



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Twenty-Fourth Meeting, Regular, November 4, 2013
Council Chambers, City Hall 6:30 PM**

His Worship Mayor Brian McMullan takes the Chair and opens the meeting

- 1. Invocation**
- 2. Opening Remarks, Mayor McMullan**
- 3. Presentations**
- 4. Adoption of the Agendas**
- 5. Declarations of Interest**
- 6. Public Meetings Pursuant to Planning Act (Commencing at 7:30 p.m.)**

6.1 Applications for Amendment to the Garden City Plan and Zoning By-law 62-86 (Zone 7) to Permit Four Storey Apartment Building - 176 Oakdale Avenue; Owner: Gatta Homes; Applicant: Upper Canada Consultants. File(s): 60.35.569 Vol. 3 and 60.30.315 (See General Committee October 21, 2013, Item 4.8.) (ATTACHED)

- 7. Adoption of the Minutes (Council and General Committee)**

7.1 [Twenty-Third Meeting of Council, October 21, 2013](#)

7.2 [Twenty-Third Meeting of General Committee, October 21, 2013](#)

- 8. Delegations**

8.1 Curtis Stoutenburg; Re: 2013 Pete Stoutenburg Memorial Hockey Tournament, Presentation of Defibrillators

8.2 Tom Richardson, Sullivan Mahoney LLP; Re: Designation of 57 Lakeshore Road under the *Ontario Heritage Act*

8.3 Terry Flynn, Treasurer, Niagara District Airport Commission; Re: 2014 Budget

- 9. Call for Notices of Motion**

10. Motions

10.1 Niagara Grape and Wine Festival, Winterfest in the Square

That the Council of the City of St. Catharines declares the Niagara Grape and Wine Festival, Winterfest in the Square taking place Friday, January 24, 2014, to be an event of municipal significance for the purpose of obtaining liquor permits; and

That the Office of the City Clerk make the necessary notifications.
FORTHWITH

10.2 Ontario Power Authority Feed-in Tariff (FIT) 3.0 Program

WHEREAS the City of St. Catharines Sustainability Strategy supports renewable energy options; and

WHEREAS the Garden City Plan encourages and supports alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations; and

WHEREAS the Provincial Feed-In Tariff (FIT) 3.0 program encourages the construction and operation of renewable fuel generation projects; and

WHEREAS one or more projects may be constructed and operated in the City of St. Catharines; and

WHEREAS pursuant to the FIT 3.0 program, applications whose projects receive formal support from local municipalities will be awarded priority points;

THEREFORE BE IT RESOLVED that the City of St. Catharines support the construction and operation of renewable fuel generation projects; and

BE IT FURTHER RESOLVED that this resolution's sole purpose is to enable applicants to the FIT program to receive priority points under the FIT program and may not be used for any other purpose including any waiver of or exception to municipal approvals under the Building Code, Fire Code or any other approval pertinent to the application or proposal; and

BE IT FURTHER RESOLVED that this resolution shall expire twelve (12) months after its adoption by Council.

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11. Resolve into General Committee

12. Motion Arising from In-Camera Session

13. Motion to Ratify Forthwith Recommendations

14. By-laws

25 - 26

14.1 Reading of the By-laws

15. Agencies, Boards, Committee Reports

27 - 38

15.1 Committee Minutes to Receive: Mayor's Youth Advisory Committee, Clean City Committee, Sustainability Committee, Mayor's Advisory Committee for Black History and the St. Catharines Museum Advisory Committee

16. Adjournment



Approved on Consent
by General Committee
October 21, 2013, Item 4.8

Corporate Report

Report from Planning and Development Services, Planning Services

Date of Report: September 30, 2013 **Date of Meeting:** October 21, 2013

Report Number: PDS-317-2013 **File:** 60.35.569 Vol. 3, 60.30.315

Subject: Applications for Amendment to Garden City Plan and Zoning By-law to Permit Four Storey Apartment Building, 176 Oakdale Avenue; Owner: Gatta Homes; Applicant: Upper Canada Consultants

Recommendation

That Council refer the applications to amend the Official Plan and Zoning Area By-law 62-86 (Zone 7) for lands known as 176 Oakdale Avenue for consideration after the Public Meeting scheduled for November 4, 2013. FORTHWITH

Staff Recommendation

A. Official Plan Amendment (File 60.30.315)

That approval be granted for an amendment to the Garden City Plan for the lands municipally known as 176 Oakdale Avenue as follows:

- (i) That Schedule D1 General Land Use Plan be amended by changing the designation of the lands shown on Appendix 1 from "Parkland and Open Space" to "Neighbourhood Residential"
- (ii) That Schedule E9, East Planning District be amended by changing the land use designation for lands shown on Appendix 2 from "Parkland and Open Space" to Low Density Residential.
- (iii) That Part E, Section 15.5.1 policy (f) be amended as follows:
 - f) Notwithstanding the Low Density Residential designation, a density of up to 54 units per hectare, and a maximum height of 13.5 metres shall be permitted on the lands municipally known as 176 Oakdale Avenue

B. Zoning By-law Amendment (File 60.35.569 Vol. 3)

That approval be granted to amend Zoning By-law 62-86 (Zone Area 7) for the lands municipally known as 176 Oakdale Avenue as follows:

- 1. The lands identified on Appendix 2 be rezoned from Second Density Residential B-Holding (R2B-H) and Greenbelt (G) to Mixed Density Residential-Holding (R5-H).
- 2. An apartment building, a permitted use in the R5 zone, shall be subject to the following special provisions for these lands only;
 - a) Minimum front yard setback 5.0 metres
 - b) Minimum north side yard 25.0 metres
 - c) Minimum south side yard 5.2 metres
 - d) Minimum rear yard setback 40.0 metres

- e) Maximum height of the south wall of the building as measured from grade to the midpoint of the roof 11.0 metres
 - f) Minimum density 20 uph
 - g) Maximum density 54 uph
 - h) With the exception of waste collection units, accessory structures shall not be permitted in the rear or side yards
 - i) Patios and balconies shall be permitted to encroach to a maximum of 0.5 metres into the south side yard; encroachments of 3.4 metres shall be permitted in all other side yards.
3. The Holding (H) provision shall be removed by Council, without additional public notice, upon the completion of engineering studies by a qualified engineer, demonstrating a full twelve months of methane gas monitoring in accordance with Ministry of Environment D-4 Guidelines, to the satisfaction of Transportation and Environmental Services, demonstrating that the lands are suitable for development.

C. Site Plan Conditions

And that the required site plan approval for the proposed development include consideration of mitigation measures to address the speed of traffic along Oakdale Avenue, including but not limited to;

- a) Widening of the access at Oakdale Avenue
- b) Posting of signage along Oakdale Avenue at appropriate locations to advise of a "hidden driveway"; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by the City Clerk; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Ontario Municipal Board for consideration and final decision; and

Further, that the Clerk be directed to make necessary notifications. FORTHWITH

Summary

The above noted applications propose a four storey apartment building with 24 residential units.

An Official Plan amendment is required to re-designate the rear of the subject lands from Parkland and Open Space to Neighbourhood Residential (Appendix 1) and Low Density Residential (Appendix 2). An amendment to the Official Plan is also required to amend policy 15.5.1(f) to increase the permitted density from 43 to 54 units per hectare, and to permit a slight increase in height from 11.0 metres to 13.5 metres.

A Zoning By-law amendment is required to re-zone the entire property from Second Density Residential-Holding (R2B-H) and Greenbelt (G) to Mixed Density Residential-Holding (R5-H) (Appendix 3).

A concept plan for future development is attached as Appendix 4 and preliminary elevations are attached in Appendix 5-7.

Background

The site was previously occupied by a single detached dwelling. A demolition permit was issued in 1991. In 1995 severance applications were approved to create 4 lots for single detached dwellings, subject to conditions. The conditions were never satisfied within the required one year timeline and the approvals lapsed. The lots were never created.

In 2001, a zoning by-law amendment (By-Law 2002-14) was approved to permit 5 semi-detached dwellings (10 dwelling units) subject to conditions. The development was never constructed. The Holding provision required the completion of engineering studies by a qualified engineer, to the satisfaction of Transportation and Environmental Services, demonstrating that the lands are suitable for development, particularly relating to the proximity of the former landfill site and the potential for methane gas migration.

The site was never developed in accordance with the 2001 planning approvals. This current application proposes an apartment building.

