoning Bylaw is respectful of the vision of the folks who call St. Catharines 'Home'!!

"The Friends of Walker's Creek" are most appreciative of the listening received, the openness to discussion and the informed responses by the three City Planning Staff members.

Ben Hannan, June 2013

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**Savoia, Ellen**

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**From:** Riddell, Jim  
**Sent:** June 13, 2013 1:06 PM  
**To:** Savoia, Ellen; Bellows, Bruce; Blozowski, Kevin  
**Subject:** FW: Brock University letter re: zoning  
**Attachments:** City of St Catharines zoning - June 2013.pdf; City of St. Catharines zoning- June 2013 attachment.pdf

fyi

James N. Riddell M.Pl. M.C.I.P. R.P.P.  
Director, Planning and Development Services  
City of St. Catharines

Phone: 905-688-5601 ext. 1713  
Fax: 905-688-5873  
TTY: 905-688-4TTY (4889)  
E-mail: [jriddell@stcatharines.ca](mailto:jriddell@stcatharines.ca)

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**From:** Dorothy Witte [REDACTED]  
**Sent:** Tuesday, June 11, 2013 9:32 AM  
**To:** Riddell, Jim  
**Subject:** FW: Brock University letter re: zoning

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**From:** Dorothy Witte  
**Sent:** Tuesday, June 11, 2013 9:26 AM  
**To:** 'jriddell@st.catharines.ca'  
**Cc:** 'bmcmullan@stcatharines.ca'; 'cbriggs@stcatharines.ca'; 'Wearne, Patrice'; Jack Lightstone [REDACTED]  
**Subject:** Brock University letter re: zoning

Please find enclosed a letter and attachment from Brian Hutchings (Brock University) to James Riddell (City of St. Catharines).

Dorothy Witte,  
Executive Assistant to Brian Hutchings,  
Vice President, Finance and Administration  
Brock University  
500 Glenridge Ave. | St. Catharines, ON L2S 3A1  
[REDACTED] | [REDACTED]

Click [here](#) to report this email as spam.

June 11, 2013

**City of St. Catharines**  
50 Church Street, P.O. Box 3012  
St. Catharines ON L2R 7C2  
*Attention: Mr. James Riddell, Director of Planning*

Dear Mr. Riddell:

Re: **Brock University and City of St. Catharines Draft Zoning By-Law**  
**Your File No.: 60.35.11 vol. C**

Further to our meeting of April 29<sup>th</sup>, 2013 we have now received your letter of May 15<sup>th</sup> and you will see that we are copying the Mayor and Mr. Briggs, the CAO of the Municipality with this response.

With respect to the East Campus Lands, your response is satisfactory. The University accepts that this is probably highest and best use for these lands. The response does raise an issue, however, with respect to the "limited opportunity for development" because of access. We refer to the agreement between the University and the City of St. Catharines with respect to the guarantee of access through what was at the time the City's waste disposal site (now Regionally owned property). That agreement resulted in the registration on title of a permanent easement (registered December 30<sup>th</sup>, 1996) to provide a guarantee of access. That easement was intended and does coincide with the gate at the property with the signaled intersections for the on/off ramp for Highway 406 and St. David's Road. Accordingly, with this agreement in mind, could you please address whether that changes the opportunity for development and whether access could constitute any impediment for development for residential purposes and whether the issue of access is different dependent on the proposed use for the property.

With respect to the University's property fronting on Lockhart Drive, we are not really sure that your letter addresses our concerns. Unless we are misreading what you are saying, the commentary seems to be addressing only the Captain John Decew School site as opposed to all of the lands owned by the University fronting on Lockhart Drive. The fact that the municipality would designate and then zone a large portion of the University's land for uses which would not even permit "University/College type uses" and do so without any consultation (given the "past history of the site") seems to be contrary to the spirit of our meeting.

Neither you or I were present when this issue was previously dealt with and disposed of but I am told that it deeply strained relationships between the University and the City administration for a very long time. We for one do not wish to have this reoccur.



I am advised that, for regulatory purposes, municipal by-laws that affect lands which fall within the area of NEC control are suspended for the determination of permitted uses and are primarily used by the NEC to guide any applications for development permits. Accordingly your proposed zoning would have the effect, if used as a reference by the NEC, of prohibiting Brock from using any of its lands except possibly the existing Captain Decew school (or limited residential uses along the frontage of Lockhart Drive). That is not what was provided for by the decision of the Environmental Review Tribunal of April 14, 1993 as approved by Order in Council of May 29<sup>th</sup>, 1996 (attached). As I understand it that decision designated all of the University's lands north of the 125 metre contour line as Urban. It is this that the University wants to have restored.

The University continues to look upon that decision and the decision of the Lieutenant-Governor General in Council (the "Cabinet") as being a decision that finalized the planning status of these lands.

The lands were acquired by the University as part of its landholdings. Universities, because of their life cycle, need to be assured that the land capital that they own will, on a very long term basis, be available for whatever purposes the University may have. It is my understanding that Municipalities tend to look at 20 year horizons for planning purposes under their official plans. For our purposes that is, relatively speaking, short term. We need to be assured that the lands that the University has will be there to respond to the needs of the institution on a long term basis and the University should not be put to continuously having to defend that long term use simply because the lands are not currently being used. The proposed rezoning not only changes the use, but also the potential value of these lands as part of the long term capital of the University. What is being proposed is effectively a sterilization of a large piece of University lands.

Accordingly, I am not sure that this response addresses the concerns expressed at our meeting of April 29<sup>th</sup>. Perhaps you could clarify what is in fact intended.

Yours very truly,



Brian Hutchings  
Vice President, Finance and Administration

BH:dw

c.c. Dr. Jack Lightstone, President, Brock University  
Mayor Brian McMullan, City of St. Catharines  
Colin Briggs, Chief Administrative Officer, City of St. Catharines



FOR OFFICE USE ONLY

0720436

CERTIFICATE OF REGISTRATION  
NIAGARA H.(30) ST. CATHARINES  
LAND REGISTRAR

'96 DEC 30 PM 12 45

R. Higgins

(1) Registry ☒ Land Title ☐

(2) Page 1 of 8 pages

(3) Property Identifier(s) Block Property

(4) Consideration  
Transfer from a Municipality and  
TWO XX/100 \$ 2.00

(5) Description This is a: Property Division ☐ Property Consolidation ☐  
City of St. Catharines, Regional Municipality of  
Niagara, former Township of Grantham  
FIRSTLY: Part Lot 15, Concession 10, designated as Part  
1, Reference Plan 30R-8507  
SECONDLY: Part Lot 16, Concession 10 and part of the  
road allowance between Lots 16 and 17, Concession 10  
designated as Part 1 on Expropriation Plan 127 Special  
More particularly described in Schedule "A" attached  
hereto.

(6) Transferor(s) The transferor hereby transfers the land to the transferee and warrants that the transferee is entitled to the land and that the transfer is not subject to any encumbrance or other interest in the land.

WHEREAS this easement was authorized by By-law 96-247 of the City of St. Catharines.

THE CORPORATION OF THE CITY OF ST. CATHARINES.

(Grantor)

We are authorized to bind the Corporation

(7) Spouse(s) of Transferor(s) I hereby consent to this transaction

(8) Transferor(s) Address for Service  
City Hall, 50 Church Street, P.O. Box 3012, St. Catharines, Ontario L2R 7C2

(9) Transferee(s)  
BROCK UNIVERSITY

(Grantor)

(10) Transferor(s) Address for Service  
500 Glenridge Avenue, St. Catharines, Ontario L2S 3A9

(11) Transferee(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 49 of the Planning Act, 1983.

(12) Transferor(s) Address for Service  
500 Glenridge Avenue, St. Catharines, Ontario L2S 3A9

(13) Transferee(s) I have explained the effect of section 49 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (21a) (c) (i) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act, 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

(15) Assessment Roll Number of Property  
26 29

(16) Municipal Address of Property  
Glenridge Quarry Landfill Site  
St. David's Road  
St. Catharines, Ontario

(17) Document Prepared by:  
ANNETTE POULIN, City Solicitor  
City Hall 50 Church Street  
P.O. Box 3012,  
L2R 7C2

FOR OFFICE USE ONLY

Registration Fee 50

Land Transfer Tax

Total



**WHEREAS:**

- (i) This Transfer of easement was authorized by By-law No. 96-247 of The Corporation of the City of St. Catharines;
- (ii) The Grantor is the registered owner in fee simple of the lands described in Schedule "A" attached hereto;
- (iii) The Grantee is the owner in fee simple of lands described in Schedule "B" attached hereto;
- (iv) The Grantor has agreed to grant a permanent easement to the Grantee over the lands described in Schedule "A" hereto annexed, to be appurtenant to and for the benefit of the lands described in Schedule "B" hereto annexed;

**NOW THEREFORE** this Agreement witnesseth that in consideration of the premises and covenants herein contained and the sum of Two (\$2.00) Dollars of lawful money of Canada now paid by the Grantee to the Grantor, the receipt and sufficiency of which are hereby acknowledged: the parties hereto agree as follows:

1. The Grantor grants, conveys and transfers unto the Grantee, and its servants, agents, contractors and workmen, successors and assigns, the right, licence, liberty, privilege and easement,

- (a) to enter upon and construct, install, operate, maintain, repair, alter, replace and expand, for all times, a watermain with all necessary appurtenances, on, in, across, under and through the lands described in Schedule "A" hereto annexed;
- (b) to enter upon, lay, construct, keep, have, use, maintain, inspect and repair, for all times a private driveway for the passage of vehicles and pedestrians, in, upon, along and across the lands described in Schedule "A" annexed hereto;
- (c) to enter upon the lands described in Schedule "A" at all times, and to pass and repass at all times with plant, machinery, material, vehicles and equipment for all purposes necessary or incidental to the exercise of and for the enjoyment of the rights, licences, privileges and easements herein granted.

2. The easements herein are declared to be appurtenant to and for the benefit of the lands of the Grantee as more particularly described in Schedule "B" attached hereto.



3. The Grantor shall not, without the prior written consent of the Grantee in writing, excavate, drill, install, erect or permit to be excavated, drilled, installed or erected on or under the lands described in Schedule "A" hereto annexed, any pit, well, foundation, pavement, building or other structure which may obstruct the enjoyment of the rights, licences, privileges and easements herein granted.

4. The parties agree that the private roadway to be built as herein provided shall be constructed to municipal standards or as agreed upon between the parties hereto.

5. Upon completion of the said construction and upon receipt of a Certificate of Completion of the said work, the Grantor agrees to pay to the Grantee Fifty (50%) per cent of the actual cost of construction of only the private roadway in accordance with drawings approved by the Director of Transportation and Environmental Services for the City of St. Catharines, provided however that the lands described in Schedule "B" attached hereto are developed for university purposes or uses accessory thereof. In the event that the lands described in Schedule "B" hereto are not developed as aforesaid, the Grantee shall be responsible for the full cost of the private roadway.

6. Notwithstanding this easement document includes the right to enter upon and construct, install, operate, maintain, repair, alter, replace and expand a watermain, the parties agree that the City shall in no way be responsible for obtaining any approvals or costs related to water service to the property described in Schedule "B" hereto.

7. The Grantee agrees that upon completion of the construction of the private roadway, it shall bear the full responsibility of maintaining, servicing and repairing the private roadway.

8. This Grant of Easement is intended to convey to the Grantee the easements contemplated by an Agreement between the Grantor and the Grantee registered August 28, 1996, as Instrument No. 714680.

It is intended that the Grantee will use and enjoy the easement granted herein over the lands approximately in the location of the existing service road over the lands described as Secondly, continuing to



The Grantor shall be entitled to prepare, or cause to have prepared, a Reference Plan to properly describe the approximate location of the existing service road (and the extension thereof to the lands described in Schedule "B") and shall be entitled to provide to the Grantee an Easement over such lands in terms identical to the terms herein, whereupon the Grantee shall provide to the Grantor a release of this Easement.

9. The parties agree that once the said private roadway shall be constructed, the Grantor shall be required to prepare the necessary reference plan to show the said location of the constructed private roadway and that the said easement/right-of-way shall be redrafted using the said reference plan as a more specific location for the said right-of-way.

8. Notwithstanding any rule of law or equity, the watermain and appurtenances thereto, shall, at all times remain the property of the Grantee, notwithstanding that the same may be annexed or affixed to the freehold.

9. This Agreement and everything herein contained shall endure to the benefit of and be binding upon the successors, heirs, administrators and assigns of the parties hereto and upon those persons or corporations hereinafter acquiring title to any part of the lands described in Schedule "A" and Schedule "B".

## **SCHEDULE "A"**

### **FIRSTLY:**

**City of St. Catharines, Regional Municipality of Niagara, former Township of Grantham, being Part of Lot 15,**

**Concession 10, designated as Part 1, Reference Plan 30R-8507.**

### **SECONDLY:**

**City of St. Catharines, Regional Municipality of Niagara, former Township of Grantham, being Part of Lot 16,**

**Concession 10 and Part of the road allowance between Lots 16 and 17, Concession 10, designated as Part 1  
on Expropriation Plan 127 Special.**



## FIRSTLY:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being all those portions of Lot 15, Concession 10, in the City of St. Catharines, in the Regional Municipality of Niagara, formerly in the Township of Grantham, in the County of Lincoln, in the Province of Ontario, designated as Parts 1 and 2 on a Reference Plan deposited in the Registry Office for the Registry Division of Niagara North (former County of Lincoln) as Plan R-45.

SUBJECT to an easement in favour of The Hydro-Electric Power Commission of Ontario as set out in an Instrument registered in the Registry Office for the County of Lincoln on the 11th day of October, 1938, as Instrument No. 17807 for the Township of Grantham. As assigned to the Public Utilities Commission of the City of St. Catharines by Instrument No. 285314, registered January 29, 1974.

And the lands in Part 1, being further subject to an easement or license in favour of the St. Catharines Crushed Stone Limited for the purpose of carrying on its quarrying operations, said easement or license to expire on or before December 31, 1971.

Save and Except Part 1, Reference Plan 30R-8507.

## SECONDLY:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of St. Catharines, in the Regional Municipality of Niagara, formerly Township of Grantham, in the County of Lincoln, and Province of Ontario, and being composed of part of Lot 16 in Concession 10 in the said Township, which may be more particularly described as follows:

COMMENCING at the north east angle of said Lot 16; THENCE South 67 degrees, 16 minutes West, in the southerly boundary of the road allowance between Concessions 9 and 10, 1467.6 feet to the easterly boundary of the Merrittville Road; THENCE South 1 degree, 20 minutes West in the said last mentioned boundary, 21 feet; THENCE North 67 degrees, 02 minutes East, 544.2 feet; THENCE South 22 degrees, 58 minutes East, 100 feet; THENCE South 57 degrees, 47 minutes West, 353.1 feet; THENCE South 54 degrees, 51 minutes West, 302 feet to the Easterly boundary of the Merrittville Road; THENCE Southerly in the said Easterly boundary to the Easterly boundary of the road allowance between Lots 16 and 17; THENCE South 0 degrees, 31 minutes West in the said last mentioned boundary more or less to a point distance therein Southerly 1000 feet from the Northwest angle of the said

lot; THENCE North 67 degrees, 16 minutes East, 1514.4 feet to a point in the line between Lots 15 and 16; THENCE North 0 degrees, 37 minutes East in the said last mentioned boundary, 1000 feet more or less to the place of beginning.

SUBJECT to a right-of-way over that part of the said lot described as follows: COMMENCING at the northwest angle of the above described property; THENCE South 1 degrees, 20 minutes west in the easterly boundary of Merrittville Road, 21 feet; THENCE North 67 degrees 02 minutes East, 544.2 feet; THENCE North 22 degrees, 58 minutes West, 20 feet more or less to the southerly boundary of the road allowance between Concessions 9 and 10; THENCE South 67 degrees, 16 minutes West in the said last mentioned boundary more or less to the place of beginning, TOGETHER WITH any interest the Grantor may have in that part of the unopened road allowance between Lots 17 and 16 lying adjacent to the above-described property.

SUBJECT to an easement for a sanitary sewer over Part 1, Reference Plan 30R-2555, in favour of The Corporation of the City of St. Catharines as set out in Instrument No. 399514, registered May 25, 1979.

SAVE AND EXCEPT Part 1, Reference Plan 30R-8506



8507 and Part Lot 16, Concession 10 and part of the road allowance being Part 1 on Expropriation Plan 127 Special, City of St. Catharines, Regional Municipality of Niagara.  
BY (print name of all transferees in full) THE CORPORATION OF THE CITY OF ST. CATHARINES

TO (see instruction 1 and print names of all transferees in full) BROCK UNIVERSITY

1. (see instruction 2 and print name(s) in full) Thomas A. Richardson

**MAKE OATH AND SAY THAT:**

1. I am (please make a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s)): (see instruction 3)

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;  
☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;  
☐ (c) A transferee named in the above-described conveyance;  
☒ (d) The authorized ~~general~~ solicitor acting in this transaction for (insert name(s) of principal(s)) Brock University

☐ described in paragraph(s) (a), (b), (c) above; (delete and reference to inapplicable paragraph(s))  
☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (insert name(s) of corporation(s)) \_\_\_\_\_

☐ described in paragraph(s) (a), (b), (c) above; (delete and reference to inapplicable paragraph(s))  
☐ (f) A transferee described in paragraph ( ) (insert only one of paragraph (a), (b) or (c) above, as applicable) and am making this affidavit on my own behalf and on behalf of (insert name of spouse) \_\_\_\_\_ who is my spouse described in paragraph ( ) (insert only one of paragraph (a), (b) or (c) above, as applicable) and as such, I have personal knowledge of the facts herein deposed to.

2. (To be completed where the value of the consideration for the conveyance exceeds \$400,000).

- I have read and considered the definition of "single family residence" set out in clause 1(1)(a) of the Act. The land conveyed in the above-described conveyance  
☐ contains at least one and not more than two single family residences.  
☐ does not contain a single family residence.  
☒ contains more than two single family residences. (see instruction 3)

Notes: Clause 2(7)(d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (see instructions 4 and 5) None

**4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:**

(a) Monies paid or to be paid in cash	\$	2.00
(b) Mortgages (i) Assumed (these principal and interest to be credited against purchase price)	\$	Nil
(ii) Given back to vendor	\$	Nil
(c) Property transferred in exchange (detail below)	\$	Nil
(d) Securities transferred to the value of (detail below)	\$	Nil
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$	Nil
(f) Other valuable consideration subject to land transfer tax (detail below)	\$	Nil
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f))	\$	2.00
(h) VALUE OF ALL CHATTELS - Items of tangible personal property (Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1990, c.454, as amended)	\$	Nil
(i) Other consideration for transaction not included in (g) or (h) above	\$	Nil
(j) TOTAL CONSIDERATION	\$	2.00

All Monies  
Must Be  
Filed In  
Land "B"  
Where  
Applicable

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (see instruction 6) Grant of Easement from a Municipality.

6. If the consideration is nominal, is the land subject to any encumbrance? No

7. Other remarks and explanations, if necessary.

Sworn before me at the City of St. Catharines  
in the Regional Municipality of Niagara  
this 30 day of December 19 96

A Commissioner for Taking Affidavits, etc.

Thomas A. Richardson  
Signature(s)

**Property Information Record**

- A. Describe nature of instrument: Grant of Easement  
B. (i) Address of property being conveyed (if available) Not Assigned  
(ii) Assessment Roll No. (if available) Not Assessed

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) 500 Glenridge Avenue, St. Catharines, Ontario, L2S 3A1

D. (i) Registration number for last conveyance of property being conveyed (if available)  
(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☐ No ☐ Not known ☐

E. Name(s) and address(es) of each transferee's solicitor

J. Rodney Bush

SULLIVAN, MAHONEY, Barristers & Solicitors

40 Queen Street, Post Office Box 1360, St. Catharines, Ontario L2R 6Z2

**School Tax Support (Voluntary Election) See reverse for explanation**

- (a) Are all individual transferees Roman Catholic? Yes ☐ No ☐  
(b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes ☐ No ☐  
(c) Do all individual transferees have French Language Education Rights? Yes ☐ No ☐  
(d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes ☐ No ☐

NOTE: As to (c) and (d) the land being transferred will be assigned to the French Public School Board or Sector unless otherwise directed in (c) and (d). s.452 (2) (c)

**Savoia, Ellen**

---

**From:** Blozowski, Kevin  
**Sent:** June 13, 2013 8:47 AM  
**To:** Riddell, Jim; Pihach, Judy  
**Cc:** Bellows, Bruce; Savoia, Ellen; Williamson, Britney  
**Subject:** FW: Comprehensive city bylaw.  
**Attachments:** Comprehensive city bylaw..docx.docx

FYI

See attached and below

From Gail Benjafield.....I take it she doesn't like the "process"

KB

-----Original Message-----

**From:** E Gail Benjafield [REDACTED]  
**Sent:** Wednesday, June 12, 2013 3:43 PM  
**To:** Blozowski, Kevin; Bellows, Bruce; Savoia, Ellen  
**Subject:** Comprehensive city bylaw.

Hello all

I am hoping each of you can answer the attachment if possible, rather than having a 'corporate' answer given. If you are unable to do so, please just let me know that and I will understand.

Thanks you, and best regards

Gail Benjafield



Hello Ellen, Bruce and Kevin.

I have filled out the online form regarding the new Comprehensive Zoning Bylaw. As well, I attended the meeting held at Centennial Library, Mills Room, May 30<sup>th</sup>, as a member of the St. Catharines Heritage Committee, as you know and I asked questions which were accurately reflected in the minutes that Britney Williamson recorded.

It is hard for citizens to follow the differences between by-laws and zoning, etc, I have found, but I have a larger general concern that I hope you can help me with. I lived for 42 years in Old Glenridge in an older home. Last summer, my husband I moved to a wonderful new development in the west end. I have one outstanding concern I hope you will address.

I was very involved with my Old Glenridge community. Over the years, several of my neighbours went through the Committee of Adjustment (C of A) with me, oftentimes leading to the OMB, for infractions of the bylaws that other neighbours sought. I either attended in person and spoke to my concerns, or wrote to the C of A, through planning staff, at least one half dozen times. Mr. Bellows referred several times on May 30<sup>th</sup> to 'the process.'

Frankly, it is my opinion that it is precisely 'The Process' of the C of A, which fails citizens/taxpayers/residents always in favour of the Developer/ Business Honcho/ Absentee Landlord/ Friend of a Councillor/ you name it --- instead of the simple resident. I have seen neighbours pave front lawns for more parking, all the while saying, they will not rent to students and within months of approval by the C of A, sell the home to absentee landlords as student rentals. Or a Real Estate developer, Leo DiFabio, saying he will not sever lots for more than one home, then put in two, with, in one case -- illegal setbacks. OK by the C of A. (One city councillor told me that whatever DiFabio wants, he gets, so just don't waste your time; sadly, he was right.) Or, on Downing St. a neighbour who had a modest home intruded upon by an infill, all approved by the C of A. This gentleman ended up just selling and leaving the city.

Time after time, 'The Process' does not work in favour of the resident, but rather the developer. Over and over and over. All in the name of infilling. Developers hold sway with the C of A, it *appears*.

So, to me, this particular 'process', *appears* deeply flawed. Just look at Port Dalhousie. Or rather, do not. All the open forums, requests for public input, years of comment and press coverage, everything, the CoA, the OMB hearings, the money spent by community volunteers and what do we have? A blasted heath, with no progress, no digs, no condos, no theatre, absolutely nothing that we can be proud of, nothing we can show off to family and visiting friends, as we once did. A gutted core. And this in a designated Heritage District. I am a former Trustee with the Ontario Heritage Foundation/Trust, so I do have some admittedly very small experience in this area. I know at least Kevin was there at the time of the Port Place brouhaha, as was I. Full disclosure: I am an active member of the Conservancy of Ontario---St. Catharines branch. Am I, and other mere residents supposed to believe there is actually going to be a Port Place development, or is it, as has been widely rumoured, just a 'money-laundering' scheme.

I expect you will not wish to comment on this, but I would very much like to hear from each of you, if possible. I really do appreciate the hard work you have done bringing so many different zoning issues down to a more manageable size. I cannot imagine it was easy at all. I just wish 'the process' worked; for me it simply has never worked, however hard one tries to work with the city.

