



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, August 24, 2015
Council Chambers, City Hall, 6:30 PM**

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

Page

1. Presentations

1.1 2015 Paramedic of the Year Award to Mike Cameron, Niagara EMS

2. Public Meetings Pursuant to Planning Act

2.1 Planning and Building Services, Planning Services
Application for Draft Plan of Vacant Land Condominium Approval,
21-Unit Residential Private Road Development,
55 Lakeshore Road (57 Lakeshore Road); Grey Forest Homes Ltd.,
Owner; Upper Canada Consultants, Agent

3. Opening Remarks, Mayor Walter Sendzik

4. Adoption of the Agendas

5. Declarations of Interest

6. Adoption of the Minutes (Council and General Committee)

6.1 [Regular Meeting of Council, July 20, 2015](#)

6.2 [General Committee Minutes of July 20, 2015](#)

6.3 [Special Meeting of Council, July 20, 2015](#), for the purpose of Strategic Planning

7. Delegations

7.1 Haley Bateman
Re: Code of Conduct

7.2 Karl Vanderkuip
Re: Renaming of Municipal Beach to Sunset Beach (see [General Committee Agenda, August 24, 2015, Item 4.12](#))

8. Call for Notices of Motion

4 - 20

9. Motions

9.1 Canada's 150th Anniversary Celebrations - Task Force

Councillor Sorrento provided Notice of Motion at the meeting of May 25, 2015, to present the following motion:

Whereas since 2012 the Government of Canada has been highlighting nation-building anniversaries that have contributed to building momentum on the Road to 2017 and Canada's 150th Anniversary; and

Whereas these events include the Bicentennial of the War of 1812, the anniversaries of the First and Second World Wars, the Fathers of Confederation and the 200th Anniversary of the birth of Sir John A. MacDonald and the 50th Anniversary of the National flag;

Therefore be it resolved that City Council direct staff to prepare a Terms of Reference and recommendations for a task force to work on the City of St. Catharines community response to celebrate and mark Canada's 150th Anniversary in 2017. FORTHWITH

9.2 Code of Conduct

Councillor Britton will present the following motion:

That St. Catharines City Council reaffirm the principle that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, race, creed, religion, ability and spirituality; and

That City Council undertake a review of its Code of Conduct to ensure that it includes the enforcement tools needed to uphold the integrity of the Council; and

That Legal and Clerks services provide a staff report on the review of existing enforcement and discipline options in the Code of Conduct and make recommendations to strengthen enforcement of the Code of Conduct including consideration of additional responsibilities to the City's Integrity Commissioner. FORTHWITH

10. Resolve into General Committee

11. Motion Arising from In-Camera Session

12. Motion to Ratify Forthwith Recommendations

13. By-laws

13.1 Reading of By-laws

Page

14. Agencies, Boards, Committee Reports

14.1 Minutes to Receive:

- Clean City Committee - [June 16, 2015](#)
- Green Advisory Committee - [June 17, 2015](#) and [July 15, 2015](#)
- Museum Advisory Committee - [June 23, 2015](#)
- Public Art Advisory Committee - [June 26, 2015](#)
- Welland Canal Fallen Workers Memorial Task Force - [May 1, 2015](#) and [June 25, 2015](#)

15. Adjournment



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: July 30, 2015

Date of Meeting: August 24, 2015

Report Number: PBS-233-2015

File: 60.46.408

Subject: PUBLIC MEETING PURSUANT TO THE PLANNING ACT
Application for Draft Plan of Vacant Land Condominium Approval, 21-Unit Residential Private Road Development, 55 Lakeshore Road (57 Lakeshore Road); Grey Forest Homes Ltd., Owner; Upper Canada Consultants, Agent