Report

a) Location:
The site is located in the City's East Planning District, as defined by Schedule E of the Garden City Plan. More specifically, the property is located on the east side of Oakdale Avenue, south of Clifford's Creek Park (Appendix 8).

b) Existing Land Use:

i) Site:

The site is irregular in shape with a lot area of approximately 0.45 hectares (1.1 acres); a lot frontage of approximately 60 metres (197') on the east side of Oakdale Avenue and a lot depth of approximately 86 metres (282').

The site is currently vacant with sloped terrain. There is an approximate 4.0 metres (13 feet) change in elevation on the subject property, with the north end of the property being lower than the south end.

ii) Neighbourhood:

North: Clifford's Creek Municipal Park, single detached dwellings

South: Single detached dwellings

East: Clifford's Creek Municipal Park, single detached dwellings

West: Merritt Trail and valley lands associated with a former Welland Canal

c) Official Plan:

Existing

The Garden City Plan designates the subject lands as Neighborhood Residential and Parkland and Open Space (Schedule D1 of the Garden City Plan). The lands are further defined as Low Density Residential and Parkland and Open Space (Schedule E9 of the Garden City Plan).

Site specific policy 15.5.1(f) permits a maximum density of 43 units per hectare. Section 8.2.3 of the Garden City Plan Neighborhood Residential policies permits

apartment buildings on arterial roads. The maximum height limit is 11.0 metres within the Low Density Residential designation.

In Section 13.2.2 of the Parkland and Open Space policies, the Garden City Plan permits public and private parks, cemeteries, recreational facilities, cultural operations, and essential operations for service infrastructure and utilities within this designation.

Proposed

An amendment to the Garden City Plan is required to re-designate the rear of the subject lands from Parkland and Open Space to Low Density Residential, and to permit increased height and density on the entire site. Compliance with the Garden City Plan, and the requested amendment is addressed in the Planning Analysis section of this report.

d) Zoning:

Existing

By-law 62-86 (Zone 7) as amended by By-law 2009-28 zones the rear of the subject lands as Greenbelt (Appendix 3) and the remainder of the site as Second Density Residential B- Holding (R2B-H). The site specific zoning by-law was intended to permit the construction of 5 semi-detached dwellings with a total of 10 dwelling units. The rear of the property was intended to be dedicated to the City as an addition to the abutting Clifford's Creek Park, and zoned accordingly.

Proposed

An amendment to the Zoning By-law is required to permit an apartment building in accordance with the Mixed Density Residential (R5) zone. The rear of the site is no longer intended to be conveyed to the City as parkland, but proposed for parking to serve the apartment building.

Proposed Development

The applicant is proposing to permit residential development in the form of a four storey apartment building containing 24 residential units (Appendix 4). A portion of the front and rear, as well as the entire south side of the building will consist of 3 storeys. Due to the existing grades of the land, a portion of the building will consist of 4 storeys (Appendix 5-7) which will be visible from the north, west, and east. In accordance with the zoning by-law, the height of the building is measured from the principle entrance of the building which is proposed to be located on the side of the building which is four storeys (13.0 metres) in height.

Circulation Comments

The applications for an Official Plan and Zoning By-law amendment were circulated to all appropriate City departments and agencies for comments and requirements. No objections were received, however, several comments were offered.

Niagara Region

That the proposal will facilitate future development / intensification of the land within the built up area of the city, assist the City in achieving residential intensification targets, and make efficient use of existing infrastructure and public services.

Niagara Peninsula Conservation Authority (NPCA)

There is a small tributary to Dicks Creek that traverses lands immediately north and east of the subject property. Due to the nature of this watercourse, NPCA staff are supportive of the 3 metre landscape buffer provided on the plans as an appropriate buffer to assist in the protection of this feature. NPCA staff also note that there are no other natural heritage features on or adjacent to this property.

Recreation and Community Services

Detailed landscape requirements will be established through the site plan approval process. This process will require a Tree Preservation Plan to review the vegetation around the periphery of the site, including those along the frontage and on the neighbouring property to the south. In lieu of parkland dedication, payment of 5% of the appraised value of the property will be required through the site plan approval process.

Transportation and Environmental Services – Traffic Division

Overall, the Traffic Division offered no objections to the approval of a 24 unit apartment building. They noted that, while the sightlines aren't ideal, the denial of access for the proposed apartment building is not warranted.

The traffic generation of a 24 unit development, while higher than what is currently permitted by the existing zoning by-law, is still considered low. The ITE Trip Generation Manual estimates that the peak hour traffic generation for a 24 unit apartment is 14 trips.

TES has reviewed an Access Study submitted by the applicants and prepared by Hatch Mott MacDonald, dated August 9, 2013. While the access is not ideal, limitations may be mitigated with the installation of a hidden driveway sign and modifications to the access through the site plan approval process. There is no need for turn lanes in either direction, on Oakdale Avenue.

Transportation and Environmental Services - Environmental Services Division

No objections were offered with respect to the change in land use. Comments with respect to the environmental conditions of the site are addressed in the Contamination section of this report.

Other comments

Fire Services, the Development Division of Planning and Development Services offered no concerns or objections.

Public Open House

A public open house was hosted by Planning and Development Services on June 20, 2013. The purpose of the meeting was to present the applicant's proposal and provide an opportunity for questions to be asked and comments to be received by City Staff before formulating a recommendation.

There were 18 members of the public in attendance and two representatives on behalf of the applicant. The comments and concerns are summarized below:

Access

- The proposed access to the site is unsafe. This section of Oakdale Avenue is already dangerous, curves, and has low visibility.

Built form

- The proposal is too big for the site.
- The building will create shadows over the existing neighbourhood.

Ownership

- Rental units will bring down the neighborhood. If it is a condominium, the units could still be rented. High end units will increase taxes for neighbours.

Park Land

- Will the park be impacted?
- Why is parkland being removed? There is vegetation on the property that should be protected.

Servicing

- The existing sewers cannot handle the capacity.

In addition to the Open House, two letters of comment were received. The letters reflected the same concerns as above. Additionally, a phone call from a nearby resident expressed support for the proposed development, advising that it would improve the neighborhood, and additional residents would reduce crime.

These comments and concerns will be addressed in the Planning Analysis section of this report.

Planning Analysis

Provincial Policy

The Niagara Region has advised that the subject property is within a settlement area under the 2005 Provincial Policy Statement (PPS) and identified as a Built Up Area in the Places to Grow Growth Plan for the Greater Golden Horseshoe (Growth Plan). Growth management policies direct a significant portion of new growth to built up areas through intensification and require that municipalities achieve a 40% residential intensification target for built up areas by 2015 and for each year thereafter. Land use patterns shall be based on densities and a mix of land uses that effectively use land, resources, infrastructure, and public service facilities which are planned or available.

This proposal complies with provincial policies.

Regional Policy

According to the Region's Official Plan, the property is within the Urban Area Boundary for the City of St. Catharines and within the Built Boundary under Amendment 2-2009 (Niagara 2031 Sustainable Community Policies / Conformity Amendment). A full range of residential, commercial, and industrial uses are permitted generally within the Urban Area.

This application complies with the Regional Policy Plan.

Official Plan

Re-designation of Rear Lands from Parkland and Open Space to Low Density

Residential

Schedule D1 of the Garden City Plan designates the subject lands as Neighborhood Residential and Parkland and Open Space. Schedule E9 provides additional direction for the East Planning District and designates the lands as Low Density Residential and Parkland and Open Space (Appendix 1 and 2). The 2001 development proposal re-zoned the lands and intended to dedicate the rear lands to the City. This portion of land was zoned and designated accordingly, although the lands were never transferred to the City since development did not proceed.

The current development proposal seeks permissions for an apartment building on this site and the rear lands are now intended for parking. The rear lands are no longer available for dedication to the City as an addition to Clifford Creek Park

Recreation and Community Services has not identified a shortage of parkland in this neighbourhood, and accordingly no additional parkland dedication is required as a condition of development.

Built Form

The Neighbourhood Residential policies of the Garden City Plan (Section 8.2.3) permit apartment buildings on arterial roads subject to a zoning by-law amendment. Any proposal is to be evaluated having regard for urban design principles, and policies set out in the Plan to ensure building, site and streetscape design will support compatible and context sensitive design.