Sincerely

Gail Benjafield

60-35.11  
V.C  
Comments

**Savoia, Ellen**

---

**From:** McGinty, Evan  
**Sent:** June 12, 2013 3:24 PM  
**To:** Savoia, Ellen; Bellows, Bruce; Blozowski, Kevin; Williamson, Britney  
**Subject:** Zoning open house feedback

Hey everyone

We were just sent the following message on Twitter about the open house. Someone really liked it

- 1.
2. **Rob Welch** [REDACTED]

Enjoyed attending [@St\\_Catharines](#) public Open House on proposed new Zoning by-law. Like the streamlining.

**Evan McGinty**  
Communications Assistant  
City of St. Catharines  
50 Church St., St. Catharines  
Office: 905.688.5601 ext. 1545  
Cell: 905.380.0921  
[emcginty@stcatharines.ca](mailto:emcginty@stcatharines.ca)

**Connect with the City:**  
[facebook.com/CityofStCatharines](https://www.facebook.com/CityofStCatharines)  
Twitter: @St\_Catharines



**Savoia, Ellen**

**From:** PDS, Website Information Mailbox  
**Sent:** June 12, 2013 1:57 PM  
**To:** Savoia, Ellen  
**Subject:** FW: Central Community Church 240 Scott St

Planning and Development Services  
Website Mailbox

---

**From:** Mike Hicks [REDACTED]  
**Sent:** June 11, 2013 4:05 PM  
**To:** PDS, Website Information Mailbox  
**Subject:** Central Community Church [REDACTED] Scott St

Good afternoon.

I have been in discussion with the planning department regarding our church purchasing 2 houses on [REDACTED] and [REDACTED] Geneva St in St.Catharines with plans to demolish and convert the said properties into parking lot expansion as we have run out of parking.

How does this new City plan affect our plans moving forward?

I would like to request a change to the four properties on Geneva St to I2- institutional from R1. The properties are 383 Geneva St.(Central does not yet own this property) 385 Geneva St (Central does not yet own this property), [REDACTED] Geneva St (we own this property now) and [REDACTED] Geneva St ( we own this property now). Can someone contact me to discuss my request for consideration and approval?

I also noticed some other parcels of property that we own at 240 Scott St that were not highlighted as institutional. Could someone explain that?

Thanks

Mike  
[REDACTED]

Click [here](#) to report this email as spam.



Zone Your  
ST. CATHARINES

Received June 12/13

60-35-11 v.c

## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

My concerns are as follows -

- 1) front lawns turned into parking spots -  
with or without pavement
- 2) Corner of York & Lewis (corner store) where front &  
next yard are totally paved and nothing to  
enhance the tax mat
- 3) recreational vehicles blocking the light  
from a neighbouring house.
- 4) Single homes with NO driveways becoming  
duplexed.
- 5) tarpolins covering rec vehicles that  
flap in every breeze.

4T ALBERT - DUPLEX?





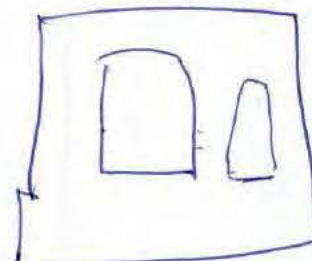


Please Provide Your Address if you wish to be kept informed of the process

Name: Annette Willocker ✓ kl  
Address: [REDACTED] Albert St June 13/13  
City: St Catharines  
Postal Code: L2R 2G9  
E-mail: [REDACTED]  
Location of open house attended: June 12 -

Please deposit in the comment box before you leave or mail to:  
Attention: Ellen Savoia  
City of St. Catharines Planning and Development Services Department  
P.O. Box 3012, 50 Church Street  
St. Catharines Ontario  
L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)





Zone Your  
ST. CATHARINES

Received June 12 2013

60-35-11 v.c



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

concerned that the increase infill  
of residences within the City will  
not offset with additional  
green space

One example of the de-commissioning  
of 4 downtown schools. And the  
DSTN profiting from the sale  
of City green space that they  
paid little for. I believe that  
significant portions of the 4  
schools green space should be  
given back to the City  
for this





Please Provide Your Address if you wish to be kept informed of the process

Name: John Sheehan ✓ klr

Address: [REDACTED] Lora St. June 13/13

City: St. Catharines

Postal Code: L2N 3S5

E-mail: [REDACTED]

Location of open house attended: \_\_\_\_\_

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

**Savoia, Ellen**

---

**From:** Savoia, Ellen  
**Sent:** June 12, 2013 9:26 AM  
**To:** 'Rose and Dave'  
**Cc:** Bellows, Bruce; Blozowski, Kevin  
**Subject:** RE: Draft Re-zoning plan  
**Attachments:** ScheduleB-10\_DRAFT.pdf.pdf; OMB Decision - 61 Village Rd.pdf; Pages from comprehensive zoning bylaw FINAL draft Mar18-13-2.pdf

Hello Dave

Thank you for your comments. The draft new zoning wording changed the OMB decision wording only where necessary to ensure that the terminology is the same as that used in the draft new zoning by-law. For example the term landscaped area is not used in the draft new zoning by-law however landscape open space is. Similarly the term landscape screening strips have been replaced with landscape buffer. Tandem parking is defined in the draft new by-law therefore some redundant wording was removed. However the words 'where both parking spaces are for the exclusive use of one dwelling unit', helps to clarify the intent, and will be included in the final draft bylaw. We will review your comments and the draft by-law to ensure that meaning and requirements of the OMB decision have not been altered.

I have attached the draft Schedule B10 as well as the OMB decision for your information. I apologize for not being able to provide Schedule B10 earlier. Schedule B was not been completed when we released the draft new zoning by-law. As you will see Schedule B10 matches Schedule A from the OMB order. As mentioned at the Pen Centre, the G1 zone, Area 3 in the OMB decision does not have any special provisions. The G1 applied here is the same as what is proposed in the overall By-law Section 9. We will review the draft and ensure it is clear that Area 3 lands are zoned G1. In this regard Schedule B10 may be revised by replacing the words Area 3 with the words G1. I agree that it is unfortunate that the areas and dimensions were not included in the OMB decision. We have copied the boundaries from the OMB decision. The new draft by-law includes wording on how zone boundaries are to be interpreted, Section 1.1.7 also attached for your information. These requirements provide tools to ensure there are no discrepancies / misunderstandings.

Thanks again for taking the time to review the draft new by-law and provide comments. We shall be reviewing all of the comments in detail over the summer and will be releasing a final draft by-law late August/early September. I will have you added to our contact list so you will be kept up to date.

Please let me know if you have any other comments or concerns.

Ellen Savoia, M.C.I.P., R.P.P.  
Planner  
Planning and Development Services  
City of St. Catharines  
Phone 905-688-5601, ext. 1752  
TTY 905-688-4889

**Help zone your St. Catharines! Take our surveys at**  
**<http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp>** and visit us on facebook at  
**[www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)**



**From:** Rose and Dave [REDACTED]  
**Sent:** June 11, 2013 10:13 AM  
**To:** Savoia, Ellen  
**Cc:** [ontario.municipal.board@ontario.ca](mailto:ontario.municipal.board@ontario.ca)  
**Subject:** Draft Re-zoning plan

Ellen,

We had met briefly at the Pen centre when the kiosk was set up there on May 7<sup>th</sup>. I had questions about Special provision 28 in the draft plan. I had incorrectly thought that the area known as Area 3 in the OMB decision was going to be reclassified as G2, and you were correct on the documentation it is indeed G1. I am assuming that the special provision is to account for the OMB decision PL1106016. I do, therefore have some concerns as the OMB directive was not adhered to verbatim in the draft plan, as well as there is a reference to Schedule B10 which I do not have access to. My concerns are as follows:

1. In the decision it specifically outlines area 3 as EPA (Attachment 1 in OMB – although in the draft it has been defined as G1 I would expect this area to be mentioned in the special provisions as it's zoning and dimensions directly affect areas 1 and 2
2. For area 1 and 2 parking for detached and semi-detached units the term "and private road developments" has been added to the draft zoning, yet the terms "and both spaces are for the exclusive use of one dwelling unit" have been dropped
3. The term landscaped area has been replaced by landscaped open space – this development at one time was going to use certain types of materials for the parking areas which would allow them to classify this a landscaped area – is this still the case with the definition of landscaped open space
4. Lastly but the most disconcerting and perhaps by supplying B10 and some details about the exact dimensions of areas 1, 2, and 3 it can clear this up. Area 2 has provided minimum setbacks for all 4 compass directions, area 1 has not. The westerly setbacks are missing, and in fact were missing on the OMB decision as well. This is disturbing as the westerly setback would be abutting the G1 area. In essence the decision and the draft zoning both will allow building right up to the edge of this G1 zone. It does not take a professional opinion to understand that this would impact this zone significantly. Shade and precipitation, erosion control at such close proximity surely will not be manageable.

Please if you can provide a response to these concerns as I look forward to an updated yet accurate zoning by-laws.

Thanks,  
Dave Collins  
[REDACTED] Village Road,  
St. Catharines, [REDACTED]  
[REDACTED]

Click [here](#) to report this email as spam.

Attention: Bruce Bellows

June 5, 2013

Hi Bruce, This email is a follow up to our conversation at the public meeting held in Bethany Community Church on May 30, 2013. Thanks for your time.

I would like to address a concern that I have with the changing of zoning from R3C to R1 in the new plan. I live at [redacted] John St. I purchased an empty lot in May 2011. I bought this property so that I could build a duplex on the property. This was going to be done in two phases. It was designed and layed out as a duplex.

Phase one was going to accommodate my living quarters (the upper level) and phase two was going to be done while I lived there. The first phase was completed Sept 2012 with all final inspections complete. We are now in Phase 2..the lower level building permit has been issued. I have had the rough-in inspections for HVAC and plumbing and the inspections for all the fire rating on the walls and ceilings done. I already have 2 furnaces, 2 central air units and am working to complete the project in my spare time. I anticipate that this will be another year or so to complete since I am doing all the work. This is part of my retirement plan and the duplex is an important part of that. I have tried to follow all the rules to make sure everything was done properly and legally. I think I have one of the nicest looking duplex around. I would ask that you grandfather this home as a duplex since that is what was approved all along. Please see attached documents.

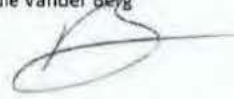
I own part "1". A duplex was just completed this past winter 2 doors down on Part "4". This was always the intended use for this small development and should be recognized as consistent with all the approvals granted. If you have any questions or would like to discuss this further, don't hesitate to call me. [redacted]

#### Comment #2

There is another way to address my concern and that is to consider making the small block including John St, Michigan Ave and east side of Lakeport Rd an R2 designation. That would be consistent with the actual mixed used that we have on our streets.

In this small area there are 3 other legal duplexes, a six unit apartment, 3 semi-detached homes, a flagship lot, a service station, a commercial dental building and a chiropractic office. The developers are actively eyeing the property at 20 Michigan. An R2 zoning might be a plus for that development. We have a people friendly neighbourhood, there is no on street parking on John St and most of Michigan so to have an R2 designation would not change that.

Thanks, Louie Vander Berg



Co. 85.11 VC  
Comments





CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT  
P.O. Box 3012, 50 Church Street  
St. Catharines, ON L2R 7C2

12 John Street  
A-44/10  
Hearing: June 30/10.

## NOTICE OF HEARING

FILE NO. 63.81.4502  
SUBMISSION NO. A-44/10

In the matter of the Planning Act, Revised Statutes of Ontario, 1990, Chapter P.13 and:  
In the matter of an application for variance on behalf of:

1302758 ONTARIO LIMITED

Notice is hereby given that an application for variance under the above noted file number will be heard by the Committee of Adjustment for the City of St. Catharines on the date and at the time and place shown below:

DATE AND TIME: Wednesday, June 30, 2010 at 5:00 p.m.

PLACE: City of St. Catharines, Municipal Building, Council Chambers, 50 Church St., St. Catharines, ON

### LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

92 JOHN STREET

The subject parcel being described as Lot 10, Plan 642 is located on the east side of John Street, south of Michigan Avenue.



Application A-44/10 is made pertaining to City of St. Catharines By-law 88-72 as amended for a reduction in the minimum required frontage from 15 metres to 12.192 metres.

The variance is requested to accommodate the proposed construction of a duplex dwelling and to facilitate concurrent consent application B-21/10SC.

This is a public hearing called for the purpose of hearing evidence for or in opposition to the above noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application they may be forwarded in writing to the Secretary-Treasurer or you may appear in person or by counsel and make a verbal presentation to the Committee. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give approval to an application, the Ontario Municipal Board may dismiss the appeal. If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment. This will entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

Forward written submissions and requests for a copy of the Notice of Decision to Darlene Faulkner, Secretary-Treasurer, Committee of Adjustment, City Hall, P.O. Box 3012, 50 Church St., St. Catharines, ON, L2R 7C2.

The applicant or the agent of the applicant MUST be present at the hearing. Take notice that if you do not attend this hearing or make a written submission the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.

Note: Other applications will be heard at this hearing. The order of the agenda can be obtained 1 day prior to the hearing from the Planning Services Department. For additional information, contact the undersigned during normal business hours; 8:30 am to 4:30 pm Monday to Friday.

Date of Mailing: Tuesday, June 15, 2010

  
Darlene Faulkner  
Secretary-Treasurer  
Telephone: (905)688-3600, Ext. 1715  
Fax No: (905)688-5873  
TTY Phone: (905)688-4858

CERTIFICATE WHERE NO APPEAL IS FILED

(pursuant to Section 45 (14) of The Planning Act)

July 21, 2010

[REDACTED]

22 JOHN ST  
A-44/10  
FINAL

DATE	FILE NO.
JUL 21 2010	

Re: Application of [REDACTED]  
to the City of St. Catharines Committee of Adjustment  
Submission No: A-44/10  
File No. 60.81.4562

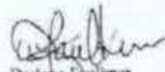
TAKE NOTICE that the Committee of Adjustment for the Corporation of the City of St. Catharines gave its decision on June 30, 2010 with respect to

22 John Street

in the City of St. Catharines, Regional Municipality of Niagara.

And whereas, pursuant to Subsection 10 of Section 45 of the Planning Act, R.S.O. 1990, c.P.13, as amended, a certified notice of the decision was mailed on July 2, 2010 to you and others requesting a copy.

You are hereby notified that the aforementioned decision respecting the above application is final and binding, there having been no notice of appeal given within twenty (20) days after the making of the decision.

  
Darlene Faulkner  
Secretary-Treasurer  
Committee of Adjustment  
Corporation of the City of St. Catharines

cc. [REDACTED]

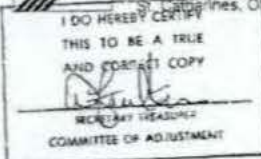




CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT  
P.O. Box 3012, 50 Church Street  
St. Catharines, ON L2R 7C2

Phone: 905-688-5800, Ext 1719  
TTY: 905-688-4889  
Fax: 905-688-5873



## NOTICE OF DECISION

SUBMISSION NO: A-44/10  
FILE NO: 60.61.4502

In the matter of the Planning Act, Revised Statutes of Ontario, 1990, Chapter P.13 and;  
In the matter of an application for minor variance on behalf of:

[REDACTED] - 22 John Street

Subject of the application: Application A-44/10 is made pertaining to City of St. Catharines By-law 88-72 as amended for a reduction in the minimum required frontage from 15 metres to 12.192 metres.

The variance is requested to accommodate the proposed construction of a duplex dwelling and to facilitate concurrent consent application B-21/10SC.

### DECISION: Approved

The above decision is subject to the following condition(s):

1. That elevation plans be submitted by the applicant for approval by the Planning Services Department and that such plans be attached to and form part of the Committee's decision.

The relief granted by this Committee at this hearing is specific to the application that was before the Committee on this day and is not applicable to any land, land use, building or structure other than that set out in the application that was before the Committee on this day.

### REASONS:

1. The variance is minor.
2. The variance is desirable for the appropriate use development of the lands.
3. The intent and purpose of the Official Plan is maintained.
- The intent and purpose of the zoning by-law is maintained.

ORIGINAL SIGNED BY D. LUCIUK  
Chair

ORIGINAL SIGNED BY C. GISHEN  
Member

ORIGINAL SIGNED BY R. CRAWFORD  
Member

ORIGINAL SIGNED BY M. SULLIVAN  
Member

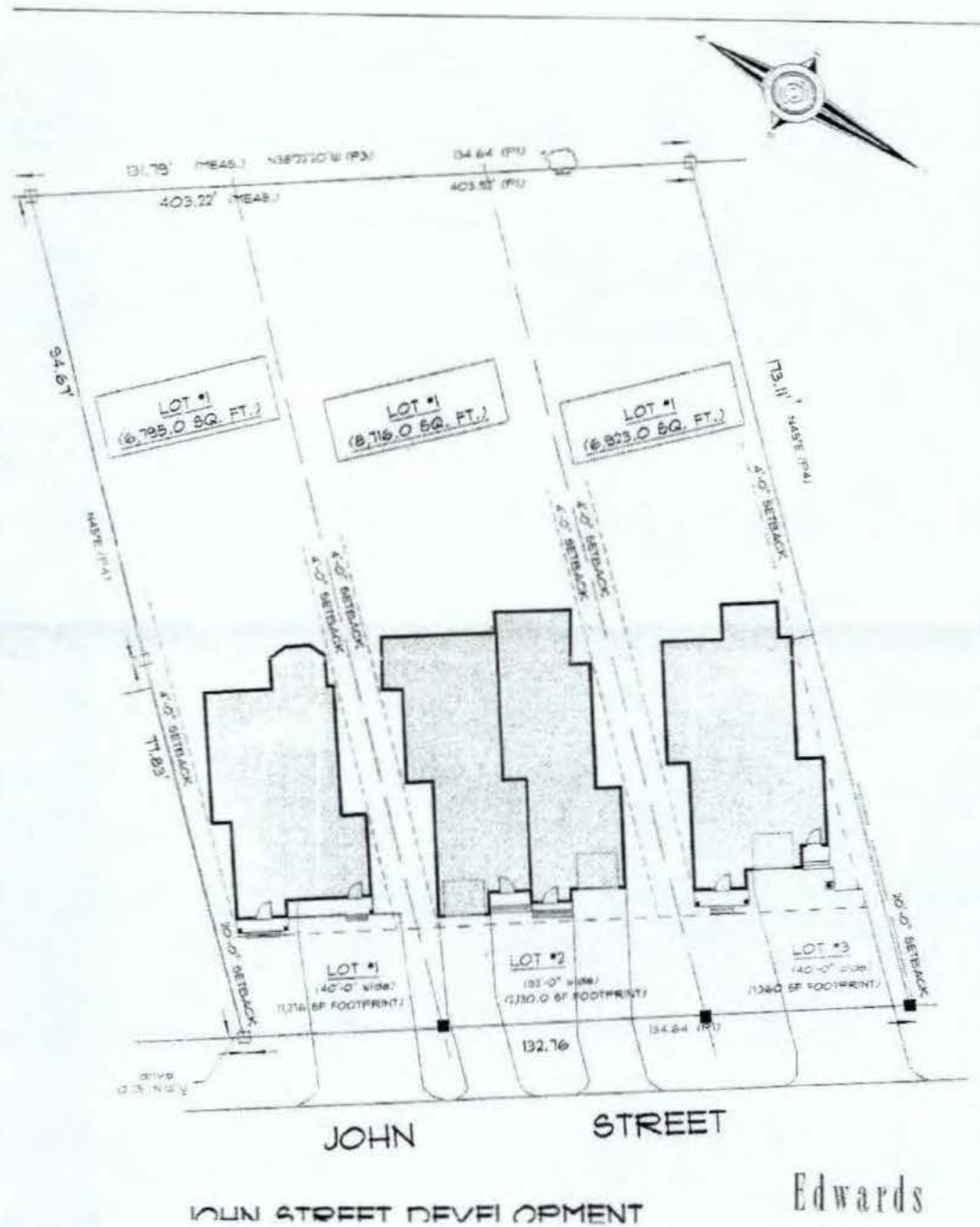
ORIGINAL SIGNED BY B. WILEY  
Member

Date of Decision: June 30, 2010

Date of Mailing: July 2, 2010

Danielle Paulner  
Secretary-Treasurer

Last date of filing an appeal to the Ontario Municipal Board under Section 45 of the Planning Act: July 20, 2010





SCHEDULE				
PART	LOT	PLAN	P.L.N.	AREA
1	AS OF 10	642	AS OF 40195-0170(1)	432.8 sq.m.
2			413.3 sq.m.	
3	AS OF 8		AS OF 40190-0177(1)	413.0 sq.m.
4				428.7 sq.m.

I HEREBY THIS PLAN TO  
BE REGISTERED UNDER  
THE LAND TILES ACT

November 17, 2010

DATE

ALLAN J. HEYWOOD  
Ontario Land Surveyor

PLAN 30R-13640

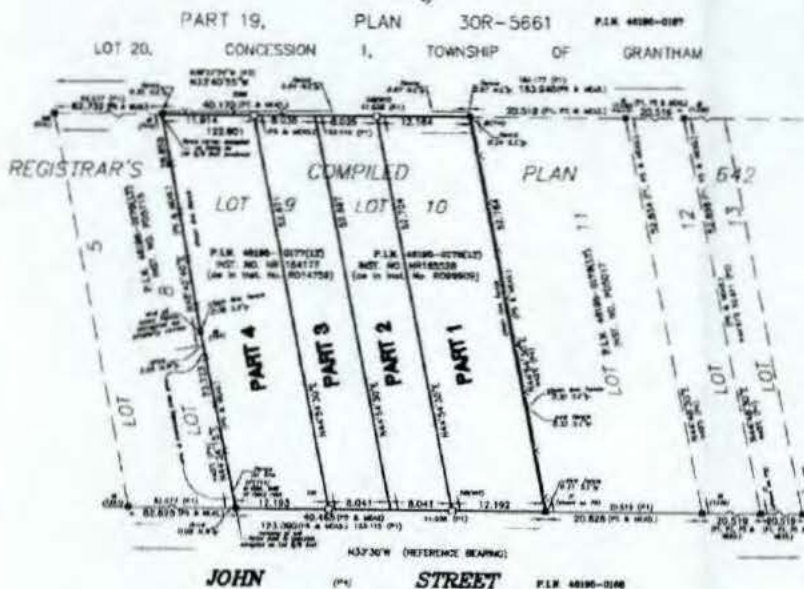
RECORDED AND DEPOSITED

Dec 13/10

DATE

R. Lane

ASSISTANT DEPUTY LAND REGISTRAR  
FROM THE LAND TILES DIVISION  
OF NIAGARA NORTH (30)



#### METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY DIVIDING BY 0.3048

#### BEARING NOTE

BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE  
NORTH-EASTERN LIMIT OF JOHN STREET, AS SHOWN ON  
REGISTERED PLAN 5, HAVING A BEARING OF N37°30'W

#### LEGEND

NO.	DESCRIPTION	DATE	BY
1	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
2	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
3	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
4	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
5	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
6	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
7	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
8	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
9	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
10	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
11	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
12	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
13	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
14	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
15	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
16	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
17	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
18	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
19	REGISTERED	17/11/2010	ALLAN J. HEYWOOD
20	REGISTERED	17/11/2010	ALLAN J. HEYWOOD

PLAN OF SURVEY OF

LOTS 9 AND 10,  
REGISTRAR'S COMPILED PLAN 642

City of St Catharines

REGIONAL MUNICIPALITY OF NIAGARA

MATTHEWS CAMERON HEYWOOD - KERRY T. HOME SURVEYING LIMITED

2010

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND  
TILES ACT AND THE REGULATIONS MADE UNDER THEM

2. THE SURVEY WAS COMPLETED ON November 16, 2010

November 17, 2010

DATE

ALLAN J. HEYWOOD

Ontario Land Surveyor

MATTHEWS CAMERON HEYWOOD - KERRY T. HOME SURVEYING LTD.