Recommendation

That Council grant Draft Plan of Vacant Land Condominium Approval for the lands described as Part of Lot 18, Concession 1, Geographic Township of Grantham, St. Catharines, municipally known as 55 Lakeshore Road (57 Lakeshore Road), as illustrated on Appendix 2 of this report, subject to the Conditions of Draft Plan Approval as outlined in Appendix 5 of this report; and

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

That after notice of Council's decision has been given, the Clerk be authorized to endorse the plan as "Draft Approved" on the day after the appeal period has expired, in accordance with the Planning Act, provided that no appeals have been lodged; 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 all necessary notifications. FORTHWITH

Summary

The purpose of the application is to request approval of a draft plan of condominium (vacant land) for a mix of detached, semi-detached and townhouse dwelling units situated on a common private road, as illustrated on Appendix 2. The plan of condominium will allow each of the units to be sold individually. Staff is recommending approval of this draft plan of condominium, subject to the Conditions of Draft Plan Approval outlined in Appendix 5. The proposal conforms to Provincial, Regional and local Official Plan policies.

Background

Since 2013, the applicant has undertaken a land assembly to facilitate the private road development which is the subject of this report. The total land holdings now includes the properties municipally known as 55 Lakeshore Road and 57 Lakeshore Road, a 0.141 hectare vacant parcel of vacant land severed from the neighbouring church to the east and a total of 0.274 hectares of vacant land severed from the rear of 12, 16 and 18 Simpson Road further west. Final certificates have been issued for each of those consents.

On August 29, 2013, the applicant submitted written notice to City Council of its intention to demolish the existing two-storey “Queen Anne” style dwelling at 57 Lakeshore Road. This building is listed on the Municipal Register of Non-Designated Heritage Properties. On November 4, 2013, City Council resolved its intention to designate the dwelling as a heritage property under Part IV of the Ontario Heritage Act. The applicant then filed with the City Clerk a Notice of Objection to the designation on December 2, 2013. Since the filing of the Notice, the applicant and the City have attended several pre-hearing conferences conducted by the Conservation Review Board, which concluded with the applicant entering into a Memorandum of Understanding (MOU) with the City on January 19, 2015.

The MOU provides that the two-storey home is to be preserved and relocated onto a new lot to be created and that the applicant’s appeal of the heritage designation be withdrawn. The MOU also provides that the applicant will have a conservation plan prepared prior to relocating the dwelling, ensure the preservation of the White Oak tree on the property, and obtain any building and heritage permits or other approvals necessary to relocate the dwelling. A final certificate has been issued for the creation of the new lot, now known municipally as 61 Lakeshore Road. The applicant has submitted the necessary building and heritage permit applications together with a conservation plan. These items are currently being reviewed by staff.

Report

Location and Site Description

The subject lands are located on the north side of Lakeshore Road, east of Simpson Road, in the City’s North Planning District. A location map is attached as Appendix 1.

The subject lands are 0.949 hectares in size, with approximately 73 metres of frontage along the north side of Lakeshore Road. One detached dwelling exists on the lands and is proposed to be preserved and relocated to a new lot known municipally as 61 Lakeshore Road. A second detached dwelling, previously known as 55 Lakeshore Road, together with two accessory storage buildings, has been demolished.

The property is relatively flat, sloping gently to the rear. Several trees have been removed from the interior of the property, which is now primarily open lawn, to facilitate the private road development.

Perimeter trees, either shared or owned by others, are proposed for preservation. A large, mature White Oak tree at the southeast quadrant of the property will also be preserved, in accordance with the terms of the MOU.

Surrounding land uses include:

North:	Detached dwellings
South:	Detached dwellings
East:	Detached dwellings; Family Church at the Shore to the immediate east
West:	Detached dwellings

The Proposal

The applicant proposes to relocate the existing two-storey detached dwelling and construct a mix of 21 detached, semi-detached and townhouse dwellings, as illustrated on Appendix 2. Each of the 21 dwellings would have frontage along a common private road, with parking provided within private driveways and attached garages. Eight visitor parking spaces are proposed; six at the northerly limit of the lands and two closer to Lakeshore Road. The applicant has requested Draft Plan of Vacant Land Condominium Approval so that each of the 21 units can be sold individually.