Schedule C - Transportation Network of the plan identifies Oakdale Avenue as an arterial road. The proposal includes a modest height increase to 13.0 metres where the grade drops but maintains the 11.0 metre height limit adjacent the residential uses south of the site. The additional height will face the abutting municipal park and street front, where the impact is negligible. The building is oriented to address the street, providing an appropriate front yard setback and a pedestrian connection. Paved areas are minimized in the front yard and parking is located at the side and rear of the proposed building.

Staff are satisfied the policies of Section 8.2.3 of the Garden City Plan are met.

Density

The Garden City Plan designates the subject lands as Neighborhood Residential on Schedule D1. Schedule E9 provides additional direction for the East Planning District and designates the site as Low Density Residential (20 – 30 units per hectare) with a site specific policy permitting 43 units per hectare. The applicant has requested to increase the permitted density to 54 units per hectare, permitting a total of 24 residential apartment units.

Section 8.3 of the Garden City Plan permits new medium density development to be permitted in the Neighbourhood Residential land use designation by way of a rezoning, provided that the following conditions are satisfied:

- i) *a location on or near an arterial or collector road*

Schedule C - Transportation Network of the plan identifies Oakdale Avenue as an arterial road.

- ii) *the development site is in close walkable proximity and accessibility to commercial centres, community facilities, parks, natural areas and public transit services*

There are a number of parks in the area, including Clifford's Creek Park to the immediate north and east of the subject property. The Merritt Trail, providing connections to the Centennial Park, is located to the west. Public transit runs along both Oakdale Avenue and Westchester Crescent, providing connections to downtown, Brock University, and the Pen Centre. This site is not considered to be within walking distance to commercial uses, and does not meet that criteria.

- iii) *the development site is in close proximity to existing medium and high density development.*

Oakdale Avenue has a number of high density developments, most of which are located closer to Westchester Crescent.

Staff consider 176 Oakdale Avenue to be a candidate for *some* increase in height and density based on the context of the site, but does not warrant the full permissions of a Medium Density Residential designation. The site does not fully meet the criteria outlined in the Garden City Plan to justify a major increase in density and height.

The Medium Density Residential designation requires a general density of 25-99 units / hectare and permits detached, semi-detached, multiple attached, tri-plex and apartment dwellings. Given the proposal for the property, as well as the environmental constraints, and proximity to low density residential uses, a maximum density of 54 units per hectare and a slight increase in height up to 13.5 metres is recommended for the subject property.

Staff are recommending the site remain in the Low Density Residential designation, with an exception to permit a slight increase in density and height. Although the site meets many of the criteria for Medium Density Residential land use permissions, it is not within walking distance of commercial uses and is not in close proximity to other higher density developments. The proposed development provides a better fit with the surrounding land use within the Low Density Residential land use policy framework, with exceptions for height and density.

Building Height

Section 8.1.1 of the Garden City Plan provides that the height of buildings within the Low Density Residential Designation shall generally not exceed 11.0 metres (36 feet).

Given the approximate 4.0m (13 feet) change in elevation on the subject property and the location of the primary entrance at the side of the building where the grade is lower,

the height is measured at the primary entrance of the building which is 12.65 metres. The increased height is on the north side of the building which faces Clifford's Creek Park (Appendix 5). Elevations from Oakdale Avenue (Appendix 6) show that only a portion of the building will be four storeys. The proposed elevation immediately adjacent to the existing single detached dwellings to the south of the subject lands (Appendix 7) are to remain at 3 storeys, or 10.67m (35 feet) as measured to the midpoint of the roof. These adjacent residential properties are zoned Second Density Residential (R2C) and designated Low Density Residential. This zone permits a compatible height of 10.67m (35 feet) on all surrounding residential properties.

Staff recommend a 13.5 metre maximum height limit to be consistent with the height permissions of the R5 zoning for apartment buildings, even though the building is proposed to be 12.65 metres.

Contamination

Section 7.2 of the Garden City Plan provides direction in evaluating contaminated sites and notes that "On all lands known or suspected of potential environmental hazards, the City shall require, prior to consideration for development / redevelopment or site alterations, appropriate studies to assess potential hazards. Protective or mitigating measures may be applied to the subject lands, subject to evaluation and provincial standards."

The limit of fill from the former land fill has been established and is indicated on the plan (Appendix 4). In accordance with the Ministry of Environment (MOE) Guideline D-4 "Guidelines for Land Use on or Near Landfills and Dumps" dated April 1994, development shall be setback at least 30m from the limit of fill or be setback 20 metres from the limit of fill if a cut off trench is installed. Parking facilities as well as a garbage enclosure may be permitted within this required setback. In addition to this 20 metres or 30 metres setback requirement, at least one year of monitoring will be required to demonstrate that there is no gas migration. Should there be any evidence of migration, further work will be required.

The applicant has elected to provide a 30.0 metre setback from the limit of fill. AMEC Environment and Infrastructure is in the process of completing one year of monitoring to ensure that there is no gas migration. The first round of sampling was done on January 31, 2013; the 12 month monitoring period will conclude in January 2014. In a letter dated June 25, 2013, AMEC provided information on the findings to date. It was noted that the methane monitoring program has started and the preliminary results look favorable. Leachate, surface runoff, ground settlement, soil contamination, and hazardous waste attributed to the adjacent former Clifford's Creek Landfill have not been observed. These are initial readings and additional rounds of monitoring are required to allow the assessment of seasonal variations of methane concentrations at the site. A full 12 months of monitoring is required in order to meet the MOE Guidelines.

AMEC identifies the prior land use of the subject lands as residential and the proposed future land use also being residential; therefore a Record of Site Condition is not required.

Setback requirements, as well a Holding provision to address the above noted outstanding environmental study, will be addressed through the concurrent zoning by-law amendment.

In light of the above, staff are supportive of the proposed Official Plan amendment.

Zoning By-law

Mixed Density Residential (R5) Zone

The proposed Mixed Density Residential – Holding (R5-H) zone permits apartment buildings as well as retirement dwellings, long term care facilities, street townhouses, and planned unit development. Table 1 compares the requirements of the R5 zone to the proposal. The specific variances are described in Table 1.

Table 1

	R5 Zone Requirement (Apartments)	Proposed	Complies?
Minimum lot frontage	15.0 metres	60.74 metres	yes
Minimum lot area	550 square meters	4446.3 square meters	yes
Maximum lot coverage	40%	18.5%	yes
Minimum front yard	6.0 metres	5.0 metres	no
Minimum side yard	½ height of building North side – 6.3 metres South side – 5.5 metres	North side – 25.0 metres South side- 5.2 metres	North side – yes South side - no
Minimum rear yard	12.68 metres	40.0 metres	yes
Maximum height	4 storeys or 13.5 metres	11.0 metres to 12.6 metres	yes
Parking per unit	1.5 rental or 1.75 for condo	1.75	yes
Minimum landscaped open space	25%	46.7%	yes

Front Yard Setback

The applicant is proposing a front yard setback of 5.0 metres as opposed to the 6.0 metres required by the by-law. This setback will ensure that the setback is consistent with residential properties to the south of the subject lands and ensure the building maintains a street presence. The proposal provides parking areas at the side and rear of building so that landscaping can be maximized in the front yard.

Side Yard Setbacks

The north side yard provides an extensive 25.0 metres setback from the lot line and complies with the requirements of the by-law. This setback is required to comply with MOE setback requirements from the limit of fill.

On the south side, the applicant has requested a reduction from 5.5 metres (18 feet) to 5.2 metres (16 feet). This side of the building is three storeys high, compatible with the height permissions of the adjacent residential properties. This side yard abuts only one dwelling, which is setback approximately 6.5 metres (21 feet) from the side lot line, providing a total separation of approximately 11.3 metres (37 feet) separation distance.

The current R2B-H zoning would permit a 3 storey (10.67 metres or 35 feet) single or semi-detached dwelling to be located at 0.9 metres (1 foot) from the property line, significantly closer than the proposed 5.2 metres.

Density

In order to satisfy the density requirements of the Garden City Plan's Low Density Residential Designation, a minimum density of 20 units per hectare is required. The slight increase in density is warranted based on the context of this site and a maximum of 54 units per hectare is recommended for the site.

Height

While the by-law permits a maximum height of 13.5 metres (44 feet) at the primary entrance, it is recommended that the height of the building facing the south lot line, as measured from grade and be limited to 11.0 metres (36 feet) to ensure compatibility with the adjacent residential uses.