101 North Street - 1st Fl. Niagara Falls, Ontario L2G 3G5 Phone: (905) 361-1400 Fax: (905) 361-1401

W. South Street, 3rd Floor, Niagara Falls, Ontario L2G 3G5 Phone: (905) 361-1400 Fax: (905) 361-1401

Plan 30R-13640

Dec 13, 2010-12/14

June 3, 2013

Zone Your St. Catharines - Planning and Development Services  
50 Church Street,  
St. Catharines, Ontario  
L2R 7C2  
Tel: 905.688.5601 ext. 1660

RPT	STATUS	INFO	P.D.S.
			REFERRED TO
			E. Saurer
DATE FILED	→	JUN - 5 2013	SCAN <input type="checkbox"/>
FILE NO	60-35-11 v.e		

Dear Sir / Madam:

Firstly, I would like to thank you for taking the steps to simplify the current zoning by-laws in place. This will benefit all the residents in the City of St. Catharines. Secondly, I want to provide my feedback on the general provisions for accessory apartments. Lastly, I would like to recommend an amendment to the accessory apartments provisions. I hope you will take my feedback into consideration.

In the general provisions it states:

*Cannot be larger than 60m<sup>2</sup> or 40% of the floor area of the principal dwelling whichever is less.*

I do not fully comprehend this restriction on accessory apartments. The 60m<sup>2</sup> is equivalent to 645 ft<sup>2</sup> and based on the 40% of the floor area, the principal dwelling would have to be 150m<sup>2</sup> (or 1,614 ft<sup>2</sup>) to achieve the maximum allowable floor area.

#### **Restrictive Size of 60m<sup>2</sup> (645 ft<sup>2</sup>)**

- In terms of 60m<sup>2</sup>, this size would represent the floor area for a typical one bedroom apartment. I believe most residents would agree that they would like a larger floor area to accommodate more than one bedroom.
- If a home owner had an unfinished basement and wanted to invest thousands of dollars in constructing an accessory apartment, then they would like to maximum the potential rental income. The incremental cost increase for an additional bedroom would definitely be justified by the additional rental income.
- As a result, I do not agree with restricting the maximum size for accessory apartments. Ontario Building and Fire Codes dedicate the standards necessary to build the accessory apartments and the home owner should have the discretion to decide on the design, financials, and other choices over and above minimum code requirements based on personal preference.
- The size restriction in practice dedicates who would rent and live in the accessory apartments. Given the 60m<sup>2</sup> size, an individual or potentially a young couple would likely live in the apartment. It would not be practical for anyone with children or family to live in an apartment of this size. I do not believe zoning by-laws should have restrictions that dedicate how much rental income or who would be able to live in accessory apartments.



### **Restrictive 40% of the Floor Area**

- A typical detached house has a floor area of about 1,200 ft<sup>2</sup> which would allow for a maximum 480 ft<sup>2</sup> accessory apartment. In practice this is too small. Based on the above points, this size is too restrictive.
- Again, if a home owner had an unfinished basement and wanted to invest thousands of dollars in constructing an accessory apartment, then it would be impractical to restrict it to a 40% floor area, such as 480 ft<sup>2</sup>, and leave the remaining basement unfinished.
- In addition, the construction of the accessory apartment would include features such as a separate entrance, fire exits, stairs, etc. As a result, the livable floor area would be further reduced (i.e. less than 480 ft<sup>2</sup>) to accommodate these features.

### **Converting Existing Basement**

- Again the above restrictions are not practical for home owners with finished basements wanting to convert it to an accessory apartment. If a home has a finished basement larger than 60m<sup>2</sup> or more than 40% of the floor area, then the home owner will incur additional costs for the already finished basement. In addition to the costs for the conversion and meeting Ontario Building and Fire Codes, the home owner would have to apply for a minor variance to allow for a larger accessory apartment. Otherwise, the home owner would have to redesign and resize the finished basement to reduce the allowable floor area within the 60m<sup>2</sup> or 40% provisions.
- As a result, this would increase the cost of the finished basement conversion. I believe both the 60m<sup>2</sup> and 40% of the floor area provisions are overly restrictive and not practical.

Based on the points discussed above, I recommend removing the size restriction for accessory apartment in its entirety. It is unclear how this restriction benefits home owners. This would restrict the potential rental income, may result in unlivable small apartments and potentially increase costs. The Ontario Building and Fire Codes are sufficient to insure accessory apartments are safe and livable. I believe the zoning by-laws are intended to reduce or eliminate illegal apartments and provide parameters for home owners to construct accessory apartments that comply with zoning by-laws. The outlined size restriction is not only a burden to home owners, but also unnecessary to legitimize accessory apartments. If you were the home owner and wanted to spend the time, effort and money to have a legitimate accessory apartment in your own home, then how would you feel about this size restriction?

I would appreciate a response. My address is provided below.

Thank you for your time and consideration.

Sincerely,



Nelson Kim

[REDACTED]  
[REDACTED]  
[REDACTED] Theresa Avenue  
North York, Ontario [REDACTED]



June 3, 2013

City of St. Catharines  
Planning Services  
P.O. Box 3012  
50 Church Street  
St. Catharine ON  
L2R 7C2

**ATTENTION: Jessica Button, Planner**

RPT	STATUS	INFO	P.O.S
			REFERRED TO
			Jessica Button
			Ellen Savoca
DATE	→	JUN - 5 2013	SCAN <input type="checkbox"/>
FILE NO	60-35-11 V.C		

**SENT ELECTRONICALLY AND VIA REGULAR MAIL**

Re: [REDACTED] Scott Street West

Dear Ms Button:

I represent [REDACTED] the owner of property located at [REDACTED] Scott Street West in the City of St. Catharines. The property consists of 3 lots in a registered plan. The property has 244 feet of frontage along Scott Street West and 233 feet of frontage along Maywood Avenue. The property is triangular in shape. Lot 1 contains and existing commercial use. Lots 2 and 3 are vacant.

In reviewing the City's Draft Zoning By-law it appears that all of [REDACTED] property is proposed to be zoned Local Convenience Commercial (C1). This proposed zoning includes Lots 2 & 3, which are vacant and have development potential for residential use. Lot 3 for example is a through lot fronting on both Scott Street and Maywood Avenue. Lot 3 could be split into two building lots each with frontage on a public road. Lot 2 is also a through lot and could be split as well although the new lots created may need an adjustment to the zoning by-law for lot area and setbacks.

It is also noted that the block bounded by Scott Street West, Maywood Avenue and Colinwood Avenue is proposed to be zoned Residential (R1) Zone except for [REDACTED] property which is proposed to be zoned Local Convenience Commercial (C1) Zone. The lot configuration in that block would suggest that a Residential (R2) Zone would be more appropriate.



In summary it is our request the draft zoning by-law be changed so that the block bounded by Scott Street West, Maywood Avenue and Colinwood Avenue is zoned Residential (R2) Zone with the exception of Lot 1 of [REDACTED] property which should remain zoned Local Convenience Commercial (C1) Zone.

Respectfully,

A handwritten signature in black ink, appearing to read 'John Perry', with a stylized flourish at the end.

John Perry MCIP RPP

[REDACTED]

# DOWNTOWN St. Catharines

80 King St., (main floor) St. Catharines, ON L2R 7G1 • T. 905.685.8424 • F. 905.685.7771

St. Catharines Downtown Association • [www.mydowntown.ca](http://www.mydowntown.ca)

May 31, 2013

Planning Department  
City of St. Catharines  
City Hall  
50 Church Street  
St. Catharines, ON

RPT	SEC	INFO	P.D.S	INIT.
			REFERRED TO	
			F. Savoia	
DATE REC'D →	MAY 31 2013			SCAN <input type="checkbox"/>
FILE NO	60-35-11 V.C			

Re: Zoning By-law

The St. Catharines Downtown Association would like to thank Bruce Bellows, Kevin Blozowski and Ellen Savoia from the Planning Department for taking the time to present the proposed new zoning by-law to the St. Catharines Downtown Association Board of Management.

At the May Board meeting of The St. Catharines Downtown Association Board of Management a review and discussion of the draft proposed zoning by-law took place. The overall consensus by members has been extremely positive and we are very pleased that the City of St. Catharines has undertaken this revision. We commend the efforts of those who undertook this task to come up with a very comprehensive and progressive user friendly document.

The St. Catharines Downtown Association Board representatives however do feel that the proposed zoning on St. Paul Street past Carlisle Street to Geneva Street should also be under the C6 *Downtown Traditional Main Street Zone*. This district is still within the boundaries of the Business Improvement Area (BIA) and as we have always advocated, we do not want to have any residential on the ground floor facing onto St. Paul Street in a downtown commercial core area. We understand the importance of residential intensification but feel this must be kept away from the main street thoroughfare, which should be dedicated to ground floor commercial only. This is the street to be taken by the Niagara Wine Route when implemented in the near future and commercial commerce must be kept for the continuity of the area. The Association would also prefer that the M2 Zone be adjacent to the C6/C5 Zones as this provides for more flexibility. Consideration may also be given to a separate zone altogether to differentiate the Downtown Core of St. Catharines.

Representatives from the St. Catharines Downtown Association would like the opportunity to discuss our suggestions further and look forward to hearing from your department when convenient.

Sincerely,



Tisha Polocko  
Executive Director  
St. Catharines Downtown Association



File to 60.35.11 Vol. c for  
correspondence and add to mailing  
list.

**Bellows, Bruce**

**From:** John Van Koeveringe [REDACTED]  
**Sent:** Thursday, May 30, 2013 9:35 AM  
**To:** Bellows, Bruce  
**Subject:** zoning changes greenhouse

Hello Mr. Bruce Bellows,

Thanks for taking the time to speak with me at the public information meeting at the Bethany Church yesterday.

I would like to make a suggestion with regards to lot coverage as it pertains to greenhouses in the agricultural zone.

In 1979 we were faced with a situation that allowed 10% coverage for accessory buildings and commercial greenhouses fell under this. With numerous meetings and various applications over the years, this was eventually changed to 25% coverage as a site specific to individual applicants.

1984 when Zone 10 came into being, our sector made a presentation to city hall to have the coverage amount removed completely, and have the issue dealt with through proper side and rear yard setbacks. This was not accepted and in the end, 50% coverage was implemented in the zoning bylaw.

The greenhouse sector in 1984 is not what it is today. As the dynamics in many businesses have changed, our sector has not been immune to these changes either. In floriculture, growers with 2 - 3 acres of greenhouse find it hard to compete and soon find themselves as "the little guy". Often these facilities become rental units for the larger growers. In Leamington where vegetables is the primary crop... 25 - 50 acre ranges is the norm.

I understand that with front, side, and rear yard setbacks, parking and water storage (pond), it is not possible to have 100% or even 80% coverage. However, may I suggest that this 50% lot coverage for greenhouses be increased at this time?

Kind Regards,

**John Van Koeveringe**



[REDACTED]  
Head Office: 1330 Fifth Street, St. Catharines, ON L2R 6P9  
Website [www.springvalleygardens.ca](http://www.springvalleygardens.ca)

Click [here](#) to report this email as spam.



Zone Your  
ST. CATHARINES

May 29 2013 Open House . 60.35.11 v.c



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**Please Provide Your Address if you wish to be kept informed of the process**

**Name:** Levana Kreutzer

**Address:** \_\_\_\_\_

**City:** St. Catharines

**Postal Code:** \_\_\_\_\_

**E-mail:** [REDACTED]

**Location of open house attended:** Bethany Community Church  
+ Bunting Road.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)





Zone Your  
ST. CATHARINES



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

awesome sessions

great help!

60.35-11 V.C

Comments

**Report to City Council**

**Re: Amendment to Zoning Area By Law 6609 ( Zone \*) to  
Remove  
Regulations for Recreational Vehicles and Residential  
Lands**

PDS- 005-2013 File 60.35.1 Vol. AAF

**Date: January 21, 2013**

**Presented by : Joanne Atkinson  
on behalf of Scenic St. Catharines**

**including a summary of Municipal Regulations for  
Recreation Vehicles in other Cities**

RPT	INDEX	INFO	P.D.S.	REFERRER TO	INIT.
DATE REC'D →	MAY 28 2013			SCAN	<input type="checkbox"/>
FILE NO	60-35-11 V.C				



**Subject: Amendment to Zoning Area By Law 6609 (Zone 8) to Remove Regulations for  
Recreational Vehicles on Residential Lands**

**A Response:**

Mayor McMullen, Members of Council, Staff, Guests Present.....

Thank you for the opportunity to speak at this public meeting this evening. My name is Joanne Atkinson and I reside at ■ Cricket Hollow Road. I am speaking this evening on behalf of Scenic St. Catharines.

The decision that is made this evening is a very important one because it will have lasting implications for the safety and appearance of our city. We believe it is possible to find a fair and equitable way to balance the concerns of owners of recreational vehicles, with those of residents who do not own vehicles. We all pay property taxes and as such all of our concerns should be considered.

**Before deciding to eliminate all regulations I think we need to consider the following:**

**1) WHAT PROMPTED THIS REPORT ?**

This report was a response to "*routine concerns from residents regarding the parking of oversized RV's on residential properties.*" (pg. 14 Agenda Item 4.3 Jan. 7, 2013)

On September 24<sup>th</sup>, 2012 the staff report was attempting to establish equitable regulations. It stated the following:

***"The new zoning bylaw is intended to permit the parking and storage of recreational vehicles providing there is some limitation on the size, scale and proportion. Recreational vehicles that reflect a scale that is similar to that of a standard car or truck are intended to be permitted."***  
(pg. 12 Sept. 24, 1012 General Agenda)

It is surprising now the staff report contradicts their initial statement by stating,

***"It was never staff's intent to extend the Zone 8 restrictions to other areas of the city."***(pg. 1 of Report PDS-005-2013 Dec. 11,2012)

The timeline for finalizing these regulations was to be in September 2013. Why are we not taking the time to ensure that our regulations are more responsive to the needs of all our residents and compatible with other communities?



There were no regulations in our city except for Zone 8. Zone 8 did allow one RV and one boat under 7 metres in length or 2.4 metres in height per residential lot providing it was in a carport, or garage, or located in the rear yard or side yard not close to the street or house.

Council then voted to eliminate these regulations from Zone 8. The St. Catharines Standard reported that, "***Councillors are poised to let RV owners park their rigs and boats on private property across the city.***" (Thursday Jan. 10. 2013)

How have we gone from trying to get some consistent regulations across our city, to now having no regulations, when in September the original staff report intended to

1. regulate size, scale and proportion and
2. respond to concerns from residents as is done in other cities ?

## **2. WHY ARE NO REGULATIONS NOT AN ACCEPTABLE SOLUTION ?**

We believe we need regulations because the report acknowledges, "***The importance of urban design and neighbourhood aesthetics as a collective aim of the Garden City Plan.***" If we are trying to enhance our Garden City, we need regulations similar to other attractive communities.

At the present time, most condominium corporations have restrictions that prohibit the parking of recreational vehicles in their developments. Most communities limit the size of vehicles because they understand the importance of safety and curb appeal. The attractiveness of our community must be a shared responsibility.

The report outlines the concerns regarding insurance and storage but for all vehicles this must be part of the anticipated costs when the purchase is made.

We believe that we need regulations that apply to all of our 9 urban zones. The 2 agricultural zones may require different regulations since there is usually more space available to accommodate the larger vehicles.

It would seem that regulations were not in place for the other zones because at one time these areas had large lots and as such, there was plenty of room for the storage of vehicles. As subdivisions developed outside of the downtown core, the lots sizes became smaller, while the variety and size of recreational vehicles have increased. Zone 8 was developed as a residential area and their regulations were established in 1966 and enacted in 1971 – 42 years ago! We need regulations now that reflect the new urban lot sizes and respect the concerns of all residents. Mayor McMullen was recently quoted in The Standard as stating that when zoning is done, "***It has to be in context with the neighbourhood and really be respectful of neighbours.***"



### **3. WHAT ARE OTHER CITIES DOING REGARDING REGULATIONS FOR RECREATIONAL VEHICLES?**

Our research has shown that most other cities have some regulations that govern the parking of large or recreational vehicles. It is therefore not acceptable for St. Catharines to have none, and for councillors not to respect and understand the concerns of all citizens. Attached is a summary of some of the regulations that govern other cities – Burlington, Kingston, Toronto, Mississauga, Woodstock, Niagara on the Lake, plus some from other provinces (Saskatoon and Edmonton). We feel that Council should defer this decision and request staff to report on what are the best and most acceptable regulations in other communities.

The present proposal only limits them from use for human habitation. The proposed setback of 30 centimetres (11.8 inches) from the sidewalk is too short as compared to regulations that are being used by other communities. Saskatoon has them 1.2 metres from the sidewalk. How do we ensure the safety of children and pedestrians when they are that close to the sidewalks? When another car is exiting from the driveway, the driver's field of vision would be hindered by such a short setback of 30 centimetres.

### **4. WHAT CAN BE DONE TO PREVENT THESE CARTS AND TRAILERS FROM BEING USED SOLELY FOR ADVERTISING RATHER THAN THEIR INTENDED USE AS A RECREATIONAL VEHICLE?**

At the present time St. Catharines is one of the few communities that does not have regulations that prohibit the use of advertising on vehicles such as carts and trailers. We have attached photos of some that have been on our corridors. Our concern is that if we have no regulations for RV's, we will see advertisers using more of these trailers, carts and rigs throughout our neighbourhoods and corridors.

### **5. WHAT NEEDS TO BE DONE?**

We propose the following:

That

(a) *whereas* the original intent by staff in September was to provide some limitation on the size, scale and proportion of recreational vehicles to all of the zones , and

(b) *whereas* staff supports the importance of urban design and neighbourhood aesthetics as part of the Garden City Plan, and

(c) *whereas* the safety of our residents is a important priority


We ask that

**1. Council should defer this decision and ask staff or another planner's report that will include proposed regulations for all zones in St. Catharines with consideration to regulations regarding safety, size, scale, and proportion that govern other cities, and one that will maintain a respect for urban design and neighbourhood aesthetics.**

**2. Council should ensure these vehicles are not used for advertising by passing the following motion this evening:**

***" Any sign that is displayed on a vehicle trailer, cart or truck which is parked or located on a property in a manner that is unrelated to its normal use as a vehicle and is more consistent with the use of the vehicle as a sign, is not permitted."***

We respect and understand the concerns expressed by owners of recreational vehicles. However all of our citizens deserve to have regulations that ensure the safety of our residents, are compatible with other cities, and respect the importance of neighbourhood aesthetics and urban design. Please make an informed decision that is equitable for all of our citizens who proudly call St. Catharines their hometown.

  
Joanne Atkinson,

on behalf of Scenic St. Catharines

January 21, 2013.



## **Municipal Regulations for Recreational Vehicles**

### **(a) Burlington – Zoning By Law 2020 recreational vehicles**

- if larger than 36 metres they are strictly prohibited
- height restriction of 1.82 metres
- if larger than 1.82 metres they can be parked between May 1<sup>st</sup> to October 31<sup>st</sup> and at other times they are to be parked in areas other than the front or side yards

### **(b) Toronto- Section (7) Parking or Storing of Recreational Vehicles ( pg. 30)**

- regulates where they can be parked – in a garage, or backyard on a hard surface and only allows one camper trailer or one boat trailer

### **(c) Mississauga – Section 4.1.11.1.1**

One (1) trailer, with or without one (1) boat, or up to two (2) personal watercraft or snowmobiles, or one (1) recreational vehicle, is permitted on a driveway subject to regulations that includes a combined length of not more than 5.2 metres and a height of not more than 2 metres

### **(d) Saskatoon**

- recreational vehicles must be 1.2 metres from the sidewalk.

### **(e) Woodstock**

- removed the ability to store recreational vehicles and trailers on residential front yards but did allow them in a garage or carport. Outdoor storage could be done in backyards where there was at least 1 metre from the lot line

### **(f) Kingston ByLaw 32-74; 2008-164, Regulation (21) Storage of Special Vehicles**

- a boat, motor home, utility trailer or similar recreational vehicle is permitted but it cannot exceed 8.2 metres in length
- they are permitted in a garage, carport, other side yard or rear yard but not closer than 1 metre to any lot line in residential areas
- if they are temporarily stored in residential zones they may be permitted for a period of not more than 72 hours in any one calendar month

### **(f) Edmonton**

They must park vehicles 2 metres from the sidewalk and only from April 1 to October 31<sup>st</sup>. After October 31<sup>st</sup> to April 1<sup>st</sup> they must be stored in a rear yard or inside a garage. When this is not possible, they must be parked on a storage site. They also define which ones are exempt e.g. tent trailers, snowmobiles etc. They have a special 311 call number whereby Municipal Enforcement Officer (MEO) or a Community Standards Peace Officer (CPO) will investigate and issue a bylaw ticket worth \$50. to \$120. depending on the issue.

### **(f) Niagara on the Lake Parking by Law 4308-09 Section 202.04 Large Motor Vehicles:**

*“ NO person shall stop, stand, park a large motor vehicle or trailer on any residential street at any time, except for the purposes of delivery or providing a service which necessitates the parking on the roadway.”*

**Regulations from  
Burlington,  
Ontario**

**as per September 2011**

re:

**Accessory Buildings - pg. 9, 10  
Trailers and Recreation Vehicles - pg. 15  
Home Based Business, Cottage Industry ,  
Home Industry pg.21,22,23  
Parking - pg. 33, 34**

RPT	SECRET	INFO	P.D.S	
			REFERRED TO	INIT.
				<i>PS</i>
DATE REC'D →			MAY 28 2013	SCAN <input type="checkbox"/>
FILE NO			<i>60-35,11 v. c</i>	



## **2. GENERAL PROVISIONS**

### **2.1 ACCESSORY USES**

2.1.1 Where a use is permitted by a zone designation in this By-law, any use that is accessory to such use is also permitted, notwithstanding, the following are deemed not to be accessory uses:

- Retail propane transfer facilities
- Private propane transfer facilities
- Propane cylinder handling facilities
- Bulk propane storage depot
- Garages attached to a dwelling either directly or by indirect structural means
- Adult Entertainment Establishment

2.1.2 The following accessory uses shall be subject to the regulations specified:

- Decks, subject to Part 1, Subsection 2.3
- Fencing and Privacy Screens, subject to Part 1, Subsection 2.4
- Swimming Pools, subject to Part 1, Subsection 2.5
- Electronic Game and Pinball Machine Arcade, subject to Part 1, Subsection 2.6

### **2.2 ACCESSORY BUILDINGS AND STRUCTURES AND UNITARY EQUIPMENT**

2.2.1 The following regulations shall apply to buildings and structures, when accessory to detached, semi-detached, duplex, triplex, fourplex or street townhouse dwellings :

(a) Regulations for Accessory Buildings up to 10 m<sup>2</sup> in floor area:

Setback from a side lot line abutting a street:	7.5 m
Setback from a rear lot line abutting a street:	90 cm
Setback from a front lot line:	15 m
Setback from any other lot line:	no minimum
Maximum height:	2.5 m

(b) Regulations for Accessory Buildings greater than 10 m<sup>2</sup> in floor area and/or greater than 2.5 m in height:

(i) Not permitted in a front yard, street side yard or required side yard.  
Permitted in a rear yard subject to the following:

Setback from a rear lot line:	1.2 m
Setback from a side lot line:	1.2 m
Setback from a side lot line abutting a street:	7.5 m

Floor Area and Height:	
Maximum floor area:	50 m <sup>2</sup>

## Part 1 - General Conditions And Provisions

---

Maximum height (peaked roof):	One storey to a maximum of 4.6 m
Maximum height (flat roof):	One storey to a maximum of 3.5 m

- (ii) Notwithstanding the required setback from a side lot line, the dividing wall of a semi-detached garage may be constructed on a side lot line.
- (iii) A detached swimming pool enclosure may be greater than 50 m<sup>2</sup> in area provided that the yard requirements for a principal building on the same lot shall apply to the pool enclosure.

(c) Regulations for Accessory Structures:

- (i) Not permitted in required front, side, street side yards.  
Permitted in a rear yard subject to the following:

Setback from a rear lot line:	90 cm
Setback from a side lot line:	90 cm
Setback from a side lot line abutting a street:	7.5 m

Floor Area and Height:	
Maximum floor area:	42 m <sup>2</sup>
Maximum height:	3.7 m

2.2.2 For all other uses and except where specified in the respective zone, the yard requirements for a principal building shall apply to accessory buildings and accessory structures.

Where a building or structure for the storage of garbage is located in a rear or side yard the following regulations shall apply:

- (a) Permitted in a rear or side yard, not within a required landscape area or landscape buffer, subject to the following:

Setback from a rear lot line:	1 m
Setback from a side lot line:	1 m
Setback from a residential zone:	15 m
Maximum height:	3.7 m

2.2.3 For all uses, accessory buildings and accessory structures may not be constructed of concrete or masonry blocks unless the blocks are decorative units or are covered with stucco or siding having a permanent colour finish.