Official Plan Designation

The City's Official Plan, The Garden City Plan (GCP), designates the lands as Neighbourhood Residential, providing for a range of housing opportunities, types, forms, and densities. Schedule E1 of the GCP (see Appendix 3) provides additional direction for the North Planning District and designates the lands as Low Density Residential, permitting detached, semi-detached, duplex, triplex, quadruplex, fourplex, and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land.

The applicant proposes 21 dwellings on the site at a density of 22.1 units per hectare. The applicant's proposal is permitted under the Low Density Residential designation of the GCP.

Zoning

By-law 2013-283 zones the lands as Low Density Residential – Suburban Neighbourhood (R1) (refer to Appendix 4). The R1 zone permits a range of residential uses, including detached, semi-detached, quadruplex, and townhouse units and private road developments comprising any of the preceding housing forms.

The proposed private road development is a permitted use under the property's existing R1 zoning.

Circulation Comments

This application for Draft Plan of Condominium Approval was circulated to all appropriate departments and agencies for their comments and requirements.

There were no objections received. Most departments and agencies confirmed that their technical requirements will be addressed through the site plan approval process currently underway. This process is discussed in further detail below. Conditions of Draft Plan of Condominium Approval, attached as Appendix 5, reflect any additional requirements which may not be as appropriately addressed through the site plan approval process.

Niagara Region

Staff advise that they have no objection to the approval of this Application for Draft Plan of Condominium from a Provincial and Regional policy perspective, subject to the conditions outlined in Appendix 5. The following technical comments were offered.

Archaeological Resources

The applicant has submitted a stage 1-2 and stage 3 archaeological assessment report for the subject lands, prepared by a qualified consultant. The report, which has been reviewed by Regional staff, identifies a single Euro-Canadian historic archaeological site. That site was investigated further, and it was determined that the project area has no further cultural heritage value or interest. Therefore, no further assessment was recommended. As a condition of draft plan approval (refer to Appendix 5), the applicant will be required to produce a letter of compliance from the Ministry of Tourism, Culture and Sport, confirming that the report has been entered into the Ontario Public Register of Archaeological Reports. Further, the required site plan agreement will include a clause advising that construction activities must cease should any deeply buried archaeological materials be encountered.

Noise Impacts

Due to the site's location along a Regional road, the applicant has submitted a noise feasibility study, prepared by a qualified consultant, which evaluates potential noise impacts. The report, which has been reviewed by Regional staff, recommends that a 1.8 metre high acoustic barrier be required for the rear yard of Unit 1, which flanks Lakeshore Road. The study also recommends that units fronting on or with some exposure to Lakeshore Road be fitted with ventilation systems which could accommodate the future installation of central air conditioning. Further, the study recommends that all agreements of purchase and sale and tenancy agreements include a clause to inform residents of sound level excesses. These requirements are reflected in the Conditions of Draft Plan Approval attached as Appendix 5.

Regional Engineering

Through the concurrent site plan approval process, Regional Development Services engineering staff has confirmed that, as a condominium, the development is eligible to receive internal curbside waste collection. To that end, several conditions have been included in Appendix 5. Further, various clauses will be included in the site plan agreement to ensure the development is maintained in such a manner that it will continue to meet the criteria for public waste collection.

Standard conditions relating to servicing allocation are also reflected in the Conditions of Draft Plan Approval attached.

Development Section, Planning and Building Services

Development Section staff advises that the site is serviced at the private road with municipal water, storm and sanitary sewer services. Each dwelling will be individually serviced by laterals off of the main private connection. Site servicing, grading, drainage, and stormwater management will be addressed in detail through the site plan approval process.