Accessory Structures

To maintain the integrity of the "limit of fill," only parking, landscaping, and garbage enclosures are permitted within the required setback from the line of fill, it is recommended that no other structures be permitted in the side or rear yard.

Additional permitted uses in the R5 Zone

Currently, the R5 zone permits retirement dwellings, long term care facilities street townhouses, and planned unit development. These uses will continue to be permitted on this site but any future redevelopment proposals for these uses will be subject to the same constraints, and site plan approval would still be required for any development over 4 units.

Holding Provision

To address the environmental concerns associated with the former landfill, the existing Holding provision shall be retained. The Holding provision shall be removed by Council, without additional public notice, upon the completion of engineering studies by a qualified engineer, to the satisfaction of Transportation and Environmental Services, demonstrating that the lands are suitable for development. This information should include a full 12 months of monitoring of methane gas in order to meet the MOE Guidelines.

The Holding provision will need to be lifted prior to the registration of a Site Plan Agreement.

In light of the above, staff are supportive of the proposed zoning by-law amendment, subject to the recommendation in the report.

Open House Comments

With regard to the comments expressed at the Open House, the following is offered.

Access

Comment: The proposed entrance to the site is unsafe. This section of Oakdale Avenue is already dangerous, curves, and has low visibility.

Response: TES has reviewed an Access Study submitted by the applicants and prepared by Hatch Mott MacDonald, dated August 9, 2013. Access constraints can be mitigated with the installation of a hidden driveway sign and modifications to the access through the site plan approval process. There is no need for turn lanes in either direction.

The traffic generation of a 24 unit development, while higher than what is currently permitted, is still considered low. The ITE Trip Generation Manual estimates that the peak hour traffic generation for a 24 unit apartment is 14 trips.

Built form

Comment: The proposal is too big for the site; it will create shadows over the existing neighbourhood.

Response: The Garden City Plan supports a higher density of housing on this site. The recommended height limit adjacent to residential properties to the south is 11.0 metres (36 feet). This is compatible with the existing height permissions of adjacent and surrounding residential properties.

Given the orientation of the building, shadows will not impact residential properties to the south. Shadows will fall to the north over Clifford Creek Park only.

Ownership

Comment: The ownership is a concern. Rental units will bring down the neighborhood. If it is a condominium, the units could still be rented. High end units will increase taxes for neighbours.

Response: The City cannot regulate who lives in any type of dwelling unit. The applicant has advised that they intend to submit an application for a Draft Plan of Condominium, so that individual units can be sold. The City has not yet received an application. Staff are supportive of the proposed development and the tenure (rental versus ownership) is not a land use issue. Draft Plan of Condominium approval will be reviewed upon submission of an application.

Park Land

Comment: Will the park be impacted? Why is parkland being removed?

Response: No changes to the municipal park are proposed. The development will be contained within the owner's property. A previous development proposal re-zoned the lands and intended to dedicate the rear lands to the City. This portion of land was thus zoned and designated accordingly although the rear lands were never transferred to the City since the development did not proceed.

Recreation and Community Services has advised that detailed landscape requirements will be established through the site plan approval process. This process will require a Tree Preservation Plan to review the vegetation around the periphery of the site, including those along the frontage and on the neighbouring property to the south.

Comment: There is vegetation on the property that should be protected.

Response: Neither the Region nor the Niagara Peninsula Conservation Authority have identified any natural heritage features on site. The development will be subject to site plan control, and a landscape plan is a requirement for that approval.

Servicing

Comment: The existing sewers cannot handle the capacity.

Response: Transportation and Environmental Services has advised that there is sufficient capacity.

Financial Implications

Not applicable.

Conclusion

In summary, staff are supportive of the applications to permit a 3-4 storey apartment building on the subject lands. The design of the site is sensitive to single dwellings to the south. The slight increase in height and density is acceptable providing the site remains in the Low Density land use designation of the Garden City Plan. The recommended zone provisions ensure the development will blend with the existing neighbourhood. The site plan control process can address issues of access, and mitigation measures regarding the speed of traffic along Oakdale Avenue.

In accordance with established procedures the date for the public meeting is provided in the recommendation and notices for the public meeting have been circulated.

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

Notification

It is in order to advise Jennifer Vida, Upper Canada Consultants, 1-261 Martindale Road, St. Catharines, ON, L2W 1A1.

Submitted by:

Judy Pihach, MCIP, RPP
Manager of Planning and Development Services

Prepared by:

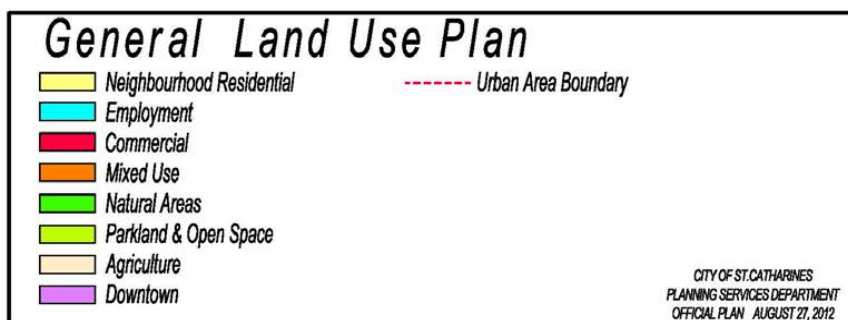
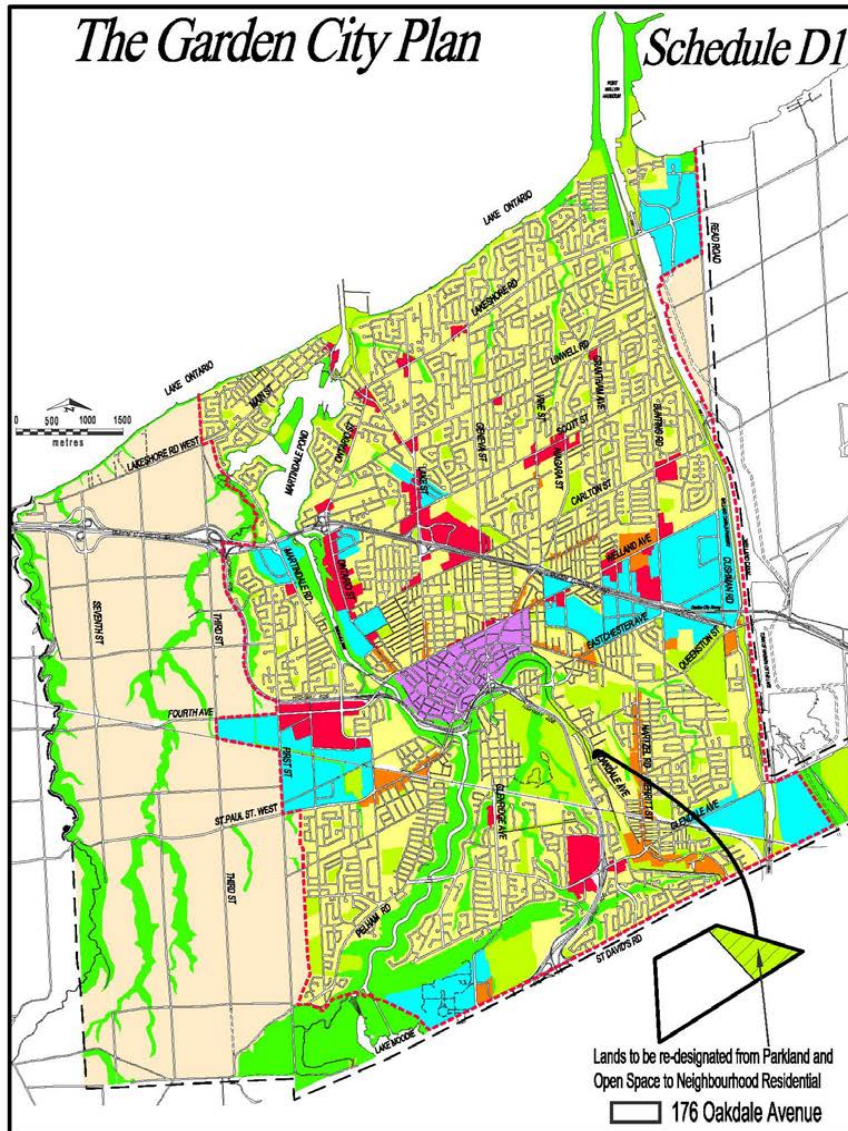
Jessica Button, MCIP, RPP
Planner I