2.2.4 For all uses, Unitary Equipment shall be subject to the following:

- Setback from a side lot line: 60 cm
- Setback from a rear lot line: 60 cm
- Setback from a dwelling: 1.5 m maximum from the front wall
- Swimming pool equipment is not permitted in a front yard



## 2.8 TRAILERS AND RECREATION VEHICLES

2.8.1 The following regulations apply to parking of trailers and recreation vehicles on lots for detached dwellings, semi-detached dwellings, street triplex dwellings, street triplex and fourplex dwellings and street townhouse dwellings, in all zones except RA and RG zones:

- (a) Any recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which does not exceed a height of 1.82 m, may be parked or stored in any yard.
- (b) Any recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 1.82 m, may be parked or stored in any yard between May 1st and October 31st. At any other time such parking or storage is permitted only in yards other than a front yard or street side yard.
- (c) Notwithstanding (b) above, the parking or storage of a recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 3.66 m, is prohibited.
- (d) Parking and storage of recreation vehicles and trailers is not permitted within a visibility triangle, at street intersections and railway intersections.

## 2.9 CAR WASH

2.9.1 The regulations specified by the zoning designation in which a car wash use is permitted shall apply in addition to and as amended by the following:

- (a) Front Yard and Street Side Yard: 6 m; 20 m where car wash bay doors face a street.
- (b) Where a car wash abuts a residential zone the yard abutting the residential zone shall be as required by the zoning of the property or 12 m, whichever is greater.
- (c) Queuing Lane:

For a self-serve (manual) car wash sufficient space shall be provided on-site to accommodate 3 vehicles in a line commencing at the entrance of each wash bay and 1 vehicle at the bay exit;

For an automatic (mechanical) car wash sufficient space shall be provided on-site to accommodate 10 vehicles in a line commencing at the entrance of each wash bay and 2 vehicles in a line at each bay exit;



## **2.17 SET-BACK FROM A CREEK**

Every building, other than an accessory building, shall maintain a minimum set-back of 4.5 m from the top-of-bank of a creek which is not within a creek block .

## **2.18 HOME BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY**

2.18.1 A Home Based Business and Cottage Industry shall be permitted in all zones within a dwelling unit. A Home Industry shall be permitted as an accessory use to a commercial farm only in RA zones. A Home Based Business, Cottage Industry and Home Industry shall comply with the following provisions:

(a) **Residential Character and Compatibility**

The residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.

(b) **Parking**

Off-Street parking shall be provided in accordance with Subsection 2.25.

(c) **Size**

A Home Based Business, Cottage Industry or Home Industry shall not be permitted within an attached garage, but may be conducted within a dwelling unit from a basement or cellar and up to 25% of the floor area above grade, excluding an attached garage. A Home Based Business or Cottage Industry in an RA or RG Zone shall have a maximum floor area of 100 m<sup>2</sup> or 25% of the residential living area, whichever is less. In addition, a Home Industry may be conducted from an accessory building having a maximum floor area of 200 m<sup>2</sup>. Where the business involves classes for teaching or instructional purposes, the maximum class size shall be 6 students, except in RO zones and for lots fronting on those streets listed on Table 2.3.1.1, where the maximum class size shall be 3 students.

(d) **Employees**

In a Home Based Business or Cottage Industry, no one other than a resident of the dwelling may be employed or have their services retained in the operation of the business or industry nor shall any person who is not a resident of the dwelling report to the dwelling for work assignment. In a Home Industry one employee who is not a resident of the dwelling on the property is permitted.

(e) **Retail Sales**

The retail sale of merchandise is not permitted except when the merchandise sold or offered for sale is ancillary to the permitted use.



**(f) Location Restrictions**

The following businesses are permitted in detached dwellings only:

- Music, Dance or Singing activities
- Physical Fitness activities

The following businesses are permitted in detached dwellings only on lots having a front or side lot line in common with a street having a deemed width of 26 m or greater:

- Medical or Health Care Office
- Hairstylist
- Aesthetician
- Complementary Health Care

**(g) Storage and Display**

Outdoor storage or display of merchandise, material or equipment is prohibited except in RA zones where a Home Industry may store farm equipment outdoors. Merchandise may be displayed within the dwelling provided it shall not be visible from outside the dwelling.

Merchandise, material and equipment may be stored within an attached or detached garage or other accessory building provided it shall not be visible from outside the garage or accessory building.

**(h) Nuisance**

No equipment or process shall be used which creates or becomes a public nuisance in regard to persistent noise, odour, fumes, vibration, glare, traffic or parking nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment reception.

## **2.19 OFFICE USES IN RESIDENTIAL ZONES**

Office uses are permitted in a detached dwelling in all residential zones, including Holding residential zones, as a principal use or in combination with a dwelling unit, provided the dwelling has existed on the lot for a minimum period of 2 years, subject to the parking requirements contained in Subsections 2.25 and 2.26 and as follows:

**(a) Lot Size**

Minimum lot width: 18m

**(b) Location**

The lot shall have a front or side lot line in common with a Major Arterial, Multi-Purpose Arterial or Minor Arterial road having a deemed width of 30 m or greater.

(c) **Residential Character and Compatibility**

The residential appearance and character of the dwelling and property shall be maintained and any exterior alteration or addition to the dwelling shall maintain the residential appearance and character of the dwelling and property and shall be subject to the regulations of the residential zone applying to the property. Where the dwelling is identified by the City to be a cultural heritage resource, alterations or additions to the dwelling shall be in keeping with the conservation of the cultural heritage resource.

(d) **Size**

Number of office uses:	2 maximum
Gross Floor Area for all office uses:	200 m <sup>2</sup> maximum

(e) **Landscape Area**

50% of the front yard shall be maintained as landscape area.  
25% of the rear yard and street side yard shall be maintained as landscape area.

(f) **Fencing**

Solid screen fencing with a minimum height of 1.8 m, shall be installed along a rear lot line and along a side lot line extending from the rear lot line to the front wall of the dwelling.

(g) **Parking and Driveways**

Parking shall be located in a side or rear yard only.

Where the abutting property is used for a residential use, landscape buffers shall be provided as follows:

- (i) 4.5 m along the rear lot line and 3 m along that portion of the side lot line which is located in the rear yard; and
- (ii) 3 m along any side lot line where abutting a street, and 1 m along that portion of the side lot line which is located in the side or front yard.

Where the abutting property is used for a residential use, any parking area or driveway shall maintain a minimum setback of 6 m from the rear lot line and 3 m along that portion of the side lot line which is located in the rear yard.

Notwithstanding the definition of Landscape Buffer, for the purposes of this regulation, a driveway may pass diagonally through a rear yard landscape buffer abutting a side lot line at an angle of not less than 20 degrees, for the purpose of transitioning from a side yard to a rear yard.

Where the abutting property is used for any other use, a landscape buffer of 1 m in width shall be provided along the side and rear lot lines.

(h) **Storage and Display**

Storage or display of merchandise, material or equipment is prohibited.



**TABLE 1.2.6 - OFF-STREET PARKING STANDARDS**

Table 1.2.6

USE	PARKING STANDARD
Detached Dwelling Semi-Detached Dwelling Duplex Dwelling Triplex Dwelling	2 spaces per unit; one of which may be provided in an attached or detached garage  Detached, Semi-Detached, Duplex and Triplex Dwelling on a parcel of tied land fronting onto a common element condominium road : 1.5 spaces per unit where 1 space shall be located on the parcel of tied land and .5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway
Street Townhouse Dwelling Street Triplex Dwelling Street Fourplex Dwelling	2 spaces per unit
Townhouse Dwelling Fourplex Dwelling Cluster Homes	2 occupant spaces per unit, 0.50 visitor spaces per unit
Stacked Townhouse Dwellings Back to Back Townhouse Dwellings	<b>Without exclusive use garage:</b> 1.25 occupant spaces per one bedroom unit 1.50 occupant spaces per two bedroom unit 1.75 occupant spaces per three or more bedroom 0.35 visitor spaces per unit  <b>With exclusive use garage:</b> 2.0 occupant spaces per unit, 0.35 visitor spaces per unit
Apartment Building	1.25 occupant spaces per one bedroom unit 1.50 occupant spaces per two bedroom unit 1.75 occupant spaces per three or more bedroom 0.35 visitor spaces per unit
Dwelling Units on the 2nd or 3rd floor of a 2 or 3 storey commercial building	1.25 spaces per unit
Adult Entertainment Establishment	1 space per 2 persons capacity
Allotment Garden	1 space per garden plot
Bank, Trust Company, Credit Union	6 spaces per 100 m <sup>2</sup> gross floor area
Bed & Breakfast Home Boarding House	1 space per guest room in addition to the parking requirement for a detached dwelling
Bowling Alley	4 spaces per alley
Cemetery	1 space per employee plus 1 per 4 seats chapel capacity
Community Institution	1 space per 4 persons capacity
Convent, Monastery	1 space per two beds
Convention/Conference/Banquet Centre	10 spaces per 100 m <sup>2</sup> gross floor area
Correctional Facility	0.85 spaces per employee 0.25 visitor spaces per resident
Correctional Group Home	4 parking spaces
Day Care Centre	4 spaces per 100 m <sup>2</sup> gross floor area



## Part 1 - General Conditions And Provisions

Table 1.2.6

USE	PARKING STANDARD
Emergency Shelter	0.85 spaces per employee 0.25 visitor spaces per resident
Entertainment Establishment	1 space per 6 persons
Funeral Home, Mortuary, Crematorium	4 spaces per 100 m <sup>2</sup> gross floor area, 15 spaces minimum
Group Home	2 parking spaces
Home Based Business	None Required
Home Day Care	None Required
Hospital, Health Care Facility	0.65 spaces per patient bed
Hotel	1 space per guest room or suite
Industrial Uses	1 space per 100 m <sup>2</sup> gross floor area
Kennel	1 space per employee plus 1 per 100 m <sup>2</sup> gross floor area
Library, Museum, Post Office	0.75 spaces per employee plus 1.5 spaces per 100 m <sup>2</sup> GFA
Lodge, Fraternity, Private Club	1 space per 4 persons capacity
Long Term Care Facility	0.85 spaces per employee, plus 0.25 spaces per bed
Movie Theater	1 space per 4 seats
Night Club, Dance Hall	1.1 spaces per 4 persons
Office: Medical	6 spaces per 100 m <sup>2</sup> gross floor area
Other	3.5 spaces per 100 m <sup>2</sup> gross floor area
Place of Assembly, Place of Worship,	6 spaces per 100 m <sup>2</sup>
Recreational Establishment	1 space per 6 persons capacity
Retail Store	4 spaces per 100 m <sup>2</sup> gross floor area
Retail Centre	5.25 spaces per 100 m <sup>2</sup> gross floor area
Residential Social Service	0.85 spaces per employee 0.25 visitor spaces per resident
Restaurant: Fast Food Restaurant	1 space per 4 persons capacity or 25 spaces per 100 m <sup>2</sup> GFA, whichever is greater.
Standard Restaurant	1 space per 4 persons capacity
Patio	1 space per 4 persons capacity
Retirement Home	0.85 spaces per employee, plus 0.50 occupant spaces per unit, plus 0.25 visitor spaces per unit
School: Elementary	1.5 spaces per classroom
Secondary	4 spaces per classroom
Post Secondary	1 space per 3 students, faculty and staff
Business, Commercial, Trade	1 space per 3 students, faculty and staff
Service Commercial Uses	4 spaces per 100 m <sup>2</sup> gross floor area
Supermarket	10 spaces per 100 m <sup>2</sup> gross floor area



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**Joanne Atkinson**  
**May 25, 2013.**

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Brittney Williamson  
and Ellen Savoia, Planners  
Planning and Development Services  
City of St. Catharines  
P.O. Box 3012, 50 Church Street  
St. Catharines, ON L2R 7C2

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The following concerns are not listed in order of importance as I feel they all deserve consideration from your planning team. They are based on my understanding of the documents, and input that I received from each of you when I attended two of the Open Houses.

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It is my understanding that the city receives 60 % of its property taxes from residents who live in single family homes. There does not seem adequate concern or protection for those who have been maintaining their properties, and trying to protect their residential investments. While intensification will benefit developers and landlords, these changes show little support for residential property owners who have chosen to live in detached, single family homes.

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I ask, "Do we really understand where residents want to live, and are we building places that are marketable?"

## **2. Parking of Recreational Vehicles in Residential Areas**

Many of the concerns about this are outlined in a copy of the enclosed submission that I made to City Council on January 21, 2013. I have included a list of regulations from other cities to show that if this is accepted as proposed, St. Catharines will be the least restrictive city in Ontario. I saw an online blog that was set up to say how easy it is to park RV's in St. Catharines! Is this the Garden City image we are attempting to support? It was very disappointing to realize that, **although the staff report in the General Agenda of Council September 24, 2012 stated,**

*"The new zoning bylaw is intended to permit the parking and storage of recreational vehicles providing there is some limitation on the size, scale and proportion. Recreational vehicles that reflect a scale that is similar to that of a standard car or truck are intended to be permitted"*

**the proposed changes did NOT reflect this original intent!**

The Zoning Draft has proposed that the only restriction will be if the motor vehicle is in excess of 3600kg. in vehicle weight, and that 50% of the front and side yard can be used for parking. This certainly is not the size of standard car or truck! The issue of safety (setbacks from the road, appropriate covers for long term storage of vehicles etc.) has not been included. Trees and lawns will be removed in order to provide areas for their storage on front and side yards. If approved, this will destroy the look of our residential areas, and our "Garden City" image will be impeded.

More consideration must be given to residents who do not want these very large vehicles stored permanently in our small neighbourhoods. As well, we need to show appreciation to those recreational vehicles owners who have already paid to have their large vehicles stored in alternate locations. Another group has appealed this matter through the OMB. I do hope that changes are made to respect the concerns that have been put forth.

I would suggest that regulations be made to ensure that St. Catharines joins other cities by enacting regulations that will not permit these old carts, rigs and trailers for being used for third party advertising on our corridors. ( see Report to City Council ) This problem is twofold – storage and using old RV's for advertising.

I am saddened when we have visitors define certain streets by *"the one with the large sailboat parked on the yard"* or *"the house with the large motor home"*. They do not add to the "curb appeal" of our city, particularly in our residential areas where lot sizes are smaller..

As noted in the **"Regulations for Other Cities"** that I have enclosed, we must show more consideration for the safety of our residents, respect for other neighbours, and the effect these vehicles have on other properties. I have included the 2011 regulations from The City of Burlington that show the RV restrictions they have enacted to maintain the look and safety of their city.



### 3. Home Based Businesses

The following matters are of concern:

(a) There is an allowance of 25% of the floor area that is permitted but this does not state whether it is in the basement, main floor etc. Is the total area as per the Municipal Tax Assessment used?

This would seem like a large amount of area for a "*small home based business*."

(b) There are no provisions for parking for patrons of the business. Will they all be on the street? How does this affect the safety of others? The City mandates that Bed and Breakfast owners must provide 4 spots, and yet home-based businesses do not need to provide parking. How is this equitable?

(c) There are no provisions for hours of operation. Residents will be adversely affected if the business operates throughout the night and there are noise, traffic and light issues related to the operation of the business.

(d) There are no regulations regarding advertising of the business. They should not be permitted to advertise. There will be an attempt to put large well lit signs in our neighbourhoods, with little concern for the effect on adjacent properties. Recently I saw a new home owner move into their home and the following day their business sign was on the front lawn.

(e) The business should be for the owner and perhaps one family member who assists- not a small business that employs other people.

(f) The city will lose business taxes as more people opt to work in their homes rather than operate a small business and contribute to the tax base of our community. Many business owners that presently rent space and operate in commercial corridors are frustrated because they are expected to pay both business and property taxes, while others operate from their homes. Is this not a loss of tax revenue for our city?

(g) The business should have guidelines to ensure that the frontage is respectful of the architecture of the existing and neighbouring properties ( see attached regulations from Burlington )

(h) **Home Day Care**- They should be required to provide a safe, fenced play area on the back or side of their properties. Some people are leaving play equipment all over their front lawns, and the children in their care are not playing in secure and safe areas.

### 4. Detached Accessory Dwellings

The size that is proposed seems very large as compared to that of the main dwelling. There are no regulations regarding the number of inhabitants, or the set back to adjacent properties. I expect that these will be seldom used for "granny flats" but instead as places for rent by numerous tenants. There should be more consideration for the effect these residential accessory dwellings will have on the people whose homes abut the property on which these dwellings will be constructed. On large areas such as farm properties this is not a problem, but in residential areas with small lots in our city these accessory dwellings could be a challenge for nearby residents.

The fact that they can be 40% of the size of the principal dwelling floor space up to a maximum of 105 sq. m. seems rather large. The issues of lighting and drainage on adjacent properties must be respected.



## 5. Green Space

These zoning changes seem to protect only 12% of the green space. The remaining sections may be under review, and the zoning could be amended to create new areas for other uses. There will be a loss of trees as intensification such as accessory dwellings, structures and parking of recreational vehicles takes dominance over our lawns and plantings. By including walkways in the calculation of green space, this will reduce the amount that we presently have within our city.

The Urban Forestry Management Report highlighted the fact that St. Catharines is 40 years behind in planting trees. While the added landscape requirements for new parking lots and plazas will help, the overall urban canopy will be less with intensification. Our city continues to impede the growth of trees because of lack of appropriate pruning and maintenance, intensification that does not protect our existing heritage trees, and continuing to install large hydro poles and wires on new or reconstructed roads (e.g. reconstruction of Fourth Ave., Welland Avenue, Lakeshore Road and Lake Street) Some cities such as Hilton Head and San Antonio in the U.S. have long term policies to bury hydro wires on their corridors. Our green space and urban canopy will continue to disappear under these zoning changes. I am thankful that the decision was made to bury hydro wires on St. Paul Street but should this not be done on other main corridors? Why were they buried on the Fourth Avenue shopping corridor and not extended to the new hospital area?

This week Nancy Cameron did an excellent visual presentation to the St. Catharines Historical Society on "*The Historical Gardens of St. Catharines.*" To the many people who watched this, we understood why our city became "The Garden City of Canada," as well as those who provided the leadership, horticultural, and landscaping skills to make our city so beautiful – the envy of Canada.

I do not believe that these Zoning Changes will provide enough protection for our city's green space and the visual attractiveness of city.

## 6. Heritage Districts

There is no protection for areas such as Yates Street and Queen Street that have already been identified as heritage districts. As well, proposals for downtown do not support the visual integrity of our historic buildings.

## 7. Drainage and Storm Water Management

St. Catharines does not have a comprehensive storm water management program and consequently intensification continues to present concerns for residents that live in areas adjacent to proposed new developments. Although the grading and water retention areas are to be done by the developer or property owner, there are frequently problems. Residents have to go to court to deal with the costs that they incur when their properties are affected by drainage. Frequently I have heard from people who have lived in their homes for years without any problems, and then begin to have leaky basements when new development occurs in their areas. One can only assume that there will be more drainage concerns as people are allowed to (a) turn properties into four plexes (b) add accessory dwellings (c) build more apartments and/or townhouses in areas that are located on watersheds etc.

Reports indicate that our city is many years behind in the replacement and maintenance of underground water mains and pipes. How will we be able to ensure that we have the appropriate drainage to adequately handle all of the proposed intensification through these zoning changes?



## **8. Protection for Areas That Have Site Plan Agreements**

This report shows "**Holding Areas**" and "**Special Provisions**" but does not mention those areas such as Simpson Grove that has a site plan agreement that was approved as part of the development over twenty years ago. There were regulations that affected all of the properties and therefore it needs to be clarified that these new zoning changes cannot be imposed upon the properties in the site plan.

## **9. Urban Design Guidelines**

It seems that the long term appearance of our city may continue to be negatively affected by these zoning changes, if urban design guidelines are not applied or are ignored. I continue to see new developments that are "shoe-horned" into a small area and the matter of protecting the visual aesthetics of the street seem to be disregarded. There seems to be little regard for the balance, scale, proportion, and appearance of these infilling developments as they relate to the other properties nearby.

## **10. Accessory Structures**

These seem very large. There should be more respect shown for the set back and impact these structures will have on the adjacent properties. There will be an attempt for structures such as large storage bins with third party advertising, to be located on residential properties, particularly if they have yards facing onto busy corridors or highways. The setback of .6 metres from the side or rear yard is too small. There should be more regulation on what can be stored or locked in these structures.

## **11. Timeline**

Although staff should be commended for trying to engage the public in this process, it seems that many citizens do not understand how these changes will impact their places of residency and/or work. These changes are not due until 2015, and therefore I feel that the zoning changes should be given a longer timeline to finalize the proposals. While there may reasons to expedite this process in order that certain developments in the "Holdings" Section may proceed, these zoning changes may not be beneficial for the majority of our citizens.

## **12. Downtown**

The historic character of our downtown, as defined by the scale, balance and proportion of existing buildings on our attractively- curved St. Paul Street, will be destroyed if the commercial area is allowed to have buildings that are too high. The Zoning Regulations propose a minimum height but not a maximum height. It is the only main street in Ontario with this distinctive look. Why would we destroy this architectural treasure by having buildings that are too high?

While it is important to develop the residential component, we still need to protect the look and size of the commercial area. There is a danger that downtown will become a second campus for Brock University, rather than the heart of our city where residents of all ages choose to reside, work, dine and enjoy the facilities, commercial sites, municipal offices, and places of worship that are available.



### **13. Spas**

On our commercial corridors there are some "spas" that are operating under false pretenses. The services that they are providing are more akin to adult entertainment. These should be investigated to ensure they are relocated to "Employment Areas."

### **14. Safety**

There are many proposals that do not seem to consider public safety. We need to have more bicycle lanes to ensure safe travel throughout our city. Many drive-thru restaurants are located in areas that are very dangerous e.g. Grantham Plaza. The proposed parking of RV's shows little consideration for safe parking or storage, site lines, visibility triangles etc.

The plan to intensify neighbourhoods does not consider where the extra cars will park, and whether the corridors on which they are located can safely handle the increased traffic or parking. As small schools are closed and new larger ones are constructed (e.g. new proposal for Alexandra School), it is important to consider whether the neighbourhoods should also permit high density residential dwellings near these new schools. As a retired educator who taught at Grapeview School on First St. Louth, I know the challenges of getting 725 or more students, staff and parents in/out of a school safely, particularly when St. Theresa's School is nearby, and their staff too are trying to ensure the safety of their students on a busy road. Similarly in areas where it is deemed that schools will be closed, it will be important to determine how these large properties can be developed to ensure safety and compatibility in these existing neighbourhoods.

### **15. Off Leash Dog Parks**

More consultation should be done before allowing more off-leash parks to be located in Montebello or Lakeside Park as proposed. Safety and responsible removal of animal feces must be firmly established, as well as respect for the rights of other patrons of the park.

### **16. Agriculture**

Presently billboards are not permitted in agriculture areas. If this zoning changes, it is important to make sure that the sign bylaw regulations are still applicable.

### **17. Private Road Development**

Many of these are adjacent to conservation areas and do not have appropriate storm water management. Some have a covenant that governs the land use. How can planners propose fourplexes and other intensification, when regulations are already in place regarding land use?

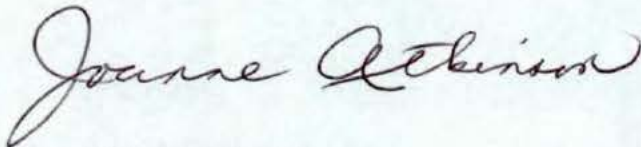
## 18. Vacant Land

As land becomes vacant due to buildings changing use (e.g. schools that are closed ) it is important to ensure that the city and/or purchaser protects the property from problems that have affected other vacant land - lack of maintenance, derelict buildings, unsafe conditions etc. As well they should not be temporarily used as locations for Third Party Advertising Signs.

I hope that this input will be helpful as you determine what changes should be made to the draft zoning regulations. All stakeholders should continue to work together to enhance our city's image and uphold our "**Garden City**" Official plan. **Our future economic prosperity may be at risk without this shared commitment by residents, developers, landlords, business owners, planners, and elected officials to make our city safe, attractive, and environmentally sustainable for future generations.**

If you have any further questions, please contact me at the address below.

Sincerely,



Joanne Atkinson, B.A. B.Ed.