As a condition of draft plan of condominium approval, the owner will be required to secure an easement, on behalf of the City, for maintenance rights to the rear yard catch basin at 65 Lakeshore Road, which catch basin forms part of the owner's stormwater management design.

As part of the condominium assumption agreement, which is discussed further below, the owner will be required to post securities to ensure the completion of primary services within the common element areas. These securities are in addition to those items typically secured through a site plan agreement.

Fire and Emergency Management Services

Prior to final approval of the plan of condominium, the owner will be required to confirm that the length of the internal private roadway, as measured from the curblineline of Lakeshore Road to the furthest dwelling unit (Unit 12), is less than 150 metres, failing which, all dwelling units within the private road development will need to be sprinklered. The Conditions of Draft Plan Approval (Appendix 5) are reflective of this requirement.

Parks, Recreation and Culture Services

The applicant has submitted a tree preservation plan and report, prepared by a qualified consultant. The recommendations of this report will be included in the site plan agreement to ensure that every best effort is made to retain the mature White Oak tree in accordance with the MOU, as well as healthy periphery trees, where possible.

As a condition of draft plan approval, the owner will be required to revise its stormwater management design so that swales will not conflict with tree protection zones. Swales that run through tree protection zones can compromise the successful preservation of those trees.

In accordance with the policies of the GCP (13.1.4), the applicant will be required to pay to the City, in lieu of parkland dedication, 5% of the appraised value of the lands. These funds are collected through the site plan approval process.

Public Open House

A public open house was hosted by Planning and Building Services on July 8, 2015. The purpose of the open house was to present the applicant's proposal and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration.

A representative from the owner company, together with its consultants and eleven neighbourhood residents attended. Although no significant concerns were noted, attendees had many questions relating to the details of site and building design and tree preservation, as follows:

- Will there be street lighting along the private road and, if yes, will it shine into neighbouring yards?
- Will there be second floor living spaces that overlook neighbouring rear yards?
- What is being done to ensure neighbouring trees won't be damaged during construction?

These comments are addressed in the Planning Analysis section of this report.

Planning Analysis

Provincial Policy Context

The subject lands are located within a settlement area under the Provincial Policy Statement (2014) and within the built-up area as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (2006). These documents contain policies that direct growth to settlement areas, support all forms of residential intensification and urban area regeneration, and require the provision of all forms of housing, which may be required to meet the social, health and well-being needs of current and future residents.

At a density of 22.1 units per hectare, this development provides for the efficient use of underutilized lands with access to existing infrastructure and services. Commercial and community uses are located in close proximity to the site. Public transit is available within walking distance along Lakeshore Road, as are the Waterfront Trail and Belmont Park. The proposed private road development contributes to the range of available housing types in the neighbourhood and meets the spirit and intent of the applicable Provincial policies.

Regional Official Plan

According to the Regional Official Plan, the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031 / conformity amendment). Municipalities are encouraged to provide a full range of housing types and densities which are suited for a variety of household types and income groups.

The Regional Official Plan reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. Further, the Plan requires that municipalities achieve a minimum 40 per cent residential intensification target for Built-up Areas by 2015 and for each year thereafter. The Region's Sustainable Community Policies establish a residential intensification target of 95 per cent for the St. Catharines Built-up Area.

The proposed private road development contributes to the mix of housing types available in the area to meet the needs of existing and future residents of the community. At a density of 22.1 units per hectare, redevelopment of this underutilized property makes more efficient use of the lands and existing infrastructure. The site is in close proximity to public transit, commercial and community facilities, and parks and active transportation opportunities such as the Waterfront Trail. The proposal complies with the policies of the Regional Official Plan.

Official Plan

The subject lands are designated as Low Density Residential (Appendix 3) by the City's Official Plan, The Garden City Plan (GCP). The Low Density Residential designation of the GCP provides for a range of housing types, including townhouse dwellings, at a density range generally between 20 and 32 units per hectare. Height of buildings will generally not exceed 11.0 metres.