Approved by:

James N. Riddell, MPI, MCIP, RPP
Director of Planning and Development Services

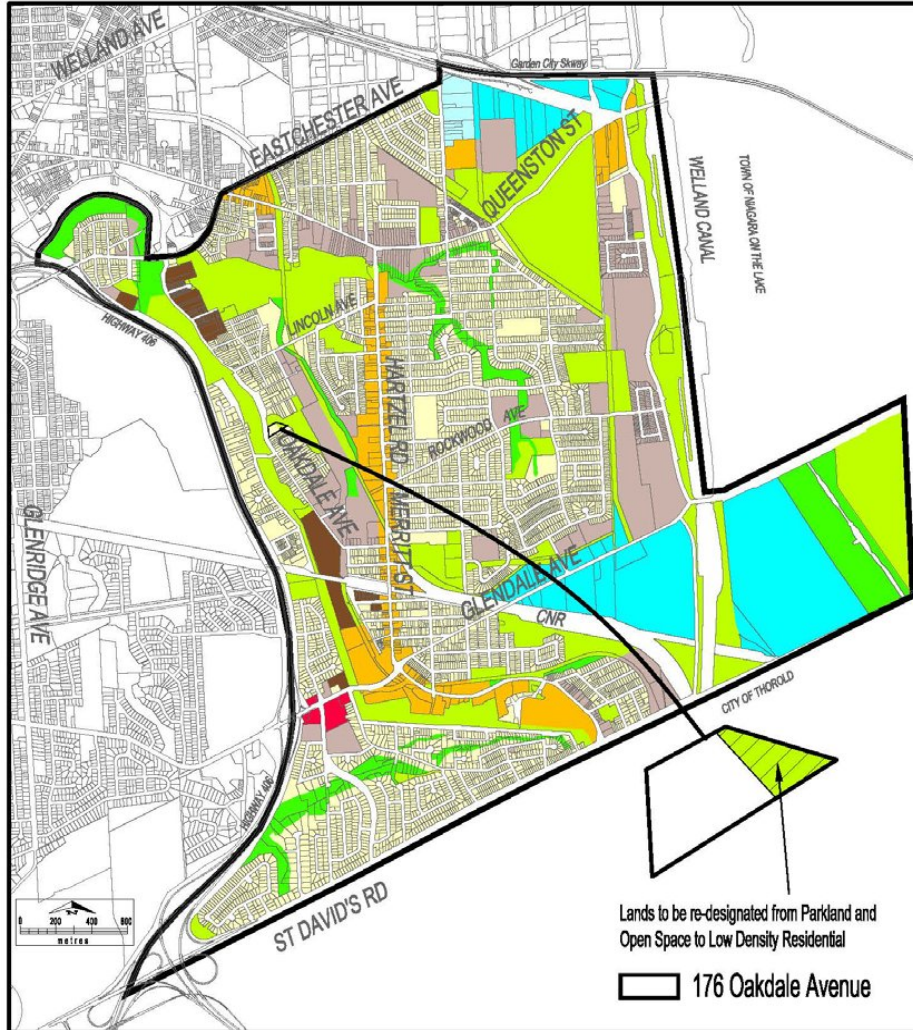
Proposed Official Plan Amendment, Schedule D1 –General Land Use Plan

1



2

Proposed Official Plan Amendment, Schedule E9 – Land Use Plan for the East
Planning District

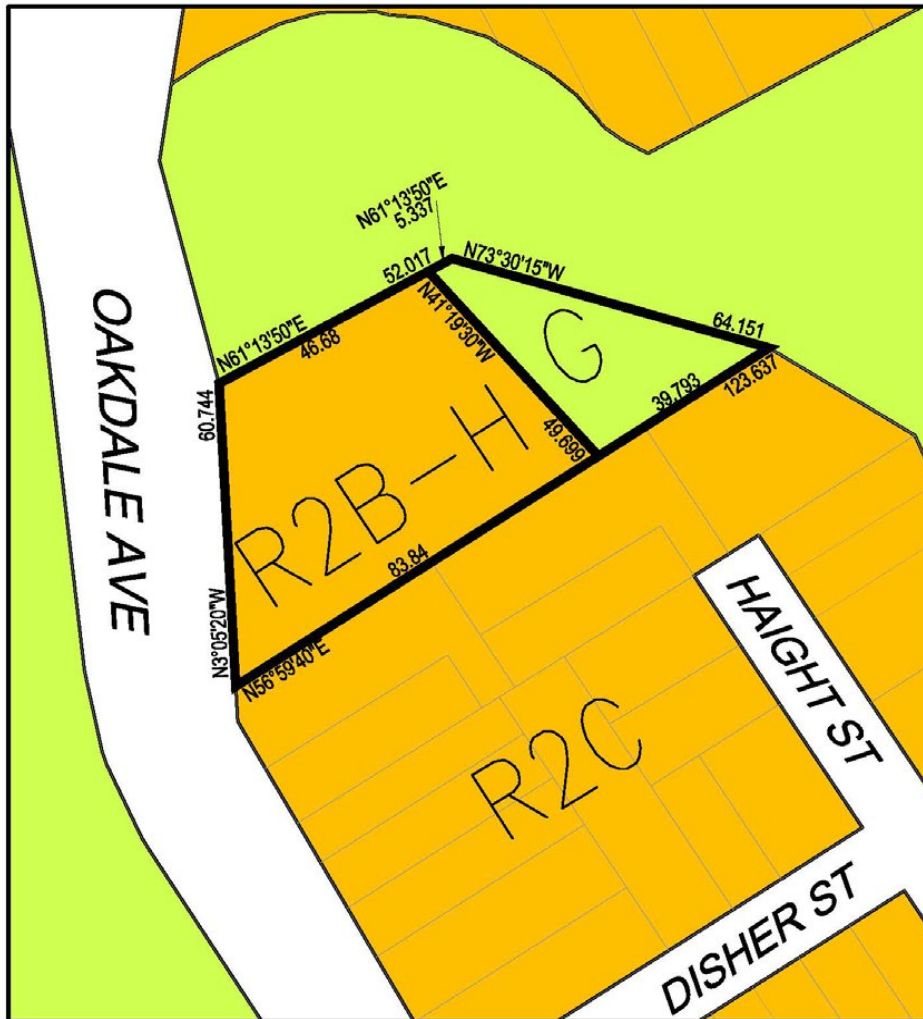


Land Use Designations	
Low Density Residential (20 to 32 units / ha)	Special Study Area
Medium Density Residential (25 to 99 units / ha)	Mixed Use
High Density Residential (85 units / ha or greater)	General Employment
Major Commercial	Business Commercial Employment
Community Commercial	Parkland & Open Space
Arterial Commercial	Natural Areas
	Natural Area Extent Line

CITY OF ST. CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN AUGUST 27, 2012

NOTWITHSTANDING LAND USE DESIGNATIONS SHOWN ON THIS SCHEDULE, THE USE OF LAND WITHIN OR ADJACENT TO THE NATURAL AREA EXTENT LINE MAY BE SUBJECT TO ADDITIONAL REGULATION OR RESTRICTION. REFER TO PART D, SECTION 13.2 NATURAL AREA POLICIES, ALSO SEE SCHEDULES F2, F3, F4 AND F5

3



PROPOSED CHANGES TO THE CITY OF ST. CATHARINES ZONING BY-LAW 62-86

LOT 76, CORPORATION PLAN 6

SUBJECT LANDS TO BE RE-ZONED FROM SECOND DENSITY RESIDENTIAL-HOLDING (R2B-H) AND GREENBELT (G) TO RESIDENTIAL FIFTH DENSITY-HOLDING (R5-H)