■ Cricket Hollow Road

St. Catharines, ON ■

■  
■



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## **2. Parking of Recreational Vehicles in Residential Areas**

Many of the concerns about this are outlined in a copy of the enclosed submission that I made to City Council on January 21, 2013. I have included a list of regulations from other cities to show that if this is accepted as proposed, St. Catharines will be the least restrictive city in Ontario. I saw an online blog that was set up to say how easy it is to park RV's in St. Catharines! Is this the Garden City image we are attempting to support? It was very disappointing to realize that, **although the staff report in the General Agenda of Council September 24, 2012 stated,**

*"The new zoning bylaw is intended to permit the parking and storage of recreational vehicles providing there is some limitation on the size, scale and proportion. Recreational vehicles that reflect a scale that is similar to that of a standard car or truck are intended to be permitted"*

**the proposed changes did NOT reflect this original intent!**

The Zoning Draft has proposed that the only restriction will be if the motor vehicle is in excess of 3600kg. in vehicle weight, and that 50% of the front and side yard can be used for parking. This certainly is not the size of standard car or truck! The issue of safety (setbacks from the road, appropriate covers for long term storage of vehicles etc.) has not been included. Trees and lawns will be removed in order to provide areas for their storage on front and side yards. If approved, this will destroy the look of our residential areas, and our "Garden City" image will be impeded.

More consideration must be given to residents who do not want these very large vehicles stored permanently in our small neighbourhoods. As well, we need to show appreciation to those recreational vehicles owners who have already paid to have their large vehicles stored in alternate locations. Another group has appealed this matter through the OMB. I do hope that changes are made to respect the concerns that have been put forth.

I would suggest that regulations be made to ensure that St. Catharines joins other cities by enacting regulations that will not permit these old carts, rigs and trailers for being used for third party advertising on our corridors. ( see Report to City Council ) This problem is twofold – storage and using old RV's for advertising.

I am saddened when we have visitors define certain streets by *"the one with the large sailboat parked on the yard"* or *"the house with the large motor home"*. They do not add to the "curb appeal" of our city, particularly in our residential areas where lot sizes are smaller..

As noted in the **"Regulations for Other Cities"** that I have enclosed, we must show more consideration for the safety of our residents, respect for other neighbours, and the effect these vehicles have on other properties. I have included the 2011 regulations from The City of Burlington that show the RV restrictions they have enacted to maintain the look and safety of their city.



### 3. Home Based Businesses

The following matters are of concern:

(a) There is an allowance of 25% of the floor area that is permitted but this does not state whether it is in the basement, main floor etc. Is the total area as per the Municipal Tax Assessment used?

This would seem like a large amount of area for a *"small home based business."*

(b) There are no provisions for parking for patrons of the business. Will they all be on the street? How does this affect the safety of others? The City mandates that Bed and Breakfast owners must provide 4 spots, and yet home-based businesses do not need to provide parking. How is this equitable?

(c) There are no provisions for hours of operation. Residents will be adversely affected if the business operates throughout the night and there are noise, traffic and light issues related to the operation of the business.

(d) There are no regulations regarding advertising of the business. They should not be permitted to advertise. There will be an attempt to put large well lit signs in our neighbourhoods, with little concern for the effect on adjacent properties. Recently I saw a new home owner move into their home and the following day their business sign was on the front lawn.

(e) The business should be for the owner and perhaps one family member who assists- not a small business that employs other people.

(f) The city will lose business taxes as more people opt to work in their homes rather than operate a small business and contribute to the tax base of our community. Many business owners that presently rent space and operate in commercial corridors are frustrated because they are expected to pay both business and property taxes, while others operate from their homes. Is this not a loss of tax revenue for our city?

(g) The business should have guidelines to ensure that the frontage is respectful of the architecture of the existing and neighbouring properties ( see attached regulations from Burlington )

(h) **Home Day Care**- They should be required to provide a safe, fenced play area on the back or side of their properties. Some people are leaving play equipment all over their front lawns, and the children in their care are not playing in secure and safe areas.

### 4. Detached Accessory Dwellings

The size that is proposed seems very large as compared to that of the main dwelling. There are no regulations regarding the number of inhabitants, or the set back to adjacent properties. I expect that these will be seldom used for "granny flats" but instead as places for rent by numerous tenants. There should be more consideration for the effect these residential accessory dwellings will have on the people whose homes abut the property on which these dwellings will be constructed. On large areas such as farm properties this is not a problem, but in residential areas with small lots in our city these accessory dwellings could be a challenge for nearby residents.

The fact that they can be 40% of the size of the principal dwelling floor space up to a maximum of 105 sq. m. seems rather large. The issues of lighting and drainage on adjacent properties must be respected.



## **5. Green Space**

These zoning changes seem to protect only 12% of the green space. The remaining sections may be under review, and the zoning could be amended to create new areas for other uses. There will be a loss of trees as intensification such as accessory dwellings, structures and parking of recreational vehicles takes dominance over our lawns and plantings. By including walkways in the calculation of green space, this will reduce the amount that we presently have within our city.

The Urban Forestry Management Report highlighted the fact that St. Catharines is 40 years behind in planting trees. While the added landscape requirements for new parking lots and plazas will help, the overall urban canopy will be less with intensification. Our city continues to impede the growth of trees because of lack of appropriate pruning and maintenance, intensification that does not protect our existing heritage trees, and continuing to install large hydro poles and wires on new or reconstructed roads (e.g. reconstruction of Fourth Ave., Welland Avenue, Lakeshore Road and Lake Street) Some cities such as Hilton Head and San Antonio in the U.S. have long term policies to bury hydro wires on their corridors. Our green space and urban canopy will continue to disappear under these zoning changes. I am thankful that the decision was made to bury hydro wires on St. Paul Street but should this not be done on other main corridors? Why were they buried on the Fourth Avenue shopping corridor and not extended to the new hospital area?

This week Nancy Cameron did an excellent visual presentation to the St. Catharines Historical Society on "*The Historical Gardens of St. Catharines.*" To the many people who watched this, we understood why our city became "The Garden City of Canada," as well as those who provided the leadership, horticultural, and landscaping skills to make our city so beautiful – the envy of Canada.

I do not believe that these Zoning Changes will provide enough protection for our city's green space and the visual attractiveness of city.

## **6. Heritage Districts**

There is no protection for areas such as Yates Street and Queen Street that have already been identified as heritage districts. As well, proposals for downtown do not support the visual integrity of our historic buildings.

## **7. Drainage and Storm Water Management**

St. Catharines does not have a comprehensive storm water management program and consequently intensification continues to present concerns for residents that live in areas adjacent to proposed new developments. Although the grading and water retention areas are to be done by the developer or property owner, there are frequently problems. Residents have to go to court to deal with the costs that they incur when their properties are affected by drainage. Frequently I have heard from people who have lived in their homes for years without any problems, and then begin to have leaky basements when new development occurs in their areas. One can only assume that there will be more drainage concerns as people are allowed to (a) turn properties into four plexes (b) add accessory dwellings (c) build more apartments and/or townhouses in areas that are located on watersheds etc.

Reports indicate that our city is many years behind in the replacement and maintenance of underground water mains and pipes. How will we be able to ensure that we have the appropriate drainage to adequately handle all of the proposed intensification through these zoning changes?



## **8. Protection for Areas That Have Site Plan Agreements**

This report shows "**Holding Areas**" and "**Special Provisions**" but does not mention those areas such as Simpson Grove that has a site plan agreement that was approved as part of the development over twenty years ago. There were regulations that affected all of the properties and therefore it needs to be clarified that these new zoning changes cannot be imposed upon the properties in the site plan.

## **9. Urban Design Guidelines**

It seems that the long term appearance of our city may continue to be negatively affected by these zoning changes, if urban design guidelines are not applied or are ignored. I continue to see new developments that are "shoe-horned" into a small area and the matter of protecting the visual aesthetics of the street seem to be disregarded. There seems to be little regard for the balance, scale, proportion, and appearance of these infilling developments as they relate to the other properties nearby.

## **10. Accessory Structures**

These seem very large. There should be more respect shown for the set back and impact these structures will have on the adjacent properties. There will be an attempt for structures such as large storage bins with third party advertising, to be located on residential properties, particularly if they have yards facing onto busy corridors or highways. The setback of .6 metres from the side or rear yard is too small. There should be more regulation on what can be stored or locked in these structures.

## **11. Timeline**

Although staff should be commended for trying to engage the public in this process, it seems that many citizens do not understand how these changes will impact their places of residency and/or work. These changes are not due until 2015, and therefore I feel that the zoning changes should be given a longer timeline to finalize the proposals. While there may reasons to expedite this process in order that certain developments in the "Holdings" Section may proceed, these zoning changes may not be beneficial for the majority of our citizens.

## **12. Downtown**

The historic character of our downtown, as defined by the scale, balance and proportion of existing buildings on our attractively- curved St. Paul Street, will be destroyed if the commercial area is allowed to have buildings that are too high. The Zoning Regulations propose a minimum height but not a maximum height. It is the only main street in Ontario with this distinctive look. Why would we destroy this architectural treasure by having buildings that are too high?

While it is important to develop the residential component, we still need to protect the look and size of the commercial area. There is a danger that downtown will become a second campus for Brock University, rather than the heart of our city where residents of all ages choose to reside, work, dine and enjoy the facilities, commercial sites, municipal offices, and places of worship that are available.



### **13. Spas**

On our commercial corridors there are some "spas" that are operating under false pretenses. The services that they are providing are more akin to adult entertainment. These should be investigated to ensure they are relocated to "Employment Areas."

### **14. Safety**

There are many proposals that do not seem to consider public safety. We need to have more bicycle lanes to ensure safe travel throughout our city. Many drive-thru restaurants are located in areas that are very dangerous e.g. Grantham Plaza. The proposed parking of RV's shows little consideration for safe parking or storage, site lines, visibility triangles etc.

The plan to intensify neighbourhoods does not consider where the extra cars will park, and whether the corridors on which they are located can safely handle the increased traffic or parking. As small schools are closed and new larger ones are constructed (e.g. new proposal for Alexandra School), it is important to consider whether the neighbourhoods should also permit high density residential dwellings near these new schools. As a retired educator who taught at Grapeview School on First St. Louth, I know the challenges of getting 725 or more students, staff and parents in/out of a school safely, particularly when St. Theresa's School is nearby, and their staff too are trying to ensure the safety of their students on a busy road. Similarly in areas where it is deemed that schools will be closed, it will be important to determine how these large properties can be developed to ensure safety and compatibility in these existing neighbourhoods.

### **15. Off Leash Dog Parks**

More consultation should be done before allowing more off-leash parks to be located in Montebello or Lakeside Park as proposed. Safety and responsible removal of animal feces must be firmly established, as well as respect for the rights of other patrons of the park.

### **16. Agriculture**

Presently billboards are not permitted in agriculture areas. If this zoning changes, it is important to make sure that the sign bylaw regulations are still applicable.

### **17. Private Road Development**

Many of these are adjacent to conservation areas and do not have appropriate storm water management. Some have a covenant that governs the land use. How can planners propose fourplexes and other intensification, when regulations are already in place regarding land use?

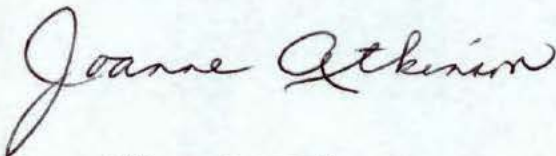
## 18. Vacant Land

As land becomes vacant due to buildings changing use (e.g. schools that are closed ) it is important to ensure that the city and/or purchaser protects the property from problems that have affected other vacant land - lack of maintenance, derelict buildings, unsafe conditions etc. As well they should not be temporarily used as locations for Third Party Advertising Signs.

I hope that this input will be helpful as you determine what changes should be made to the draft zoning regulations. All stakeholders should continue to work together to enhance our city's image and uphold our "Garden City" Official plan. **Our future economic prosperity may be at risk without this shared commitment by residents, developers, landlords, business owners, planners, and elected officials to make our city safe, attractive, and environmentally sustainable for future generations.**

If you have any further questions, please contact me at the address below.

Sincerely,



Joanne Atkinson, B.A. B.Ed.

■ Cricket Hollow Road  
St. Catharines, ON L2N 7N7

■  
■



**Blozowski, Kevin**

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**From:** Mayholme Foundation [REDACTED]  
**Sent:** Friday, May 24, 2013 11:03 AM  
**To:** Blozowski, Kevin  
**Subject:** Mayholme request  
**Attachments:** Planning Letter revised.pdf

*Hi Kevin,*

*Attached is the letter requesting recognition of the existing uses of the Mayholme Foundation property at 525 Ontario Street.*

*If you could have a look at it and see if it is ok, it would be deeply appreciated.*

*Thanks for your help.*

*Richard Hirst, UE  
Administrator,  
The Mayholme Foundation*

Mr. James Riddell  
Director of Planning and Development Services  
St Catharines City Hall  
50 Church Street  
St Catharines, Ontario  
L2R 7C2

Dear Sir,

We, the undersigned Directors of the charitable, not-for-profit corporation known as the Mayholme Foundation are formally requesting that your department recognize the existing use of our property at 525 Ontario Street, St Catharines as a cultural institution.

The Foundation was deeded the property and contents in 2002 as part of the founding donation of Corlene Taylor, the last owner and a descendant of the Loyalist and Crown Patentee, Peter May. Since that time the Foundation has actively operated three days each week throughout the year. The transfer of property was handled through the Hamilton law office of Simpson and Watson, who did not indicate to us any incumbrance to our operation at this location. Nor did the City when giving the farmhouse a heritage designation that same year or when the building department approved and inspected our addition. Mayholme has twice participated in the local "Doors Open" house tour. Mayholme has also hosted meetings of other heritage organizations and their executives. The Foundation has a website, [mayholme.ca](http://mayholme.ca), which explains who and what we are. Advertising pamphlets are widely distributed with similar material. In other words, the Foundation has been operating as a community cultural institution according to our belief that we were fully legal to do so.

The foundation is a privately funded, volunteer run, organization dedicated to preserving and promoting the history and genealogy of St Catharines and the Niagara Peninsula. Mayholme's mandate is to collect heritage materials such as books, manuscripts and private research sources and make them available to our community and the wider public. Most of the material that we have acquired was in private hands and not available to the public prior to being donated. Mayholme is partnering with like institutions by sharing resources. In addition to local residents, the Foundation also provides research guidance to patrons from as far away as California, British Columbia, Arizona, Virginia, Georgia and New York. Mayholme has developed and publish written and electronic materials aimed at increasing the public's knowledge of this community and it's importance in history such as Brian Tibbs' book "They Did Not Return". We have links with other community organizations such as the St Catharines War of 1812 Legacy Council, Brock University, the St Catharines Historical Museum, the Jordan Local History Archive, the Ontario Genealogical Society, the Ontario Historical Society and many others. Mayholme's collections include the materials of three early St Catharines researchers, Esther Summers (the Thorold Historian), Peggy Willis and Corlene Taylor. We also have the research collections of many other local historians and genealogists which have been donated to the Foundation for their ongoing use and protection. Our efforts are directed toward preventing the destruction of historical material and it's removal from the community to which it belongs.



We hope that our Foundation will be able to continue its service to this community and to that end we sign and authorize this request.

The property also contains a small house which is rented out, 3 out buildings related to the farm operation and a wood lot and valley which were part of the original watercourse and a supply route for the second Welland Canal. A large part of our current efforts are directed toward the maintenance and improvement of the property and buildings in order to beautify the neighbourhood and reduce our ongoing cost of upkeep.

**Mayholme Board of Directors**

Chairperson  
Corlene Taylor

Vice President  
Brenda Young

Treasurer  
Marilyn Jackson

Secretary  
Laurie Lepage

Director at Large  
Sylvia Bagley

## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

We would like City Council to see how we  
what you can park on your driveway.  
We live @ [REDACTED] Kelkeny Drive and  
across from our driveway sits a huge  
mobile home which rarely moves.  
Because it sits on a corner lot it  
it is an eye sore which we have  
to look at every day. We would  
be grateful for some consideration  
to this matter.

Maurice + Dave Walters ✓ke  
[REDACTED] Kelkeny Dr  
St. Catharines  
[REDACTED]





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**Please Provide Your Address if you wish to be kept informed of the process**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Location of open house attended:** \_\_\_\_\_

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

I would wish that by-laws include provisions that restrict or do not enable residents to park their RV's or trucks in their driveways to hide the view of those who look out their kitchen windows or other such viewpoints if their houses are not far from the frontage to the sidewalks. If such vehicles are allowed they should be behind their homes.

Mark Paulin

✓ kb

[REDACTED] Vine St.

St Catharines ON

[REDACTED]



**Savoia, Ellen**

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**From:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Sent:** May 15, 2013 12:11 PM  
**To:** Savoia, Ellen  
**Subject:** FW: new zoning

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**From:** Linda Novak [REDACTED]  
**Sent:** Tuesday, May 14, 2013 11:40 AM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Subject:** new zoning

I met Ellen at the Pen Centre open house. She was very helpful.

My concerns are...

- 1.... If RVs are going to be parked in driveways, there should be a set back from the curb of at least 15 feet. Twenty would be even better.
- 2 ... Also, rules about people living in the parked RVs will have to be established.
- 3... In established neighborhoods, when building a house or adding to one, require that the structure may cover a maximum of 40% of the property.
- 4 ... Declare that anyone who paves a front yard to make an illegal driveway automatically is fined \$50,000. And that the money will go to Parks and Rec. A 30 day warning would allow time for people to re-establish the lawn.

Thank you,

Linda Novak

Linda Novak



Click [here](#) to report this email as spam.





Zone Your  
ST. CATHARINES

Received  
May 14  
Open House



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

✓  
Jeb  
May 23/13

RAYMOND ST. 1215 BRENNER. PHONE [REDACTED]

PROPERTY CURRENTLY ZONED B.C. PROPOSED CHANGE TO R3.

PROPERTY TO THE LEFT AND RIGHT ARE TO BE REZONED C1-93.

I WOULD LIKE TO KEEP THE COMMERCIAL ZONING WITH AN AMENDMENT  
FOR RESIDENTIAL USE.



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

Good to see the city taking a pro-active approach to city planning rather than re-active when challenges arise. The streamlining of by-laws makes good sense allowing people of the city to do more with what they have. The "Village neighbourhood" idea will attract more people to our city if they can work, shop, worship, and get entertained all within walking distance of where they live.





Zone Your  
ST. CATHARINES



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**Please Provide Your Address if you wish to be kept informed of the process**

**Name:** Bob McColgan

**Address:** Brackencrest Rd

**City:** St. Catharines On

**Postal Code:** [REDACTED]

**E-mail:** \_\_\_\_\_

**Location of open house attended:** Merriton Com. Cent.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

## ZONING BYLAW CITIZEN INPUT

It seems the City is trying, in its vision for the future, to establish enclaves within which to confine their residents. Walkable neighborhoods? They're already walkable – it's called a sidewalk. Reduced parking around businesses? Hello! Haven't the visionaries realized by now that businesses are struggling, and yet they want to reduce access?

It sounds to me like a minority of cyclists are trying to map the future for the majority. The realigned lanes for cyclists along Hartzel Road, for example, are empty 99.9 per cent of the time. I love to ride my bicycle, but don't ask me to haul home groceries with it, especially through sleet and snow!

Has anyone noted the extra-large shopping carts that many grocers now employ? Try bringing home the contents of often overflowing carts on the back of a bicycle or on a bus. Furthermore, we have an aging population, and age brings a host of mobility problems. If we want seniors to stay in their homes and out of the health care system, the City better make sure they can get around town – from the north end to the south end, and vice versa – as independently as possible. Bicycles are just not practical because of the following:

- Inclement weather much of the year
- Limited to rider and a couple of backpacks
- Requires a high level of physicality to operate

Intensification in the Official Plan is born out of necessity, but a watering down of development bylaws may lead to crowded conditions like the tight streets and narrow lots that flourished at the turn of the century. The difference today is there are many more people added to the mix, making it absolutely essential bylaws are in place for rules of conduct and behaviour.

Brenda Fox



Submitted May 14  
Open House -  
Es -



May 14, 2013

**HAND DELIVERED**

**CITY OF ST. CATHARINES**

50 Church Street  
St. Catharines, Ontario  
L2R 7C2

**Attention: James Riddell, Director of Planning and Development Services /  
Bruce Bellows**

Dear Sirs:

**Re: Request for Revision to Draft  
Comprehensive Zoning Bylaw  
1A Park Avenue, St. Catharines**

Please be advised that we are the solicitors for Merriton Mills Redevelopment Corporation (MMRC) and Merriton Projects Inc. (MPI) the registered owner and the beneficial owner, respectively, of 1A Park Avenue, St. Catharines.

The subject property was owned and used by the Domtar Paper Co. as a location for a portion of a water line between the Welland Canal and the "Steamplant" property located on the west side of Merritt Street, known municipally as 471 Merritt Street. It was acquired by MMRC from Domtar in 2004 and the water line disconnected.

While there is a frontage on Park Avenue sufficient for one or two residential building lots, the balance of the property to the west borders on the Trillium Railway spur line, known as the Grantham Spur on the south, and, on the north, lands owned by the City of St. Catharines and utilized by the Merriton Arena and Community Baseball Park. Anecdotaly, part of right field is located on the former Domtar lands.

Our client is asking for consideration of designating the frontage on Park Avenue - and perhaps any surplus city lands to the north - as R1 (Residential) for redevelopment for community housing - perhaps by Habitat for Humanity.

William E. Heelis

Ronald S. Williams

H. A. Patrick Little

James D. Almas

COUNSEL

Ross A. Wilson Q.C.  
(Deceased 2011)

Page 2 of 2

We would be happy to meet with you to discuss this request at your convenience.

Yours very truly,

**HEELIS, LITTLE & ALMAS LLP**

Per:

A handwritten signature in black ink, appearing to be 'H. A. Patrick Little', written over a horizontal line.

**H. A. Patrick Little**

HAPL:amd

cc Merritton Projects Inc.

[REDACTED]



Ellen, Judy,  
bet. Darius

[www.14churchstlawoffice.com](http://www.14churchstlawoffice.com)

REPT	FILE	INDEXED	P.D.S
RETURNED TO			INIT.
Jim Riddell			
E. Savarin			
MAY 14 2013			SCAN <input type="checkbox"/>
FILE NO		60-35-11 v.c	

Comment:

50 Church Street  
St. Catharines, Ontario  
L2R 7C2

Dear Sirs:

**Re: Request for Revision to Draft  
Comprehensive Zoning Bylaw  
63 Lakeport Road, St. Catharines**

Please be advised that we are the solicitors for Lincoln Fabrics Holdings Limited the owner of the property on the east side of Lakeport Road, south of Lock Street, known as 63 Lakeport Road and an associated company, 1720736 Ontario Limited, which is the owner of the property immediately to the north known as 61 Lakeport Road, both of which are designated as C2-10 in the above-noted Draft Bylaw.

This will confirm that the range of permitted uses proposed are acceptable to our client, with these two additional requests:

William E. Heelis

Ronald S. Williams

H.A. Patrick Little

James D. Almas

COUNSEL

Ross A, Wilson Q.C.  
(Deceased 2011)

1. That the existing, long-standing industrial use be recognized as an included, permitted use as to clear the way for additions and improvements to the land and building without contending with the vagaries of a legal non-conforming use status. It is our understanding that several other industrial properties in St. Catharines have this provision; and
2. This century old industrial building might lend itself well to a long established practice of conversion to a hotel or country inn. The addition of a hotel use would seem appropriate.

Page 2 of 2

We would be happy to meet with you to discuss this request at your convenience.

Yours very truly,

**HEELIS, LITTLE & ALMAS LLP**

Per:



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**H. A. Patrick Little**

HAPL:amd

cc: Bruce Bellows

cc Lincoln Fabrics Holdings Limited  
[REDACTED]

cc Visco Holdings Ltd.  
[REDACTED]

cc Stephen Bedford Consulting Inc.  
[REDACTED]



Savoia, Ellen

60.35.11  
vol. c  
Correspondence

**From:** Ken Gonyou [REDACTED]  
**Sent:** May 10, 2013 12:50 PM  
**To:** Blozowski, Kevin; Savoia, Ellen  
**Subject:** New By-law

Hi,

I haven't had time to read through the by-law yet but just a glance shows me that it looks pretty well organized. Keep in mind my comment about references to the "related" general provisions in the site specific zones as that would be extremely helpful to avoid missing requirements when checking on site compliance for an existing use or proposed use.