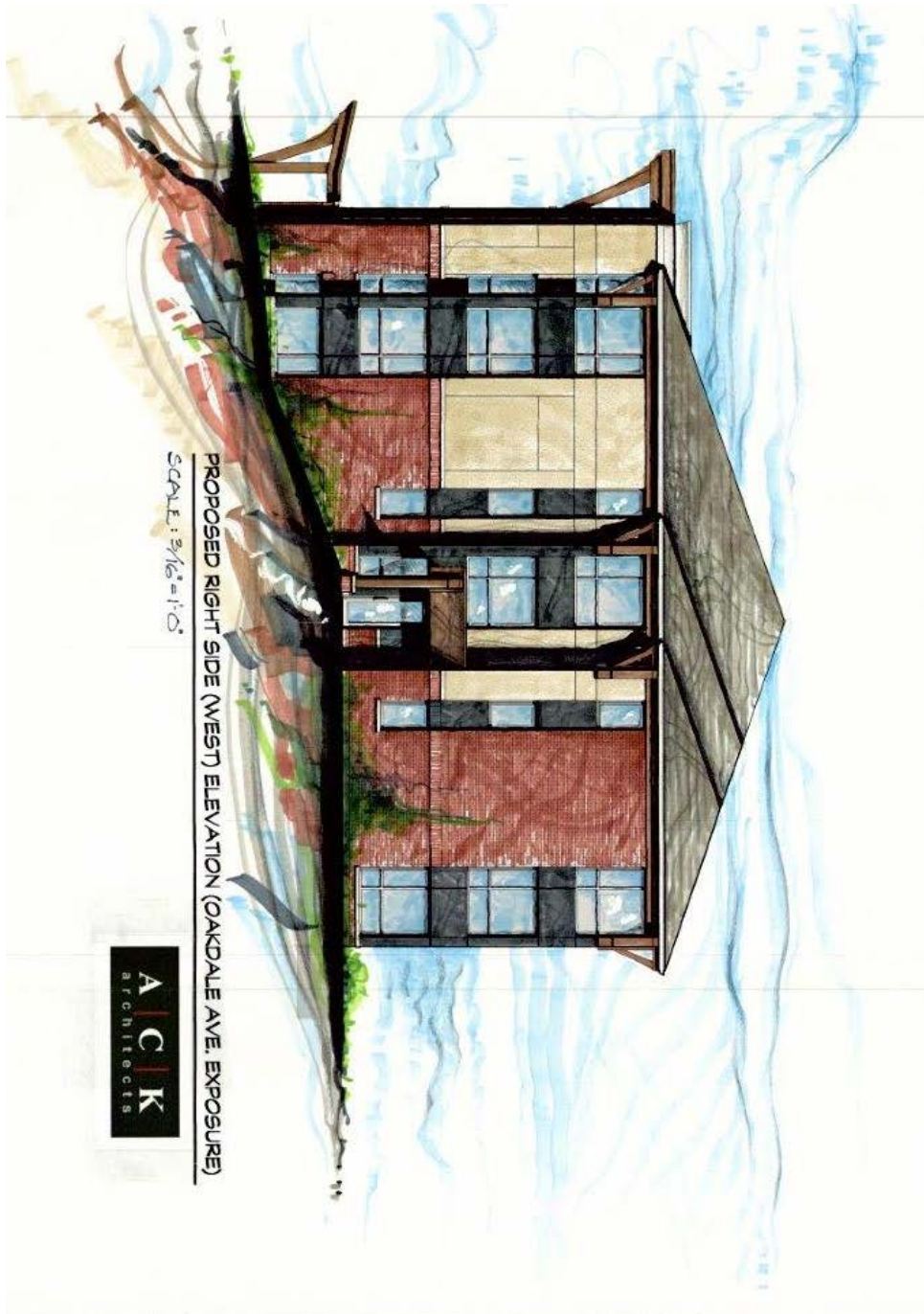
Page 17 of 21

5

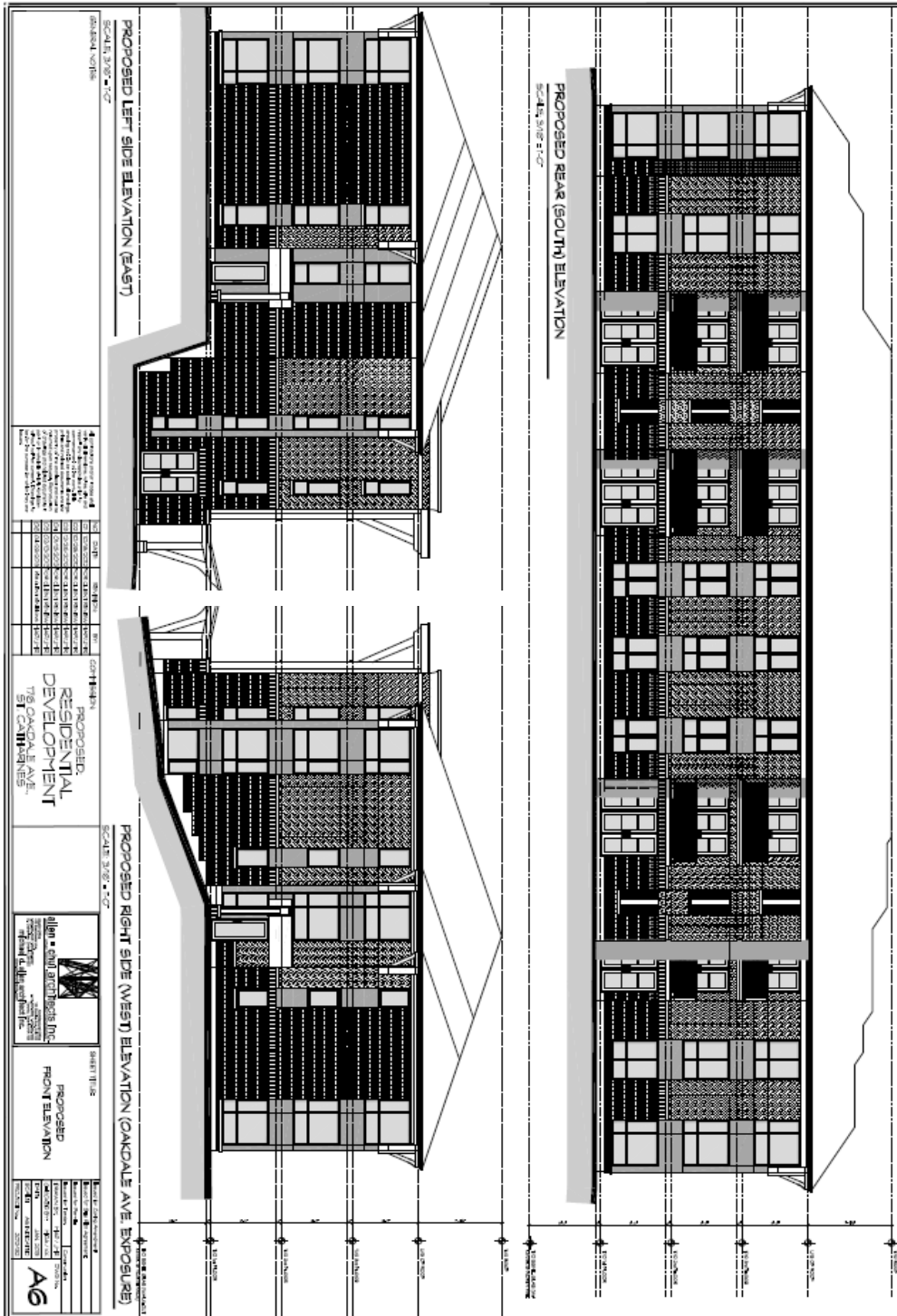
North Side Elevation



6



7



Location Map

8



SUBJECT LANDS KNOWN AS
176 OAKDALE AVENUE
FILE: 60.35.569 Vol. 3 & 60.30.315



By-laws to be considered on November 4, 2013

- (a) A By-law to authorize the acceptance of a conveyance of certain lands from Mark Torelli for the widening of Grantham Avenue South. (Three readings – with respect to condition of Severance B-31/13SC & B-32/13SC – 15 Grantham Avenue South. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to authorize a contract with 2220742 Ontario Ltd. o/a Bronte Construction. (Three readings – with respect to 2012 Watercourse Rehabilitation – Dick’s Creek West Branch, under Project No. P12-129. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize a contract with Belchior Contracting & Excavating Ltd. (Three readings – with respect to Municipal Services Improvements – Ball Avenue West, under Project No. P13-003. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to amend By-law No. 2013-231 entitled “A By-law to authorize a Lease Extension Agreement with Climate Action Niagara”. (Three readings – with respect to amending the name of the Tenant, Climate Action Niagara to Greening Niagara. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to amend By-law No. 2013-171 entitled “A By-law to authorize an Agreement with Climate Action Niagara (CAN)”. (Three readings – with respect to amending the name of the Licensee, Climate Action Niagara to Greening Niagara. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to amend By-law No. 95-212 entitled “A By-law to regulate the keeping of animals”. (Three readings – with respect to prohibiting certain species of snakes, large snakes, crocodylia and any other venomous animals. General Committee, October 21, 2013, Item No. 4.15.)
- (g) A By-law to provide for the collection of taxes for all property classes and to authorize an interim tax levy for the Year 2014. (Three readings – with respect to 2014 property tax due dates and interim billings. To be considered by General Committee, November 4, 2013.)
- (h) A By-law to amend By-law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads”. (Three readings – with respect to parking restrictions on Belton Boulevard, parking prohibitions on Gordon Place and Kennedy Avenue, and Commercial Loading Zone on Garden Park. To be considered by General Committee, November 4, 2013.)
- (i) A By-law to authorize an Agreement with The Wayside House of St. Catharines. (Three readings – with respect to sidewalk snow removal program for seniors and persons with disabilities. To be considered by General Committee, November 4, 2013.)