Are there any provisions to permit some encroachments such as awnings and perpendicular signs, especially on downtown commercial streets? I know there are potential issues with this hanging over road allowances but we all like that "look" if possible to accommodate this.

Also be sure to allow open porches for certain distances in front yards; and make it clear as to the definitions of these provisions as that always seems to be misunderstood.

Rear yard really don't need to be 7.5m. I think that 6m is fine as you have acknowledged but even 5m may be ok, as today a lot of people just need enough space for a patio, etc. Give this some thought, but keep in mind that if there are two, 2-storey units back there might be echo in the rear yards when those lawnmowers are blazing, or air conditioners squeaking.

I think that flanking yards can come down to 2.5m as I always find that such a lot of wasted space, especially if the house behind has a porch projecting. Give this some thought as there is always a lot of rear yard space between the flanking house and the first house behind on the street.

How will you deal with morphing of flood plains if the G1 zone relates to the floodline? The line may move from time to time.

These are just some initial thoughts I had at the meeting but I didn't want to prolong the meeting with questions. I should have lots of questions for you once I start reading through the by-law, so there should be more emails on the way as I think of things.

Good work!

Ken Gonyou  
VP Land Development  
Phelps Homes Ltd.  
166 Main Street West  
Grimsby, ON. L3M 1S3

[REDACTED]

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**Savoia, Ellen**

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60-25.11 vol's  
correspondence

**From:** Ron Brydges [REDACTED]  
**Sent:** May 10, 2013 2:31 PM  
**To:** Savoia, Ellen  
**Subject:** Comment submission

<="" style="">

I might have mentioned in the piece you received from me that there is also a single dwelling with a dwelling unit in the back garage on my street close by. I don't believe that is acceptable under an R1 zoning. Again I am not complaining about any of this but use this information to submit the point that this street area is not low density suburban by character and makeup. And not making allowance for the reality the of area will likely result in unnecessary problems iff these duplexes, triplexes etc. are illegal (likely) and people get evicted unless there is an avenue by which they can be legalized.

Thanks for accepting my comments and trusting you will give them full consideration.

Regards,

Ron Brydges

Click [here](#) to report this email as spam.

I recently visited the open house display of proposed changes to the City Plan held at Seymour-Hannah Sports Centre.

I saw from the attendant zoning display chart that my property on Bunting Road, south of Queenston, is designated R1. The City chart shows R1 allowable usages are, dwelling detached (single family), dwelling semi-detached, and dwelling fourplexes. Not allowed are duplex or triplex dwellings even when conforming to all building and safety codes. This is difficult to understand.

R1 areas are stipulated as being low density residential and suburban.

It is clear that this area is not low density and hardly seems suburban; originally built up in the forties or earlier it is part of the traditional inner city neighbourhoods. My house was built in 1947 as a duplex. My street, designated R1 low density, has a duplex next to me on one side and a 28 unit condo complex next to me on the other side. There is a dwelling fourplex across from me and a convenience store and a welding shop with a crane out front just down the road. There is another duplex and triplex in the immediate neighbourhood and likely more. I like this neighbourhood and am not complaining about any of these uses. Designating this area as R1 low density seems even more nonsensical when an expressed goal of city planning with these changes is stated as "It's all an effort to better facilitate residential intensification outside the core ....." This requires higher density allowances not R1 designations. A further goal must be to meet the legal requirement of becoming compliant with the recently enacted Provincial Bill 140: "Strong Communities through Affordable Housing Act". A primary goal of this bill is to provide additional affordable housing through the municipal allowances of accessory dwelling housing units – basement apartments etc. that are compliant with building and fire codes. Planning seems, in large part, to be turning a blind eye to the laudatory goal of providing more affordable housing while benefiting the city.

This south of Queenston Bunting area is in reality medium density residential and should be so designated. There is no reason my [redacted] Bunting triplex (built as a duplex and used as a triplex since before my purchase in 1998), in character with the neighbourhood and meeting building and fire code standards should be considered illegal.

As a senior citizen who planned for a retirement with no company pension I am disappointed by a city that seems intent and at cross purposes in designating large parts of the city R1 thereby making it illegal for many people in the city to continue renting portions of their homes to provide extra income.

I thought that giving small dwelling landlords the opportunity to legitimize their rental units with compliance to codes would be an upmost consideration in redrawing the by-laws. This along with the need to provide as much affordable housing as possible in becoming compliant with Bill 140 and its aims would seem like sound guiding principles.

Ron Brydges  
St. Catharines





**Savoia, Ellen**

---

**From:** Ken Gonyou [REDACTED]  
**Sent:** May 10, 2013 12:50 PM  
**To:** Blozowski, Kevin; Savoia, Ellen  
**Subject:** New By-law

Hi,

I haven't had time to read through the by-law yet but just a glance shows me that it looks pretty well organized. Keep in mind my comment about references to the "related" general provisions in the site specific zones as that would be extremely helpful to avoid missing requirements when checking on site compliance for an existing use or proposed use.

Are there any provisions to permit some encroachments such as awnings and perpendicular signs, especially on downtown commercial streets? I know there are potential issues with this hanging over road allowances but we all like that "look" if possible to accommodate this.

Also be sure to allow open porches for certain distances in front yards; and make it clear as to the definitions of these provisions as that always seems to be misunderstood.

Rear yard really don't need to be 7.5m. I think that 6m is fine as you have acknowledged but even 5m may be ok, as today a lot of people just need enough space for a patio, etc. Give this some thought, but keep in mind that if there are two, 2-storey units back there might be echo in the rear yards when those lawnmowers are blazing, or air conditioners squeaking.

I think that flanking yards can come down to 2.5m as I always find that such a lot of wasted space, especially if the house behind has a porch projecting. Give this some thought as there is always a lot of rear yard space between the flanking house and the first house behind on the street.

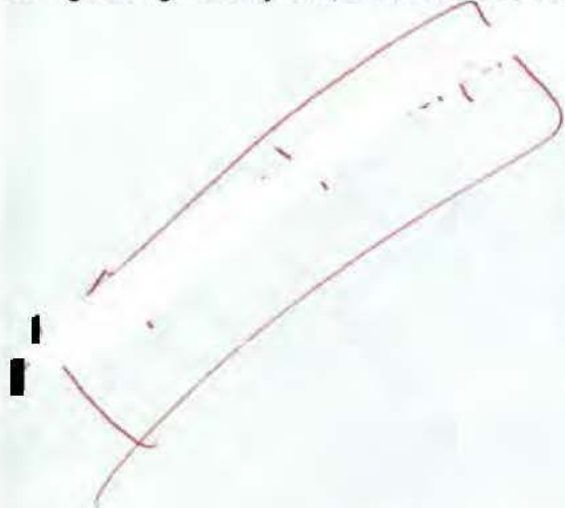
How will you deal with morphing of flood plains if the G1 zone relates to the floodline? The line may move from time to time.

These are just some initial thoughts I had at the meeting but I didn't want to prolong the meeting with questions. I should have lots of questions for you once I start reading through the by-law, so there should be more emails on the way as I think of things.

Good work!

Ken Gonyou  
VP Land Development  
Phelps Homes Ltd.  
166 Main Street West  
Grimsby, ON. L3M 1S3

[REDACTED]



RE: AGRICULTURAL

Page 1 of 2

**RE: AGRICULTURAL**

ZONEYOURSTCATHARINES Website Information Mailbox

**Sent:** Thursday, May 09, 2013 3:54 PM

**To:** bob [bobstepien@integra-inc.ca]

60.35.11 v.C  
Correspondence

Bob

The property on the east side of Third Street Louth just north of the QEW/ Hwy 406 interchange is zoned A1--97. The standard A1 uses that I mentioned in my first email are permitted plus a golf driving range and accessory buildings for temporary period until April 18, 2014 (three years from when it was approved April 18, 2011).

Please let me know if you have any other questions.

**From:** bob [REDACTED]

**Sent:** Thursday, May 09, 2013 11:25 AM

**To:** ZONEYOURSTCATHARINES Website Information Mailbox

**Subject:** Re: AGRICULTURAL

Good Morning Ellen

Maps; Schedule A12; Third Street Louth east side, north of QEW

Thanks, Bob

----- Original Message -----

**From:** ZONEYOURSTCATHARINES Website Information Mailbox

**To:** bob

**Sent:** Thursday, May 09, 2013 8:45 AM

**Subject:** RE: AGRICULTURAL

Hi Bob

The A1 in the St. Catharines Draft By-law is Agriculture Zone, and it would permit all forms of agriculture, a detached dwelling and kennels as well as agri-tourism and home industry as accessory uses to a farm. There isn't a A1-07 in our mapping for the draft by-law so I am not sure which property exactly you are asking about. If you could email or call with more details of the location of the parcel, the address or approximately where it is I will be able to provide more details.

Ellen Savoia, M.C.I.P., R.P.P.

Planner

Planning and Development Services

City of St. Catharines

Phone 905-688-5601, ext. 1752

TTY 905-688-4889

**Help zone your St. Catharines! Take our surveys at**

**<http://www.stcatharines.ca/en/buildin/DraftZoningBy-law.asp> and visit us on Facebook at [www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines)**

**From:** bob [REDACTED]

**Sent:** Monday, May 06, 2013 10:24 AM

**To:** ZONEYOURSTCATHARINES Website Information Mailbox

**Subject:** AGRICULTURAL

Good Morning



Please provide description and definition A1-07

Thanks

Click [here](#) to report this email as spam.

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Please consider the environment before printing this email.

60.35.11 Vol. C  
Correspondence & mailing list

**Bellows, Bruce**

**From:** Mike Gilbert [REDACTED]  
**Sent:** Thursday, May 09, 2013 3:42 PM  
**To:** Bellows, Bruce  
**Subject:** RV storage

✓kl

Hi Bruce....Just following up on our conversation on Thursday, May 9/13 re: Rv parking...My original concern was whether or not I was going to be able to park my travel trailer on my property should the bylaws change....The thought of not having that opportunity caused several things to come to mind since I purchased and modified my yard to accomodate my trailer...Some of these concerns are:

- 1...Where to store my trailer
  - 2...The cost of storage
  - 3...The damage potential from animals and persons while unattended and subsequent repair costs
  - 4...The significant cost of yard modification for a specific purpose and how it would become a waisted space and the cost to reconvert it to usable space
  - 5...The inconvenience of moving trailer to and from alternate storage area to pack/unpack...clean..service..etc
- ...And, while I like the location where I live, it was purchased for the purpose of storing my trialer on site for the convenience...

Having spoken to you, my anxieties have lessoned..  
Thanks again for taking the time to get back to me...

Mike Gilbert  
[REDACTED] Regina Av  
St.Catharines ON  
L2M3G6  
[REDACTED]

Click [here](#) to report this email as spam.





Zone Your  
ST. CATHARINES

May 7, 2013  
Pen Centre  
Open House

60-35-11 Vol. C  
Correspondence

## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

Issue: R.V. Parking in Residence Driveway

We own a Motorhome but we don't park it on our property for more than one week at a time. We need to park it while we winterize or summerize or pack it up for trips away. The rest of the time we put it in storage.

We are not in favour of restrictions to parking it on our lot for short periods. We do understand that neighbours would not want it parked there all year and we respect their concerns. Our vehicle is large and so it extends to the end of our driveway.

Some people have smaller units on larger driveways in which case I believe they should be allowed to park on their





Zone Your  
ST. CATHARINES



Driveway.

The criteria of allowing or not allowing should be how close to the street does it rest. Is it obstructing views of traffic for the neighbours. If it does, then long term parking should be prohibited.

Please Provide Your Address if you wish to be kept informed of the process

Name: Wayne & Jill WATSON

Address: [REDACTED] Wilcher Dr

City: St. Catharines

Postal Code: [REDACTED]

Location of open house attended: Pen Centre

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)



May 6, 2013

HAND DELIVERED

**City of St. Catharines**  
Planning Department  
50 Church Street  
St. Catharines, Ontario  
L2R 7C2

**Attention: James Riddell, Director of Planning Services**

Dear Sir:

Re: **Altering Bylaw Zoning Designations**  
**Property Located at the West Side of Hastings Street,**  
**North of Chestnut Street, St. Catharines, Ontario**

Please be advised that we are the solicitors for Donatelli Productions Limited, the owner of the property on the west side of Hastings Street, north of Chestnut Street which is designated as G2 - H1 in the City of St. Catharines Draft Comprehensive Zoning Bylaw dated March 18, 2013.

We are requesting consideration of altering the designation from Minor Green Space - Holding to Medium Density Mixed Use - Holding in order to allow for the continued redevelopment for commercial/residential uses of the former Domtar properties commenced at 271 Merritt Street, subject, of course, to satisfactory proof of soil remediation to remove the Holding designation, as occurred with the adjacent properties to the south owned by our client.

We would be pleased to meet with you at your earliest convenience to discuss this matter further.

William E. Heelis

Ronald S. Williams

H.A. Patrick Little

James D. Almas

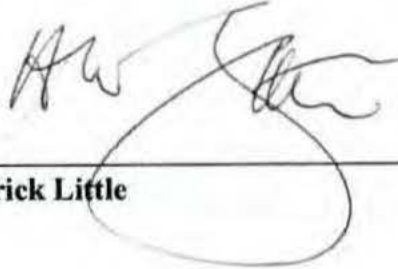
COUNSEL

Ross A. Wilson Q.C.  
(Deceased 2011)

Yours very truly,


**HEELIS, LITTLE & ALMAS, LLP**

Per:

A handwritten signature in black ink, appearing to read 'H. A. Patrick Little', is written over a horizontal line.

**H. A. Patrick Little**

HAPL:amd  
Encls.


cc. Donatelli Productions Limited  




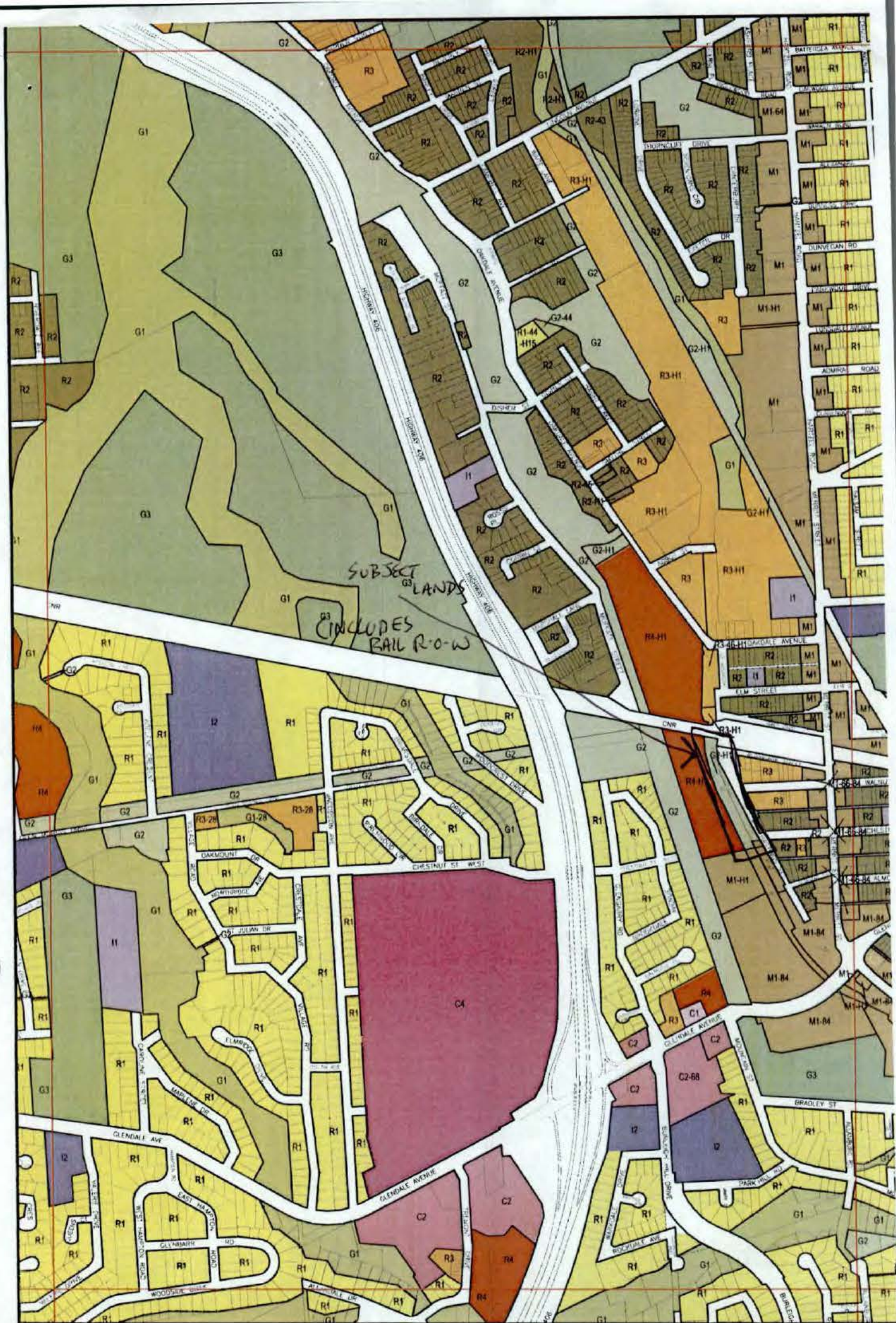
NOTES: May 6, 2013 - met with Patrick Little at counter

- may consider changing zoning to M1 or a residential zone (which he indicated ~~the~~ that may also be accessible).
- Have to check why we put it G2
- O.P. designates it 'Parkland & Open Space'.

It is not a City park, & the designation was put on because of the potential trail (former rail r.o.w.) & the adjacent property fronting Hastings would be too small to develop on its own.

- If both properties are amalgamated, there is development opportunity, & a M1 or residential zone might be appropriate. It would require an OPA as well. 





## Zones

- R1** Low Density Residential - Suburban Neighbourhood
- R2** Low Density Residential - Traditional Neighbourhood
- R3** Medium Density Residential
- R4** High Density Residential
- C1** Local Convenience Commercial
- C2** Community Commercial
- C3** Arterial Commercial
- C4** Major Commercial
- C5** Downtown Commercial Core
- C6** Downtown Traditional Main Street
- E1** Business Commercial Employment
- E2** General Employment

- M1** Medium Density Mixed Use
- M2** Medium / High Density Mixed Use
- M3** High Density Mixed Use
- G1** Conservation / Natural Area
- G2** Minor Green Space
- G3** Major Green Space
- I1** Local Neighbourhood Institutional
- I2** Community Institutional
- I3** Major Institutional
- A1** Agriculture
- A2** Agriculture Only
- A3** Agriculture Commercial / Industrial
- MB** Municipal Boundary

## City of St. Catharines Zoning By-Law



SCHEDULE A21

Last Modified: March 18, 2013



April 30 2013  
28

## ST. CATHARINES ZONE BYLAWS

### Resident comments and Feedback

We, as residents of this city, are very concerned about some of the bylaws.

We are giving our input below:

1. **RECREATIONAL/COMMERCIAL VEHICLES:** The weight and size limits for commercial and recreational vehicles allowed in driveways is absolutely over the top. 3600 kilos is much too much. There are significant safety issues and they protrude right on to the side walk, as is the case on the street next to us. Back hoes and operating apparatus and other vehicles should not be allowed to park on the front lawn under the living room window, which is the case on our street. The limit in a driveway for such vehicles should be 2000 kilos.
2. **HOME BASED BUSINESSES:** Fedex trucks roar up our residential street several times a day going to home based businesses, endangering the young children who play on or near our Crescent street. Also, there is much noise created by their frequent passing and high speed. Home-based businesses must have limited hours, as some of them have people coming at 9 pm or later. There is already so much street parking in residential areas. Therefore, there should not be more than one car at a time allowed at a home-based business. Also, much revenue is generated through an underground economy with little or no tax going to the government.
3. **OUTDOOR STORAGE SHEDS:** Please restrict the size.
4. **OUTDOOR DAYCARE PLAY AREAS:** Must have fenced yards.
5. **PARKING SPACE ALLOWMENTS FOR RESIDENTIAL BUILDINGS—SINGLE AND MULTIPLE:** There absolutely must be ample vehicle parking, as we now have a dangerous situation due to so many parked cars on all our streets.
6. **SCHOOL PARKING:** Schools have teachers, parents, and many support staff, and parent volunteers attending every day. One park space per class is absolutely not enough!
7. **ADULT ORIENTED ENTERTAINMENT:** This should not be allowed only 150 meters from residential; it should be 450 meters at least.
8. **GREEN SPACES REDUCED:** It disturbs us greatly that you intend to take away green space. St. Catharines does not have enough as it is, compared to other cities we have lived in.
9. **LEASH FREE DOG PARKS:** This has ruined Burgoyne Woods and many other parks. Dog owners bring very large dogs to the parks in their SUV's. They open the hatch when they park and let the dogs go anywhere. An individual already there, walking or skiing, is forced to leave as the large dogs off leash all over the park come attacking. We have personally experienced this.
10. **PARKING ON VACANT LAND:** Vacant land is being used for old trailers, truck cabs etc. This is very unsightly and should not be allowed. Also the

We are so disappointed that you have even offered these proposals. Many residents have no idea that these changes are happening. It has not been well publicized. So, please realize that our submission here, is like the voices of thousands of people, most of whom are unaware of these disturbing zoning changes.

James Nickerson  
James Harvey Nickerson  
Ann Marie Nickerson

\_\_\_\_\_

zoningapril30-13



## Zone Your St. Catharines: Feedback the New Draft Zoning By-law

Page 1

### Introduction

What is a zoning by-law? Zoning by-laws control the way land is used in the city, where buildings and other structures (like sheds) can be located, lot sizes and dimensions, Parking, etc... The draft zoning by-law is out, and now we want to know what you think about it. Your feedback is important, and will be used when staff create the final by-law this summer. If you haven't seen the draft by-law, visit [www.stcatharines.ca](http://www.stcatharines.ca) and search "draft zoning by-law". Thank you for taking the time to help zone your St. Catharines!

1. What is your postal code?\*

(i.e. L2R 7C2)

L2N 3Z5

Page 2

### Format of the Draft Zoning By-law

2. Was it easy to read and understand the draft zoning by-law?\*

☐ 1- Too technical

☐ 2

☒ 3

☐ 4

☐ 5- Easy to read

3. Were the tables in the draft zoning by-law easy to understand?\*

☐ Yes

☐ No

4. Was it easy to find the information you were looking for in the draft zoning by-law?\*

☐ Yes

☒ No

5. Please provide any comments that can help us make the draft zoning by-law more user friendly.

Have more hard copies available for the public  
before the Open Houses.