- (j) A By-law to authorize an Agreement with Sensus Metering Systems North America and Corix Utilities Inc. (Three readings – with respect to purchase of Automated Meter Reading System. To be considered by General Committee, November 4, 2013.)
- (k) A By-law to repeal By-law No. 2013-245 entitled “A By-law to authorize a Contribution Agreement with District School Board of Niagara”. (Three readings – with respect to correcting an administrative error. General Committee, October 21, 2013, Item No. 3.2.)
- (l) A By-law to confirm the proceedings and decisions of the Council of The Corporation of the City of St. Catharines at its meeting held on the 4th day of November, 2013. (Three readings – with respect to ratification and adoption of City Council Minutes of October 21, 2013, and General Committee Minutes of October 21, 2013.)



Mayor's Youth Advisory Committee

Wednesday, June 12, 2013

Russell Avenue, Community Centre

Present: Len Stack, Lori Mambella, Kurtis Hubert, Peter Malik, Faye Campbell, Kiera Robinson, Adam Vassallo, Mia Mambella, Ignatiy Kuznyetsov, Jielin Lu, Vincent Atallah

Regrets: Reid Vassallo

Absent: None

Minutes Prepared by: Peter Malik

Guests: Christine Saleeb, Maria Malik.

Agenda Item	Discussion/ Action Taken	Person(s) Responsible
Previous Minutes	Quorum was established. Previous minutes were distributed among the M.Y.A.C., adopted (motioned by Kiera and seconded by Kurtis), and approved (motioned by Kiera, seconded by Kurtis). Agenda was approved (motioned by Kiera, seconded by Kurtis).	
Chair's Report	We will be holding elections for the 2013-14 executive within the first one or two meetings of September.	
Guests	Christine and Maria join us as guests. They have displayed an interest in joining the MYAC for the 2013-14 term.	
Treasurer	There are no updates.	
Correspondence	There are no correspondences.	
Public Relations Update	There are no updates.	
Recruitment	Lauren, our Co-op Summer Student will be committing 185 hours towards research for the Teen Friendly Recognition Program Application.	
City Council Update	The MYAC will wait until it has resumed after its summer hiatus and present to council in September. Propose a date for the Youth forum in April and Skate for 8 in June.	

Skate For 8	<p>The “8” reasons in our event name are:</p> <ol style="list-style-type: none"> 1. Self-esteem 2. Safe boarding practices 3. Feature local recreation facilities 4. Active transportation (that is also emission free) 5. Positive social interaction 6. Keeping active and combatting obesity 7. Healthy lifestyle 8. New skill and hobby <p>After a successful event this year, the MYAC agrees to put on Skate for 8 once again next year.</p> <ul style="list-style-type: none"> - Recommended to add a ‘jam’ (contest) aspect. - Hold an introductory skit to introduce the 8 reasons. - With the Youth Forum and this event, we may need a larger budget to fund these, respectively. One way we can sort this is by seeking council approval for closing the skate park and by asking for an admission fee. - Ask to bring in vendors - Change location of the showmobile (if used again). - We have two possible days to hold the event: June 7th OR June 21st (which is international “go skateboarding” day). 	
Simplified Rules and Procedures	A set of rules will be put into action for the coming term that will provide a template for future agendas and meeting minutes. Agenda will be posted online at a minimum of two weeks before any meeting. This means we will draft a temporary agenda at the end of every MYAC meeting and make changes to the agenda as seen fit. With this addition it is also asked that we review our new ‘terms of service’ document annually.	
N.Y.A.C. Invitation	The Niagara Youth Advisory Committee has considered hosting their conference in St. Catharines for next September/October. The MYAC has thought of putting on a professional development conference of our own in the future.	
Budget Update	The M.Y.A.C. budget before our most recent event (Skate for 8) is \$2943.01, with \$943.01 being allocated over from 2012 to this year. This includes the initial 2013 budget of \$2000.	
National Bank Project Grant	The National Bank Youth Project Grant is being worked on. The grant offers up to \$25,000 towards a youth project.	
Participation Teen Challenge Grant	The grant highlights a focus on wellness and health. Our Skate for 8 event will be a great candidate for the grant. A \$250 grant was sent for processing.	
Next Meeting	September 11 th , 4:30 p.m.	
	<p>Meeting Adjourned 5:55pm (Motioned by Kiera, seconded by Jielyn)</p>	



**CITY OF ST. CATHARINES
CLEAN CITY COMMITTEE**

**Meeting Minutes
September 17, 2013
Lake Street Service Centre, St Catharines**

1. Call to Order
 - By Elaine at 5:50 pm
2. Attendance and Regrets
 - Councillor Bruce Williamson, Elaine Manocha, Tisha Polocko, Holly Washuta
 - Regrets: Councillor Greg Washuta, Jim Finley, Cheryl Crawley
3. Previous Meeting Minutes - August 13, 2013
 - Approved by Holly, seconded by Tisha
4. Adoption of Agenda
 - Adopted by Holly, seconded by Tisha
5. Reports: Staff and Council
 - No staff report
 - No Council report
6. Correspondence/Email
 - Email - An organization requested to decorate garbage cans in City. Tisha will go to city to see what can be done
 - Voicemail – Two Brock students were inquiring about the Shoreline Cleanup – will follow-up
7. Budget for 2014
 - Deferred to next meeting
8. Cigarette Butt Litter Update
 - Facebook Survey Results were discussed. Emails from City staff were read and committee felt that we should also try to think of other ways to get the message across.
 - Request Facebook survey results be placed on CCC website and in newspaper
9. Shoreline Clean-up--- September 21, 2013
 - Members obtained materials for their sites at the end of the meeting.
10. New Business
 - October CCC meeting should focus on results of Shoreline Clean-up and lids on city garbage cans
11. Next meeting: Tuesday October 15, 2013, Lake Street Service Center
12. Adjournment

**City of St. Catharines
Citizens' Advisory Committee on Community Sustainability
Wednesday, September 25, 2013
Committee Room, St. Catharines City Hall**

MINUTES

Attendance: Marty Mako (Chair), Councillor Mathew Siscoe, Councillor Greg Washuta, Bernie Slepko, Erin Britnell, Phil Baranoski, Dan Romanko, Vanessa Aykroyd

Regrets: Sam Mahboob

Staff: Erin O'Hoski

1. Chair Mako called the meeting to order at 4:30 p.m.
That the agenda for the September 25, 2013 meeting be approved.
Moved by: Phil Baranoski
Seconded by: Erin Britnell
Carried
2. Adoption of Minutes
That the minutes of the August 28, 2013 meeting be approved.
Moved by: Phil Baranoski
Seconded by: Vanessa Aykroyd
Carried
3. Delegations
 - Katrina Kroeze, Executive Director of Niagara Sustainability Initiative spoke to members about the Carbon Project. The City of St. Catharines joined the initiative in September 2013 and members will be involved in assessing the value of the membership prior to renewal next year. The Sustainability Committee can play a supporting role in advocating the benefits of carbon accounting at the community level. Members are also invited to attend member events using passes for the City of St. Catharines, and information on events will be circulated. Partners are encouraged to share good news stories at events and through social media.
4. No Notice of Motion

5. Motions

That representatives from the City of Burlington be invited to present on their Community Energy Plan at the November 27 meeting.

Moved by: Vanessa Aykroyd

Seconded by: Phil Baranoski

Carried

That the Sustainability Committee support further research on crowdsourcing for municipal initiatives.

Moved by: Vanessa Aykroyd

Seconded by: Erin Britnell

Carried

6. New Business

- The October 30 meeting has been designated as a work planning meeting to assess strategic direction for the Committee and members were asked to state their expectations for the coming year. Phil Baranoski noted the absence of federal and provincial and officials in the work to date. Erin Britnell asked that there be consensus on a deliverable to work toward the end of the term. Local food seems to be an area where there is interest among members, particularly community gardens. Dan Romanko stated the importance of continued community partnership.
- At the September 23, 2013 City Council meeting, Councillor Siscoe raised crowdsourcing as a potential financing mechanism for municipal initiatives. This matter was referred to the Sustainability Committee for their input.
- Members agreed to invite representatives from the City of Burlington to speak on their Community Energy Plan at the November 27, 2013 meeting.

7. The next meeting will be held on Wednesday, October 30, 2013.

8. Adjournment

- That the September 25, 2013 meeting be adjourned at 6:00 p.m.

Moved by: Erin Britnell

Carried



CITY OF
ST. CATHARINES

Mayor's Advisory Committee for Black History

FOR: 2013 / 3rd MEETING of the Mayor's Advisory Committee for Black History

HELD: Thursday, June 20, 2013 – City Hall

PRESENT: Donna Ford, Chair; Rochelle Bush; John Richmond; Elizabeth Freeman-Shaw

REGRETS: Brian McMullan, Mayor; Jeff Burch, Councillor; Mathew Siscoe; Councillor; Gord McGinn; Richard Ndayizigamiye; Christiana Fixon-Owoo; Rosemary Sadlier; Ada Summers

CIRCULATED TO: Dan Carnegie, Director Corporate Support Services

IN ATTENDANCE: Kathleen Powell, Supervisor Historical Services/Curator
Phil Cristi, Manager Programs & Cultural Services, RCS
Karen Cockerham, Secretary

MINUTES

1. **Call to Order**

The meeting was called to order at 6:42 pm by the Chair.

2. **Introduction of New Members**

Elizabeth Freeman-Shaw, newly appointed member to the MAC-BH and representative from the St. Catharines Museum Advisory Committee, was in attendance.

3. **Confirmation of Minutes**

MOTION: RICHMOND/BUSH

THAT the minutes of the Meetings held April 11, 2013 be approved.
Carried.

4. Next Steps

a. Terms of Reference – Feasibility Study

- Confidentiality Forms were reviewed and signed by all members present.
- Sub-Committee to Evaluate Consultant Proposals brought forward recommendations for two (2) proposals to remain under consideration. The Committee accepted the recommendations as submitted.
- References for both consultant groups under consideration will be contacted; both groups will be requested to attend the next meeting to give a presentation consisting of 30 minutes for presentation and 30 minutes for Q&A.

b. Site Visits

- Site visits to Uncle Tom's Cabin and Buxton Museum on May 11 were very interesting and informative. Both sites average approx. 8,000 visitors per year and cite connections to related sites and institutions as a key component to attracting visitation.
- Both sites are supportive of St. Catharines establishing an Interactive Centre.

5. New Business

6. Next Meeting Date

The next meeting will be held Thursday, July 18, 2013, 6:30 pm

7. Adjournment

The meeting was adjourned at 7:42 pm.

Certified Correct (Secretary): _____

Confirmed by (Chair): _____



Mayor's Advisory Committee for Black History

FOR: 2013 / 4th MEETING of the Mayor's Advisory Committee for Black History

HELD: Thursday, July 18, 2013 – City Hall

PRESENT: Donna Ford, Chair; Mathew Siscoe; Councillor; Rochelle Bush; Christiana Fixon-Owoo; Elizabeth Freeman-Shaw; Gord McGinn; John Richmond; Ada Summers

REGRETS: Brian McMullan, Mayor; Jeff Burch, Councillor; Richard Ndayizigamiye; Rosemary Sadlier;

CIRCULATED TO: Dan Carnegie, Director Corporate Support Services

IN ATTENDANCE: Kathleen Powell, Supervisor Historical Services/Curator
Phil Cristi, Manager Programs & Cultural Services, RCS
Barb Cosby, Purchasing Agent, FMS
Karen Cockerham, Secretary

MINUTES

1. **Call to Order**
The meeting was called to order at 5:35 pm by the Chair.
2. **Outline of Interview Procedures / Room Set-up**
Two groups will be attending to present and answer questions.
3. **Introduction of New Members**
Gord McGinn, new appointed member to the MAC-BH and representative from the St. Catharines Museum Advisory Committee, was in attendance.
4. **Confirmation of Minutes**

MOTION: RICHMOND/FREEMAN-SHAW
THAT the minutes of the Meetings held June 20, 2013 be approved.
Carried.

5. Appointment

a. Presentation 1

The group made a power point presentation and answered questions.

6. Debrief and Break

7. Appointment

a. Presentation 2

The group made a power point presentation and answered questions.

8. Debrief and Discussion

The Committee discussed the two presentations and came to a consensus on the preferred consultant. References will be checked and a report will be submitted to City Council for final approval of the Committee's choice.

9. Next Meeting Date

The next meeting will be held Thursday, August 8, 2013, 6:30 pm

10. Adjournment

The meeting was adjourned at 8:45 pm.

Certified Correct (Secretary): _____

Confirmed by (Chair): _____



St. Catharines Museum Advisory Committee

FOR: 2013 / 5th Meeting

HELD: Tuesday, June 25, 2013

PRESENT: Lesley Seaborne, Chair; Michael Coakley; Justine Cotton; Elizabeth Freeman-Shaw; Gord McGinn; Edwin Wand; Vaughn Stewart; Brenda Zadoroznij

REGRETS: Matt Harris, Councillor;

CIRCULATED TO: Dan Carnegie, Director Corporate Support Services

IN ATTENDANCE: Kathleen Powell, Supervisor Museum Operations/Curator;
Karen Cockerham, Secretary

MINUTES

1. **Call to Order**

The meeting was called to order at 6:20 pm by the Chair

2. **Confirmation of Minutes**

MOTION: ZADOROZNIJ/FREEMAN-SHAW

THAT the Minutes of the meeting held May 28, 2013 be approved.
Carried.

3. **Reports**

a. **Curator's Report** – K. Powell

Handout: Statistics, Activities

- Derby Day: M. Coakley has contacted Len Hodges re attending Derby Day; potential attendance by representatives from Knights of Columbus groups, who are in process of organizing soap box derbies in various cities
- Slovak Anthology Project: Anthologies will be placed within the Museum's archives; E. Wand reported that similar projects for other ethnic communities are also underway. Veteran Affairs, through "Canada Remembers," is launching an initiative which portrays Canada as a Welcoming Nation to Immigrants
- Mack School of Nursing: full collection will be coming to the Museum; connection has been forged with Niagara Health System and their archives

Museum Advisory Committee, Sept. 24, 2013
Minutes of June 25, 2013

4. **Ongoing Discussion Items**

a. **Public Transit**

No report at this time.

b. **Outdoor Signage**

ACTION:

K. Powell will obtain quotes for outdoor signage and bring forward to the next meeting.

5. **Special Funds Report**

MOTION: STEWART/COAKLEY

THAT it is recommended that the Alice B. Morris Fund, currently designated as “50% interest available for the acquisition of artifacts” (as per Board motion Jan. 1992), be re-designated to allow 100% of the interest available for the acquisition of artifacts.

Carried.

Discussion:

- A proposed amendment to include “current and future projects” was discussed and retracted
- It is noted that the Fund designation should be reviewed in five years, in consideration of potential increases in interest rates

6. **Strategic Planning**

No report at this time

7. **Sub-Committee Reports**

a. **Collections Advisory Sub-Committee**

Sub-Committee meeting: not met

b. **Programs Advisory Sub-Committee**

Sub-Committee meeting: not met

c. **Public Relations/Fundraising Advisory Sub-Committee**

Sub-Committee meeting: not met

Update: 1905 Oldsmobile – seller has been contacted.

8. **Steering Committee Reports**

a. **Website Improvement Steering Committee**

- E-solutions is working on timeline and draft designs

9. **Other Business**

a. **Mayor’s Advisory Committee for Black History**

Consultant proposals have been received and reviewed. Top two consulting firms will present at the next MAC-BH meeting

10. **Next Meeting**

The next meeting has been scheduled for Tuesday, Sept. 24, 6:00 pm, at the Museum.

11. **Adjournment**

The meeting was adjourned at 7:16 pm

Certified Correct (Secretary): _____

Confirmed by (Chair): _____