**Residential Policies**

6. In the draft zoning by-law, townhouses are permitted in every residential zone. Do you agree that townhouses should be permitted in every residential zone?\*

☐ Yes

☒ No

7. Do you agree with the following restrictions for home-based businesses?\*

	Agree	Neutral	Disagree
Automotive related uses, small engine repair and kennel or pet services are not permitted.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
No machinery or processes that emit noise, vibration, glare, fumes, odour, dust, radio or television interface are permitted.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A maximum of 25% of the home can be used for the business.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
An attached garage up to 40 m <sup>2</sup> can also be used for the business.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Outdoor storage is not permitted.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The business must be run by a resident of the home.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selling goods that are related to the business is permitted.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A maximum of one hairdressing chair is permitted.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bed and Breakfasts can employ one extra employee that is not a resident of the home.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A maximum of four rental rooms are permitted for a Bed and Breakfast.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
One parking space is required per rental room for a Bed and Breakfast.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A maximum of five people are permitted to be supervised for a Home Daycare.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. Do you agree with the following parking space requirements for residential properties?\*



	Agree	Neutral	Disagree- it should be higher	Disagree- it should be lower
Apartment buildings require 1.5 parking spaces per unit	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Apartment dwellings within a mixed use building require 1 parking space per unit	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Single family homes require 1 parking space	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Townhouses require 1 parking space per unit	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Semi-detached homes require 2 spaces	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Duplexes require 2 parking spaces	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Triplexes require 3 parking spaces	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fouplexes require 4 parking spaces	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Condominium units on a private road require 1.5 parking spaces per unit	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. The draft zoning by-law limits the size of accessory apartments to 60m<sup>2</sup>. Do you:\*

- ☒ Agree  
☐ Neutral  
☐ Disagree- the units should be bigger  
☐ Disagree- the units should be smaller

10. The draft zoning by-law will limit residential parking to 50% of the front and exterior side yard (side yard facing a street). Do you:\*

- ☐ Agree  
☐ Neutral  
☒ Disagree- it should be less than 50%  
☐ Disagree- it should be more than 50%

Page 4

### Commercial Policies

11. Do you agree that the following uses should be permitted on commercial properties within residential areas? (think of small plazas in residential areas)\*

	Agree	Neutral	Disagree
Animal Care Establishment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Apartment units over,			

behind and/or below a commercial use	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural Facility	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Day Care	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gas Station	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Indoor Recreation Facility	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Service Commercial (Non-retail Commercial Uses)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Office	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Place of Worship	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Restaurant	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Retail Store	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Social Service Facility	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

12. Some things in the draft by-law have stayed the same. Adult oriented entertainment establishments are still only permitted in employment (formerly industrial) areas. Do you agree with this restriction?\*

☒ Yes  
☐ No

13. Building heights in commercial zones will generally be unlimited, except for commercial uses within residential areas where height will be limited to 14 metres. Do you think:\*

☐ There should be a height limit in all commercial areas  
☒ This limit is sufficient  
☐ There shouldn't be a height limit  
☐ Neutral

14. Under the new by-law, the downtown commercial core, which is generally bound by St. Paul, Carlisle, Church and Ontario streets, will require that buildings be at least 7.5 metres high. Do you think:\*

☐ There should be a minimum height in all commercial areas  
☐ A minimum for downtown is sufficient  
☒ Neutral

### Parking and Drive-Thrus

15. Do you agree that vehicles should be parked only in a parking area, not a lawn area?\*

☒ Yes



☐ No

16. To provide more retail opportunities and greener parking areas, the draft by-law reduces the parking requirement for shopping centres. Do you agree with reducing the parking requirement for shopping centres?\*

☒ Yes

☐ No

☐ Neutral

17. 67% of responses from the last survey said that parking areas in the city should be greener. Do you agree with the following requirements from the draft by-law?\*

	Yes	No
Landscaping between parking lots and the street	<input checked="" type="radio"/>	<input type="radio"/>
Landscaping between parking lots and residential properties	<input checked="" type="radio"/>	<input type="radio"/>
Landscaping between parking lots with more than 20 parking spaces and non-residential properties	<input checked="" type="radio"/>	<input type="radio"/>

18. In addition to the landscaping requirements from question 17, the draft by-law requires at least 10% of any parking area over 200 m<sup>2</sup> be landscaped (think of a parking lot at a fast food restaurant). Do you think there should be a minimum landscaping requirement?\*

☒ Yes, but it should be more than 10%

☐ Yes, I agree with 10%

☐ Yes, but it should be less than 10%

☐ No, there shouldn't be a requirement

19. The draft by-law also includes maximum parking requirements. Do you agree with capping the amount of parking?\*

☒ Yes

☐ No

☐ Neutral

20. 82% of responses from the last survey said there should be a requirement to provide bike parking. Do you agree with the following requirements? \*

	Agree	Neutral	Disagree- it should be higher	Disagree- it should be lower
Apartment buildings with 10 or more units require 6 spaces (plus 1 space for every 10 additional apartment units above 20 units)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Banquets or Places of Worship require 1 space per 1000 m <sup>2</sup> floor area	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Elementary/Secondary				

Schools require 1 space  
per classroom

☐☐☒☐

Retail / Commercial  
buildings require 1  
space per 1000 m<sup>2</sup> floor  
area

☐☐☒☐

Office buildings require  
1 space per 1000 m<sup>2</sup>  
floor area

☒☐☐☐

Shopping Centres  
require 1 space per  
1000 m<sup>2</sup> floor area

☒☐☐☐

21. Do you think drive-thrus should be allowed between the front of a building and the street?\*

☐ Yes

☒ No

Page 6

### Contact Information

22. Would you like to be sent notice of future meetings?\*(  
select one)

☒ By email

☐ By regular mail

☐ I do not want to receive notice

Page 7

### Contact Information - Email

23. First Name\*

Carol

24. Last Name\*

Bell

25. Please provide your email address: \*

[REDACTED]



**Contact Information - Mail**

26. First Name\*

Carol

27. Last Name\*

Bell

28. Street Number\*

[REDACTED]

29. Street Name\*

Simpson Rd.

30. City\*

St. Catharines

31. Province\*

O.N.

32. Postal Code\*

[REDACTED]



Comments Submitted by-  
Commercial — definition?

Zone - ~~Provision~~ A1-92 on maps

Bernie  
Slepkov  
April 30.

Zone Your  
ST. CATHARINES

Pg 13 3-2 Does not allow latitude for shared parking and should?  
3-4 Means no unpaved driveways? How are such driveways ~~handled~~ handle according to this wording?

Pg 16/17 3.13.2 Remove <sup>max</sup> column - ~~any even there? Headings identical~~

Pg 19 3.16.2 Required Bike Parking - Not worth crap (Schools)

Pg 24 G2/3 - Playgrounds ??

# Zone Your St. Catharines

## ZONING BY-LAW

Draft March 18, 2013

Pg 24 Schools - Need to consider future locations  
example: ~~currently~~ currently none permitted in R where they make greatest sense (currently based on existing locations)

Same Point.  
How to address  
or get playgrounds  
into residential  
developments?

- To my previous point @ DDRC, where/how to address redevelopment of sites - Where will future sites be permitted? Make sense? (certainly not in E, A, G(?))

- Same goes for C1 (Local Convenience) complete neighbourhoods.  
• Should be easier to open convenience stores  
Green grocers in any neighbourhood?

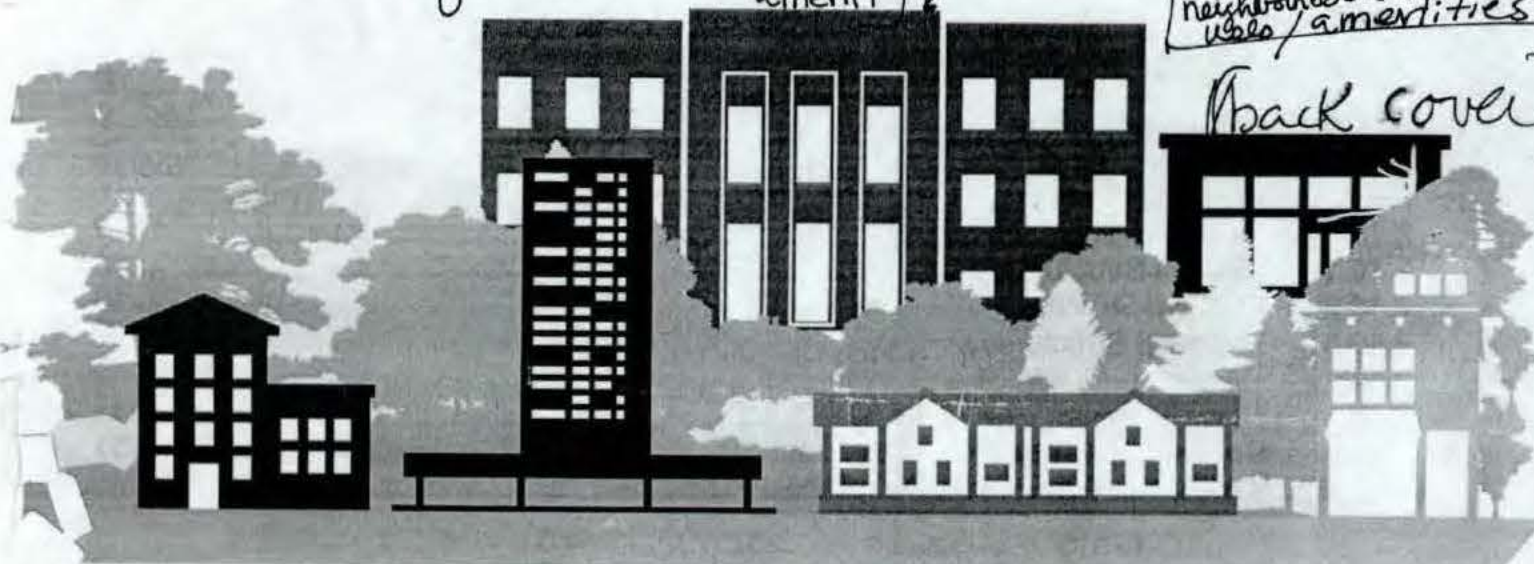
Pg 27 5.3.2 (Similar provisions for R1-R4 permitted uses; Ancillary?)

• Not per lot but per number of blocks?

• How many (corner stores, etc) per defined area.

Need for designated uses (i.e. Neighbourhood amenity or Accessory uses or neighbourhood complementary uses/amenities)

Back cover





## SECTION 16 APPENDICES

How to avoid the need to come before council for an appropriate neighbourhood amenity (i.e. School, convenience store, playground in development/redevelopment) as per previous comments

- School
  - Day Care
  - Convenience store
  - green grocer
  - playground.
  - (• restaurant?) (Café)
- } ancillary?

• How to allow for/encourage on-site residential intensification at malls/plazas? 6.2.1(?) Does that address it?



Zone Your  
ST. CATHARINES

Please

## COMMENT SHEET

APRIL 23/2013.

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

I CURRENTLY OWN A TRAVEL TRAILER (TWIN AXEL) (32')  
2003/ WITH A GVWR OF 3949 KG. I NEED  
TO BE ABLE TO STORE THIS AT HOME DURING  
OFF SEASON DUE TO FLOOD PLAIN RESTRICTIONS  
FOR MY SITE. YOUR PURPOSED LARGE  
MOTOR VEHICLE PROHIBITIONS 3.9 WOULD  
NO LONGER ALLOW THIS. PLEASE CONSIDER  
ADJUSTING THIS LIMIT TO ENABLE ME  
TO CONTINUE TO STORE MY TRAILER AT  
HOME FOR OFF SEASON. PLEASE CONTACT  
ME WITH ANY DECISION YOU MAKE  
WITH REGARD TO MY CONCERNS.

Randy Watson ✓

ST. CATHARINES, ON.

THANK YOU.

Randy Watson





Zone Your  
ST. CATHARINES



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**Please Provide Your Address if you wish to be kept informed of the process**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Location of open house attended:** FOOT LIONS.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

1) RECOMMEND THE UNITS  
BE IN BOTH METRIC MEASURE-  
MENT AND FEET & YARDS IN  
BRACKETS

2) HOME-BASED BUSINESS  
RECOMMEND THAT HOME BASED  
BUSINESSES BE ALLOWED  
AT LEAST ONE OR TWO  
EMPLOYEES





Please Provide Your Address if you wish to be kept informed of the process

Name: PHIL BARANOSKI ✓

Address: [REDACTED] KILKENNY DRIVE

City: ST. CATHARINES

Postal Code: [REDACTED]

E-mail: [REDACTED]

Location of open house attended: PORT DULHOUSIE LIONS CLUB

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

1. Heritage Designated areas - will they be protected?
2. Front & side yard parking - I would not like to see a "parking lot" in front of houses - even with restrictions in size - large lots could accommodate 2 or 3 cars in front or on side yards. This is not greening our city!
3. Home based businesses - how will these businesses be monitored so that these businesses will not get out of hand, size wise? Some might have 7 or 8 people attending a 'session' at one time - could create parking problems. Also, will these businesses be able to advertise on their own signs? If so, what regulations cover this?
4. Updated zoning by-laws might be needed but I do not want to see parking lots on residential property.
5. Greening in public parking lots is Good!





Zone Your  
ST. CATHARINES



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Please Provide Your Address if you wish to be kept informed of the process

Name: Carol Bell ✓

Address: 11 Simpson Rd.

City: St. Catharines

Postal Code: [REDACTED]

E-mail: [REDACTED]

Location of open house attended: Pt. Dalhousie Lions Club

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)



Zone Your  
ST. CATHARINES

$$58 \times 98 = 5284 \text{ m}^2$$



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

With respect to the permitted uses in  
the R2 zone having special provision 6.  
the single detached dwelling use  
should be augmented to include for  
also a semi-detached use or to permit  
a semi dwelling unit where the lot area  
exceeds 350 m<sup>2</sup> and the lot frontage  
exceeds 15 m in width.

I believe this diversity is in keeping with  
the intent of what the proposal of intensification  
calls for. Adding more diversity in housing  
types provided that the min. lot area and  
lot frontages are appropriate to  
accommodate such diversity. Not to  
mention a more practical and efficient  
use of the lot.

✓  
Joe Colonna [redacted] Paxton Ave. [redacted]





Zone Your  
ST. CATHARINES



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**Please Provide Your Address if you wish to be kept informed of the process**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

**Postal Code:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Location of open house attended:** Port Lions

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

60-35-11  
V.C  
Comments

City of St. Catharines

P.O. Box 3012

50 Church Street

St. Catharines, ON

L2R 7C2

RPT	INFO	P.D.S
RECEIVED	RECEIVED	RECEIVED
Derek Stewart		INIT
ELLEN SAVILL		
APR 19 2013		SCAN <input type="checkbox"/>
Kevin Blazewski		
Bruce Bellows		
60-35-11 Vol. C - correspondence		

Attention: Planning and Development Services

RE: Proposed Zoning for [REDACTED] and [REDACTED] Eastchester Avenue

Dear Sir:

We are writing to you as the owners of the two above noted properties.

The property at [REDACTED] Eastchester Avenue is used as a car lot and an automotive repair garage.

The property at [REDACTED] Eastchester Avenue is used as a residential dwelling unit. These two properties have been used for these purposes since 1987 when we purchased them.

We understand that it is proposed to zone these properties E2. Assuming that Council approves a new by-law, we have a few questions concerning these properties;

1. Based upon the proposed zoning of these properties, can each of these properties continue to be used for their current uses?
2. Can we sell these properties for their current uses or other permitted uses without any type of planning approval?
3. If we wished to expand the building on either of the properties, what approvals would be required under the existing zoning by-law and under the proposed zoning by-law?
4. Is it correct that the location where new car dealerships will be restricted to a few areas of the city?

In examining the draft by-law, it appears that the E2 zone could be considered a general industrial zone for larger industrial users. These properties are both relatively small with both a limited frontage and a limited depth. It would appear that perhaps an E1 zone would be a better fit for these two properties. Given that the other properties in the block are



generally the same, it may be appropriate for you to review the proposed zoning on the entire north side of Eastchester Avenue.

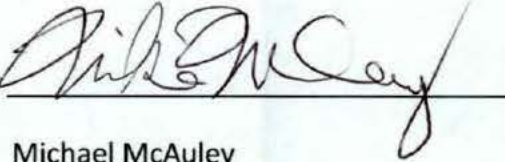
We look forward to your response to these questions so that we can decide how to respond to the proposed zoning bylaw.

Properties owned by [REDACTED]

[REDACTED]

[REDACTED]

Signed by



Michael McAuley

April 16 , 2013

Add to correspondence, and  
to mailing list  
File 60.35.11, Vol. C

**Bellows, Bruce**

**From:** Tenant File [REDACTED]  
**Sent:** Wednesday, April 17, 2013 3:50 PM  
**To:** Bellows, Bruce  
**Subject:** Re: City of St. Catharines Draft New Zoning By-law

✓  
bl

Bruce,

Thank you very much for the information. I have a few follow up questions to the following point:

- Cannot be larger than 60m2 or 40% of the floor area of the principal dwelling whichever is less.

How is the 60 m2 or 40% defined (does it exclude washroom, kitchen, laundry, etc.)?

If I want a larger accessory apartment, how would I get approved for it?

Your help is much appreciated.

Nelson Kim

On Wed, Apr 17, 2013 at 3:04 PM, Bellows, Bruce <[bbellows@stcatharines.ca](mailto:bbellows@stcatharines.ca)> wrote:

Attn: Nelson Kim

As per your request from the Zoning By-law Open House held at Club Lasalle, please find attached the display panel regarding 'accessory apartments'.

Bruce Bellows, Planner

- City of St. Catharines Confidentiality Notice -

The information contained in this communication, including any attachments, may be confidential, is intended only for the use of the recipient(s) named above and may be legally privileged.

If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution, disclosure or copying of this communication or any of its contents, is strictly prohibited.

If you have received this communication in error, please re-send this communication to the sender and permanently delete the original and any copy of it from your computer system.



**Bellows, Bruce**

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**From:** Bellows, Bruce  
**Sent:** Friday, April 19, 2013 3:52 PM  
**To:** 'Tenant File'  
**Subject:** RE: City of St. Catharines Draft New Zoning By-law

Hi

In response to your questions, if you wanted an accessory apartment larger than 60 m2 or 40% of the floor area of the principal dwelling, you would have to apply to the City's Committee of Adjustment for a minor variance to the by-law regulation. The 60 m2 is the accessory dwelling unit which means a self contained housekeeping unit of one or more rooms that must contain cooking, living quarters, sleeping quarters and sanitary facilities for the exclusive use of those residing within the dwelling unit. It may or may not contain laundry facilities. That would be your choice.

Hope that helps

Bruce Bellows

**From:** Tenant File [REDACTED]  
**Sent:** Wednesday, April 17, 2013 3:50 PM  
**To:** Bellows, Bruce  
**Subject:** Re: City of St. Catharines Draft New Zoning By-law

Bruce,

Thank you very much for the information. I have a few follow up questions to the following point:

- Cannot be larger than 60m2 or 40% of the floor area of the principal dwelling whichever is less.

How is the 60 m2 or 40% defined (does it exclude washroom, kitchen, laundry, etc.)?

I want a larger accessory apartment, how would I get approved for it?

Your help is much appreciated.

Nelson Kim

On Wed, Apr 17, 2013 at 3:04 PM, Bellows, Bruce <[bbellows@stcatharines.ca](mailto:bbellows@stcatharines.ca)> wrote:

Attn: Nelson Kim

As per your request from the Zoning By-law Open House held at Club Lasalle, please find attached the display panel regarding 'accessory apartments'.



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

- ① Address - 257 Carleton St. - currently a 5plex apartment
- ② Currently zoned R1 - As per discussion with Bruce Bellows
- ③ The property is large and we would like to sever  
property to allow a 4plex (2 story) <sup>apartment</sup> building
- ④

✓ Applicant names

Heaveny Zeolish

✓ Robert Barron



"Character apartments that  
are warm and inviting...close to all  
amenities...a history of fine living..."

Carleton Street  
St. Catharines, ON  
L2N 1B6

**Carleton Street Apartments**

Call or email us for apartment availability





Zone Your  
ST. CATHARINES



## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

On April 9th / 2013 attended a zoning meeting  
@ Grantham Optimist Club Linwell Rd.  
Spoke with Kevin Blozowcki (Planner) and I  
concur with him with regards the rezoning  
of [REDACTED] Vine St. to R2. I am  
requesting a hard copy of rezoning  
Having a 1971 Bylaw showing Industrial  
I am happy with the changes to R2  
and also having the commercial Grandfather  
zoning, Give them a nice excellent work  
& presentation. *[Signature]*



Zone Your  
ST. CATHARINES

April 9 2013



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Please Provide Your Address if you wish to be kept informed of the process

✓ Name: Raffi Atmekjian

Address: [Redacted] Berdingroad Cres

City: St. Catharines ont

Postal Code: [Redacted]

E-mail: [Redacted]

Location of open house attended: Oranthurm Optomist Club Linwell Rd  
St. Catharines.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)





## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

CONSIDER HIGHER PARKING REQUIREMENTS  
FOR MEDICAL BUILDINGS. (EQ. MEDICAL  
BUILDING ON LAKE ST BEHIND PLAZA (33?  
LAKESHORE? VINE ST AT Q.E.



Zone Your  
ST. CATHARINES

April 9 2013



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Please Provide Your Address if you wish to be kept informed of the process

✓ Name: DONALD WILLIAMS

Address: [REDACTED] SURREY BC

City: ST. CATHARINES L2M2K5

Postal Code: [REDACTED]

E-mail: [REDACTED]

Location of open house attended: LIMWELL RD.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)



**Bellows, Bruce**

60-35, 11, Vol. C  
Correspondence and  
Add to Mailing List ✓  
nw

**From:** Bellows, Bruce  
**Sent:** Monday, April 08, 2013 11:46 AM  
**To:** 'mikestepien' [REDACTED]  
**Cc:** Savoia, Ellen; Blozowski, Kevin  
**Subject:** RE: 265 Carlton St. Zoning

Hi

This email is just to confirm that we have received your 2 emails regarding the property at [REDACTED] Carlton Street. They will certainly be considered as part of the draft new zoning by-law process currently underway. Once we have determined a position on this matter, we will notify you directly as to that position and what further steps may need to be taken.

Thank you

Bruce Bellows

-----Original Message-----

**From:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Sent:** Thursday, April 04, 2013 9:20 PM  
**To:** Bellows, Bruce  
**Subject:** FW: 265 Carlton St. Zoning

**From:** [mikestepien@integra-inc.ca](mailto:mikestepien@integra-inc.ca) [REDACTED]  
**Sent:** Wednesday, March 20, 2013 10:07 PM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Subject:** 265 Carlton St. Zoning

Hello again,

After looking at the new zoning designations, I am curious about the M2 zoning. I am not sure why a duplex is permitted in it and not permitted in the M1, although triplex's and fourplex's are permitted in the M1? If this is correct, maybe M2 is suitable for [REDACTED] Carlton?

Please let me know your thoughts?

Thanks

Mike Stepien

Hello,

I have viewed the zoning map (pg 173) for my neighbourhood in the recent (March 18) draft zoning by law. My property shows a change from C2 to C1.

I am hoping for an R2 zoning based on the surrounding neighbourhood and the fact that my property has not ever been used for commercial purposes.

It currently is a single detached and always has been. Everything across the road (south of Carlton St.) is R2. The majority of property east of Lancaster park is zoned R2 and R3. Also, my neighbour on the west side already has multiple units. It seems to be very fitting to zone this small remaining section R2. This would greatly help my long term plans of potentially creating a duplex.

Thank you for taking this into consideration.

Sincerely,

Mike Stepien

Our issue in talking to Mike S. at the counter (April 5, 2013).  
He has a garage in backyard that he currently accesses from the commercial property to the east. I don't know if he has a r-o-w across the adjacent property to do so. His preference is to extend a driveway from Carlton St. to access his garage but he has only  $\approx 6'$  between his house and west property line. He may want to acquire 3 or so feet from adjacent property to west to secure enough room for this driveway. This may, however, affect regulatory permissions on the adjacent property to the west (building setback, parking, etc). We should look at this situation as well in addressing his zoning request





60.35, 11 Vol. C - add to  
correspondence and mailing list  
done now

**Bellows, Bruce**

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**From:** Bellows, Bruce  
**Sent:** Monday, April 08, 2013 2:00 PM  
**To:** 'mgilbert172003' [REDACTED]  
**Subject:** Response to your Correspondence regarding the City of St. Catharines Draft New Zoning By-law

Attention: Mike Gilbert

This email is to advise that we have received your correspondence regarding the draft new zoning by-law for the City. In response to your questions regarding parking of travel trailers and sheds, please be advised of the following.

Section 3.9 referenced below is currently the only proposed restriction on large vehicles contained in the draft new zoning by-law:

### **3.9 Large Motor Vehicle Prohibitions**

No person shall in any Residential Zone or Mixed Use Zone use any lot for parking or storage of any motor vehicle in excess of 3,600 kg gross vehicle weight unless the vehicle is a delivery vehicle temporarily parked in the course of its normal delivery duty.

In response to your question regarding sheds, Section 2.1 referenced below sets out general provisions for 'Accessory Buildings and Structures' in the draft new zoning by-law.

## **2.1 Accessory Buildings and Structures**

Buildings and structures accessory to a permitted use are permitted in all zones, and except as noted elsewhere in this By-law, shall be subject to the following provisions.

Accessory buildings and structures shall not:

- a) Be used as a dwelling unit, except where permitted elsewhere in this By-law;
- b) Be permitted in a required front yard or exterior side yard;
- c) Be located within any sight triangle;
- d) Exceed a building height of 4.5 m;
- e) Exceed 10% of the total lot area. This provision does not apply to in-ground swimming pools;
- f) Be less than 2 m from a main building;
- g) Be less than 0.6 m from an interior side or rear yard.

### **2.1.1 Corner Lot Accessory Buildings and Structures**

In addition to the provisions in Section 2.1 on a corner lot accessory buildings and structures shall be located no closer to the lot line than the main building is to the lot line.

### **2.1.2 Pools**

In addition to the provisions in Section 2.1 the maximum height of an above ground pool including deck and guard rail shall be 2 m from grade to the top of the guard rails.

### **2.1.3 Detached Garage**

A detached garage shall be located at least 1 m behind the front wall of the dwelling.

As you have not provided a property address, at this time I am unable to identify if there may be any contraventions on your property with respect of the draft new zoning by-law.

Please be advised that the City's Planning and Development Services will be hosting a series of public open houses regarding the draft new by-law at various locations throughout the municipality beginning April 9 to June 12, 2013. Dates, location and times are posted on the City's web site. We encourage you to attend any of the meetings to discuss and provide any input you may have on the draft by-law, and/or if you desire, to provide any additional correspondence, questions, concerns, etc., via email.

Thank you

Bruce Bellows



---

**From:** Mike Gilbert [REDACTED]  
**Sent:** Sunday, February 17, 2013 6:16 PM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Subject:** Old vs New

Brittney...

Can you please send me any info on the new draft as it pertains to any changes to parking (Travel trailers) and sheds....as well, can you tell me how I may be affected if any of the changes that are made put me in contravention of the revised bylaw or zoning requirements...

Thanks in advance for your time..

Mike Gilbert

Click [here](#) to report this email as spam.

## Williams, Nancy

---

**From:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Sent:** Thursday, April 04, 2013 9:25 PM  
**To:** Williams, Nancy  
**Cc:** Dilts, Ann  
**Subject:** FW: Zoning

Nancy  
Please add this fellow to our circulation list *done*  
Ann  
Please add to list of people who would like a copy of the by-law  
Thanks  
Ellen

---

**From:** Mark E [REDACTED]  
**Sent:** Friday, March 01, 2013 3:12 PM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Subject:** Zoning

Good Afternoon Britney,

I got a orange pamphlet in the mail asking for my opinion on zoning.

1. I think that any new buildings that would shade a neighbors property should require the builder to inform their neighbors. If any of a neighbors buildings would be shaded (within reason), they should have to get permission of the neighbor, if possible.
2. I am against the use of fertile land for urban expansion. Funds should be utilized to make existing areas more usable and desirable rather than always expanding outward.
3. I am also very concerned that lot sizes continue to become smaller and that people destroy beautiful lots by splitting them and building semi-detached homes. This should generally not be permissable, or more difficult.

I would like a copy of the new drafting bylaw, would you please email it to me?

Thank you,

Mark Elgersma  
[REDACTED] Harbour Heights Lane  
St Catharines.

Click [here](#) to report this email as spam.



**Savoia, Ellen**

**From:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Sent:** April 4, 2013 9:32 PM  
**To:** Savoia, Ellen  
**Subject:** FW: By-laws, what by-laws

6035.11 vol. e  
- Correspondence  
- please add to mailing list for by-law  
✓ ap. 9/13  
kb

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**From:** brett misener [REDACTED]  
**Sent:** Tuesday, December 18, 2012 3:56 PM  
**To:** ZONEYOURSTCATHARINES Website Information Mailbox  
**Subject:** By-laws, what by-laws

Hi Britney:

My name is Brett and live at [REDACTED] Willow Street in St. Kitts. Why change the zoning by-laws when they don't follow the ones they have now.

The City allows all these projects (homes and buildings) then there is a problem they run and hide. Then the home owner gets the Standard involved,

then the city gets back involved and comes out looking like the hero, when in fact they are the ones that issued the building permit in the first place and should

be held accountable. I can only speak from my own experiences with the City over them allowing [REDACTED] to build 99 Merritt Street. It's been a nightmare right from the start.

It's been almost 2 1/2 years now and my last option is to hire a out of town Lawyer and sue the city.

So instead of changing the by-laws why not set up a large fund so the good people of St. Catharine's that have been done wrong by , could draw from

It and hire a good out of town Lawyer. Then when they win they can repay it. Soon or later the City will get the point and do things right from the get go.

Thank you,

Brett

P. S. If you need any water, we have a never ending supply at the end of Willow Street (free)

Click [here](#) to report this email as spam.





## COMMENT SHEET

Please Indicate Below Any Comments or Special  
Concerns You May Have About This Project

It is good to see criteria for green space including parking lots. It would also be helpful to establish green swales rather than upstanding curbs so the rainfall supports the vegetation and trees in the medians. This would save the cost of having to water the medians or re-plant dead trees. To provide shade to ameliorate global warming more than 10% needs to be for trees especially at large institutional lots at Brock or the Hospital or large plazas. To protect green swales from being driven over in winter time it may be necessary to add some decorative shrubs until the trees are big enough not to be run over. Swales can absorb some of the salt and car drippings and return some of the rain to the air and lower the temperature.





The need for transit is more of a Regional issue in Niagara. We used to have an electric rail network that served both freight and passengers. These "right of ways" must be saved so that they can be restored when population density and fuel costs make rail the most cost effective once again. Meanwhile they make safer routes for bicycles than roadides.

Please Provide Your Address if you wish to be kept informed of the process

Name: David E Griffiths

Address: [REDACTED] Riverview Blvd

City: St Catharines ON

Postal Code: [REDACTED]

E-mail: [REDACTED]

Location of open house attended: Seymour Hannah St Paul W.

Please deposit in the comment box before you leave or mail to:

Attention: Ellen Savoia

City of St. Catharines Planning and Development Services Department

P.O. Box 3012, 50 Church Street

St. Catharines Ontario

L2R 7C2

or E-Mail to: [zoneyourstcatharines@stcatharines.ca](mailto:zoneyourstcatharines@stcatharines.ca)

Thanks For the publication in the Standard. 28 Mar 2013

"The Garden City CURRENT Help Zone St Catharines"

It allows time to see what I don't need to complain about any more.

City of St. Catharines

## Savoia, Ellen

---

**From:** Blozowski, Kevin  
**Sent:** March 26, 2013 10:58 AM  
**To:** Lohnes, Terry; Bellows, Bruce; Savoia, Ellen  
**Subject:** RE: Draft By-law

*Thanks Terry*

*Duly noted for future revisions*

*Kevin*

---

**From:** Lohnes, Terry  
**Sent:** Tuesday, March 26, 2013 10:38 AM  
**To:** Blozowski, Kevin; Bellows, Bruce; Savoia, Ellen  
**Subject:** Draft By-law

Hey guys, I have mentioned this to Ellen and Kevin but I was looking at 2.10 in regard to projections. Being a layman I think these references should be listed as horizontal projections to remove confusion. Thanks.

Terry Lohnes  
Plumbing Inspector  
City of St.Catharines  
905 688-5601 ext 1623  
[tlohn@stcatharines.ca](mailto:tlohn@stcatharines.ca)



## Savoia, Ellen

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**From:** Patty Rempel, B Admin, CFP [REDACTED]  
**Sent:** March 20, 2013 1:34 PM  
**To:** Savoia, Ellen  
**Subject:** re[2]: Draft Zoning By-law

Hi Ellen

Yes, I would like to see provisions for one employee in a home based business, and I have indicated this on a facebook link from the city, thanks, Patty

Click [here](#) to report this email as spam.

**Williamson, Britney**

---

**From:** Williamson, Britney  
**Sent:** Monday, March 18, 2013 12:35 PM  
**To:** 'Evan Acs'  
**Subject:** RE: Parking Spot Rentals

Really interesting. I'm reading through the first draft of the new by-law as we speak, so I'll keep it in mind. I understand the concern with permitting parking areas outright, but we could be crafty about restrictions that would allow this type of arrangements but not an entire parking lot.

Thanks for sharing,

Britney Williamson  
Planner I  
Planning and Development Services  
City of St. Catharines  
PO Box 3012, 50 Church Street  
St. Catharines, ON, L2R 7C2

Tel: (905) 688-5601 ext. 1704  
TTY: (905) 688-4TTY (4889)  
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Email: [brwilliamson@stcatharines.ca](mailto:brwilliamson@stcatharines.ca)

Help zone your St. Catharines! [Take our surveys](#) and visit us on facebook at [www.facebook.com/zoneyourstcatharines](http://www.facebook.com/zoneyourstcatharines).

**From:** Evan Acs [REDACTED]  
**Sent:** Sunday, March 17, 2013 5:48 PM  
**To:** Williamson, Britney  
**Subject:** Parking Spot Rentals

Britney,

I just wanted to share this with you in light of the new zoning by-law that is being drafted. There are various websites that enable people to rent out parking spots at their house or apartment to people requiring parking in a certain area of town. Say I live on Salina St and I have a driveway that can hold two cars, but I only have one. I can rent a spot out to a neighbour who may have more cars then her driveway may hold. Likewise, I can rent it out to someone who works downtown, but is looking for a more affordable parking option.

In light of encouraging more residential and commercial activity in the downtown, this may be something that could be considered for the zoning by-law. Apparently the legality of this service is coming under scrutiny in Toronto due to zoning restrictions. See this link to a news story about this:  
<http://www.cbc.ca/news/canada/toronto/story/2013/03/14/toronto-online-parking.html>.

Regards,

Evan



## Savoia, Ellen

---

**From:** Glenn [REDACTED]  
**Sent:** March 16, 2013 9:48 AM  
**To:** Savoia, Ellen  
**Subject:** Downtown zoning

Hi Ellen

Following our conversation about Downtown zoning, I put considerable thought into its potential impact. After thinking through the various projects that I have been involved with, reviewing the present zoning and the various "Task Force" reports etc and going for several walks, I came full circle to my initial knee-jerk reaction.

In my opinion, **whatever you can do through the zoning by-law to get the cars off of private and public lands will be positive.** The storage of cars is the single biggest challenge in the fostering of quality urban environments.

If you can:

- Permit only underground parking for apartments and office buildings,
- Minimize pavement coverage on all sites to say 10%, &
- Ban front-loading garages,

from the Downtown district, you will make a giant leap forward.

Gaining success in downtown areas is all about fostering quality pedestrian environments. That is difficult or impractical when the environment is cluttered with parked cars or empty parking lots.

It will be argued that people can't afford underground parking. I believe that that argument is nonsense. Most suburban houses are built with attached garages. The real cost of a suburban garage is not much different than the cost of an underground parking space. If someone prefers a downtown residence, they do so because they want the pedestrian urban environment. At-grade parking helps to destroy what they are seeking.

It will also be argued that you can't rent offices without on-site parking. I believe that that is also nonsense. Companies locate in Downtowns for the interaction and urban experience. That urban experience is destroyed by the at-grade parking. There is lots of experience in lots of cities to overcome this dilemma. Quartek did!

In my opinion, it is the City's role to supply parking in garages. The cost can be supported by user fees, development fees and curb-side parking fees and fines. The benefits are great with reduced pavement coverage, reduced car-clutter, increased greenery and a better living environment.

Good luck with the challenging zoning task. I hope that this is helpful.

Glenn Barr, P.Eng., CNU-A

**Barr Associates**  
***Neighbourhood Development Consultants***

[REDACTED]  
[REDACTED] Tulip Tree Common  
St. Catharines, ON [REDACTED]

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60.35.11 vol. C

**Savoia, Ellen**

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**From:** Riddell, Jim  
**Sent:** January 29, 2013 6:29 PM  
**To:** Pihach, Judy; Savoia, Ellen  
**Cc:** Phillips, Bill; Riddell, Jim  
**Subject:** Fw: RVs/water craft

Hello Ellen. For our Zoning By-law considerations. Thanks Jim

---

**From:** Phillips, Bill  
**Sent:** Monday, January 28, 2013 12:00 PM Eastern Standard Time  
**To:** Riddell, Jim  
**Subject:** Fw: RVs/water craft

FYI

Bill  
Bill Phillips ,councillor Grantham Ward, City of St. Catharines

---

**From:** Michele Craig [REDACTED]  
**Sent:** Monday, January 28, 2013 11:33 AM Eastern Standard Time  
**To:** Phillips, Bill  
**Subject:** RVs/water craft

Hello Bill,

I would like to comment on the recreational vehicles, boats and trailers, etc. parked in so many driveways throughout the city and, in particular, the north end of St. Catharines. This, to me, is unacceptable, annoying and in many cases, unsightly, to both neighbours and passersby. I strongly feel the by-law that is currently in place in the south end of St. Catharines should be revised to include ALL of the city.

You cannot drive down a street in the north end without passing several RVs, boats, etc. stored in the driveways of residential neighbourhoods. In my opinion, it is not the right of the owners to park these in their driveways. How would you like to have two or three or four old, unsightly RVs and/or boats parked in driveways on your street. Not at all pretty!!

I certainly hope you will do the right thing and vote for a new or revised by-law where this matter is concerned and stop this.

Also, I have noticed three school buses parked in driveways around my area. I would like to report them but have to leave my name and address to do so. I think I should be able to report them without leaving personal information because this city is small and it would get out. And besides, where is the by-law officer who is supposed to enforce this by-law?

Michele Craig  
[REDACTED] Cindy Drive  
St. Catharines, ON  
[REDACTED]  
[REDACTED]



## Williamson, Britney

---

**From:** Nick Wood [REDACTED]  
**Sent:** Thursday, January 17, 2013 9:12 AM  
**To:** Williamson, Britney  
**Cc:** Romas Juknevicus  
**Subject:** RE: Comprehensive Zoning By-law

Good Morning Britney,

At this point, our main concern is that the current zoning bylaw permissions are maintained at a minimum. Once the Draft Zoning By-law is made available, we will be able to review the by-law and provide comments at that time if necessary.

Regards,  
**Nick Wood, BA**  
Associate

**R.G. Richards & Associates**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Sladeview Crescent, [REDACTED]  
Mississauga, ON, [REDACTED]

**From:** Williamson, Britney [<mailto:brwilliamson@stcatharines.ca>]  
**Sent:** January-16-13 9:52 AM  
**To:** Nicholas Wood  
**Cc:** [romas](#) [REDACTED]  
**Subject:** RE: Comprehensive Zoning By-law

Hi Nick,

The entire draft by-law will be available at the open houses in April and June. We're aiming to complete the draft and mapping sometime in March, and are working to get feedback on what people would like to see in the zoning by-law currently. If you have any comments, please let me know and I will pass them on to the zoning team.

Thanks for your interest,

Britney Williamson  
Planner I  
Planning and Development Services  
City of St. Catharines  
PO Box 3012, 50 Church Street  
St. Catharines, ON, L2R 7C2

Tel: (905) 688-5601 ext. 1704  
TTY: (905) 688-4TTY (4889)

Fax: (905) 688-5873  
Email: [brwilliamson@stcatharines.ca](mailto:brwilliamson@stcatharines.ca)

**From:** Nicholas Wood [REDACTED]  
**Sent:** Wednesday, January 16, 2013 9:51 AM  
**To:** Williamson, Britney  
**Cc:** romas [REDACTED]  
**Subject:** Comprehensive Zoning By-law

Hello Britney,

I was wondering what kind of information will be presented at the Open Houses scheduled between April and June 2013? Will the entire draft Zoning By-law be presented to the public, or are these Open Houses mainly to receive comments from the Public on what they would like to see in the Zoning By-law. As well, when are you expecting the Zoning Maps to be complete?

Regards,

**Nick Wood, BA**  
Associate

**R.G. Richards & Associates**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Sladeview Crescent, [REDACTED]  
Mississauga, ON, [REDACTED]

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## Savoia, Ellen

---

**From:** Mary Fyfe [REDACTED]  
**Sent:** December 16, 2012 11:56 AM  
**To:** Savoia, Ellen; Joe; Harris, Matthew; Riddell, Jim; jpihach@sstcatharines.ca; cbriggs@stcatharines.ca  
**Subject:** new zoning bylaw

Hello All,  
I have one very, very important query.

This city, nor any other city CANNOT enact a by-law which prohibits homeowners from installing secondary units in single detached or semi-detached homes. At the moment, these units can only be installed where allowed by existing zoning.

If this city enacts a city wide new zoning by-law then secondary units will be allowed all over the city. Nice one!!! Of course, with 35 ft. lots and two storey homes, large basements are a thing of the past in most areas, so secondary units are not likely to be a problem in those areas and certainly not over in Martindale for it is too far away from Brock. Ditto for Vansickle and St. George's point, but I would wonder about the folks over there at Lock 3. Boy! can they charge for basement apartments if this goes through.

So Zone 8 it is we are targeting. Now just how does the city figure you can keep the integrity of our area and prevent it from becoming a huge, huge ghetto?

And yes! I definitely, absolutely do want a response.

Thanks for your time, Cheers, Mary.

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## Savoia, Ellen

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**From:** Mary Fyfe [REDACTED]  
**Sent:** December 15, 2012 12:16 PM  
**To:** Savoia, Ellen  
**Cc:** Joe; Harris, Matthew  
**Subject:** You might regret it!

Hi! Ellen,

Thanks for your e-mail. Did Judy tell you that at city hall I'm known as OPA – od pain in the posterior!!!!!! Actually, the word used wasn't posterior!

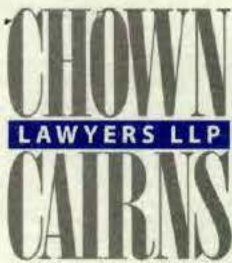
To continue – let's hope you don't regret asking for suggestions for I already have another one.

Parking. Let's get rid of all the extra wee parking pads that have been added. If you want to add extra parking, it should NOT be at a right angle to the driveway and therefore slap bang in the middle of the front lawn. If you want extra parking, then either add a pad at the back or have it parallel with and adjacent to the existing driveway. Case in point – No. 96 Glendale. Not one, but two pads have been added to the house and both are at right angles to the driveway and slap bang in the middle of the front lawn. *I may be wrong, though very much doubt it, but I would imagine that they have taken up more than the 40% of the front they are allowed under our by-laws so you might want to pass that along. Of course, this house is controversial with the R.V. parked right on the front lawn, but then nary a single councillor lives on Glendale near that house!!!!!!! And we know restrictions on parking R.V.'s have been lifted – but parking on the front lawn? I'm well aware that legislation has changed over the years just as amendments have been made to our original by-law, but as of 2000 there was no amendment re: garbage for it hadn't been a problem until the students moved in en masse. Now it is. Our by-law officers have been out and garbage has to be in bins, but I'm not sure if the existing by-law is specific as to keeping the bins in the garage or shed or just "under cover." If it is the latter, then I guess our officers' hands are a bit tied.*

*As for keeping the garbage in containers and under cover – let's use our heads here and get it into the new zoning. Passing it along to Property Standards or building codes I really doubt would be efficient and responsible. Our weather is changing. The last few years have been something else with heat. Keeping the garbage on the front porch even from a smell point of view is just the pits and i would hazard a guess that it could potentially be a health risk. I'd like to see it remain in zoning for that's where it belongs in my opinion. I've copied Joe and Matthew – just to let them know I'm not quite comatose from all my Christmas wrapping! Take care. Shall be in touch as I "interview" my neighbours. Mary.*

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P.M. Bauerle  
R. Trivieri  
H. Korosis  
M.A. Labenski  
P.D. Nicholson  
T.B. Robertson

R. Cairns, QC  
(Retired 2003)

M.A. Chown, QC  
(1921-1983)

R.B. Edgar, QC  
(1934-1998)

\* Certified Specialist  
in Civil Litigation

November 29, 2010

DELIVERED

City of St. Catharines  
Planning Department  
50 Church Street  
St. Catharines, Ontario L2R 7C2

Attention: Ellen Savoia, Planner

Dear Ms. Savoia:

Re: Merritton Area/Re-Zoning  
And Re: 186-188 Merritt Street  
Our File No. 6883-21

We represent [REDACTED], the  
owner of the properties at 186-188 Merritt Street.

It is our understanding that the City is presently considering further revisions to the comprehensive zoning by-law for the Merritton area. We ask that you consider the following information in that process.

The 186-188 Merritt Street property is comprised of two separate properties. Both are owned by [REDACTED], but they remain separate legal parcels, having been created by Consent for Severance pursuant to the Planning Act of Ontario.

The western-most property, on which the [REDACTED] structures are mainly located, is identified in the registered title records by Property Identifier Number ("PIN") 46416-0084 (LT). That property, formerly zoned General Commercial was re-zoned Commercial Residential Holding (CR-H) in the last comprehensive zoning by-law for the Merritton area. The current use is allowed based on a Committee of Adjustment Decision dated April 2<sup>nd</sup>, 2008 (City File No. 60.81.4261/Submission No. A-39/08) and this property is also subject to a site plan agreement.



PLANNING SERVICES
RECEIVED: <i>ES.</i>
REFERRED TO:
ACTION:

- Requires OPA  
- can not support as  
part of new by-law  
- Recommend they apply  
for site specific OPA/2BA  
*ES.*



The easterly parcel is identified by PIN 46416-0085 (LT). This property includes the closed up and conveyed portion of the former Ker Street road allowance. We understand that a portion of that property (excluding the former Ker Street road allowance) is currently zoned Environmental Protection (EPA). In our past discussions with Mr. Paul Chapman (who was, at that time, Director of Planning) he had advised us of his understanding that there were no specific environmental considerations which led to that zoning designation, but that the property was designated as such in the process of the comprehensive re-zoning simply because it was undeveloped, with no further information as to its status. We attach comments from the City's planning department submitted in connection with the Committee of Adjustment application for the adjacent property, in which this property is referred to as "Phase 2".


The City's planning department requirement was that the property should be graded and kept in a weed free condition. It has been maintained in that condition. We note that this requirement, together with the lack of any historical information to suggest an environmental protection designation, seems inconsistent with the current zoning.

We therefore suggest that this portion of the property should, in the next comprehensive re-zoning for the area, be zoned to more properly reflect the more appropriate commercial-residential potential for the property, consistent with surrounding uses. We ask that you consider our input in the re-zoning process, and we would be happy to have the opportunity to discuss this with you.

Yours very truly,

CHOWN, CAIRNS LLP

Per:

  
John C. Willey  
JCW/as  
Enclosure  
cc. Client





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## Memorandum

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TO: Amanda Knutson, Development Agreement Co-ordinator  
c.c. Development Committee (e-mail only)

FROM: Dennis Landry, Planner 1

DATE: October 29, 2008

SUBJECT: Site Plan Agreement  
Address: 186 Merritt Street  
Proposal: New 82.3 m<sup>2</sup> Addition to Existing Building  
[REDACTED]  
File No. 60.51.852

Planning Services has the following comments regarding the plans:

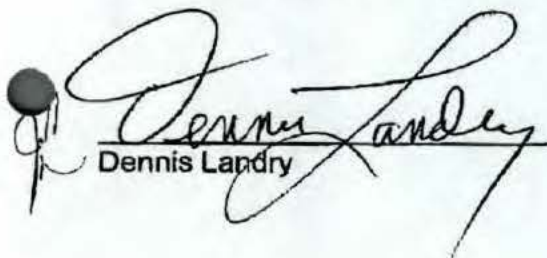
1. Ontario's 2006 Building Code Matrix, asphalt detail, curb detail and fence details should be removed from the site plan.
2. Fence details can be included on the landscape plan.
3. Minimum dimensions for barrier free parking spaces are 4.88 m x 5.5 m.
4. What is the owner's intention regarding refuse containers and refuse removal.
5. A lighting plan should be filed.
6. The municipal address should be corrected.
7. The Key Plan should have a north arrow.
8. Barrier free access should be provided at the entrance. Drop curbs should be provided where needed.
9. The comments from Canadian National Railway should be solicited.
10. The proposed use of the leased lands should be noted.
11. Existing and proposed fencing should be identified on the landscape plan.
12. We acknowledge that Phase 2 is a separate lot (which was confirmed by John Willey, solicitor for the owner) and, therefore, will not be part of the site plan agreement. The



## Memorandum

development of this phase in the future, will require a separate site plan agreement or alternatively, an amendment to the current site plan application. In the interim, Phase 2 which is now vacant, should be graded and kept in a weed free condition pursuant to City property maintenance by-laws.

13. We acknowledge that in the future the proposed new addition (Phase 3) will occur on the existing foundation.
14. According to our research the subject lands are outside the Development Control Area of the Niagara Escarpment Plan.
15. The landscape plan identifies an existing concrete block building and an existing frame building in the area of Phase 3; however, they are not identified on the site plan. The buildings as shown on the landscape plan interfere with the proposed parking. In order to correct this problem the buildings have to be removed or the parking spaces adjusted.

  
Dennis Landry