The applicant proposes to construct a mix of 21 detached, semi-detached and townhouse dwellings on the lands at a density of 22.1 units per hectare. Height of buildings will not exceed 11.0 metres. The proposed private road development is a permitted use under the existing Low Density Residential designation and complies with the applicable land use policies. An Official Plan Amendment is not required.

The GCP also identifies the subject lands as being part of a Mixed Use Intensification Special Study Area laid out along Lakeshore Road between Ontario Street and Geneva Street. This study has not yet been completed. It is not anticipated that the proposed townhouse development will compromise the goals and objectives of this study.

The GCP supports residential infill and intensification and emphasizes the provision of a variety of housing types. It provides that growth will be accommodated through, among other means, the redevelopment and efficient use of underutilized lands and more compact building form and densities (2.3.3).

The proposed development will implement the growth management objectives of the GCP by providing a greater mix of housing types and by promoting the more efficient use of the City's urban land supply.

The GCP provides that all development and redevelopment within the urban area be evaluated having regard for urban design principals and policies set out in the Plan to ensure building, site and streetscape design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands (7.1).

Staff is satisfied that the built form - that is the height and massing of the proposed dwellings - will be compatible with adjacent detached dwellings. Building setbacks are proposed to provide adequate amenity space for residents of the development and additional buffering between the new dwelling units and existing detached dwellings to the immediate north, east and west.

Existing periphery trees together with new landscaping and fencing will enhance this buffer. Units 1 and 21, which flank Lakeshore Road, are set back at least half a metre further distant than the adjacent heritage home to ensure its prominence along Lakeshore Road. End walls of those two units will include architectural detail and increased glazing to ensure a pleasant streetscape is maintained. Boulevard trees and landscaping will help to minimize impacts of the new common private road. Potential impacts of the development will be mitigated through the site plan approval process.

Zoning By-law

By-law 2013-283 zones the lands as Low Density Residential – Suburban Neighbourhood (R1) (refer to Appendix 4). The R1 zone permits a range of residential uses, including detached, semi-detached, quadruplex, and townhouse units and private road developments comprising any of the preceding housing forms.

The proposed townhouse development is a permitted use under the property's existing R1 zoning. A Zoning By-law Amendment is not required.

The Committee of Adjustment recently granted the applicant relief from certain provisions of the Zoning By-law, including: a reduction in the interior side yard setback (easterly) from the rear wall of Unit 21, a reduction in the front yard setback from the attached garage of Unit 21, a reduction in the minimum distance from a private road to a dwelling for Unit 5, and an increase in the maximum amount of attached units for the northeasterly block. These approvals by the Committee of Adjustment have not been appealed and are now final.

Draft Plan of Condominium

The application proposes vacant land condominium tenure – a form of property ownership - for a mix of 21 detached, semi-detached and townhouse dwelling units, plus common element areas, which include a private road, visitor parking, servicing, landscaped areas, and access for maintenance. Upon assumption, the condominium corporation will be responsible for the ongoing maintenance of all of the common elements.

It is important for Council to be aware that the land use permissions for a townhouse development on this site are already in place by virtue of Zoning By-law 2013-283. The planning framework outlined in this report is for background purposes only. The Application for Draft Plan of Condominium Approval deals with the type of ownership and not the form of development.

Subsection 51(24) of the Planning Act guides staff in assessing plans of condominium and outlines certain criteria to be considered. This includes, among other matters, the effect of the development on matters of Provincial and public interest, its conformity with the Official Plan, the conservation of natural resources, the availability of adequate services, and the overall suitability of the lands for development.

Staff are satisfied that the proposed vacant land condominium development fulfills these criteria, subject to the Conditions of Draft Plan Approval outlined in Appendix 5.

Site Plan Approval and Condominium Assumption

The City's Site Plan Control By-law, as amended, requires that all residential development of four or more units be subject to site plan control. Site plan control is the City's principal tool through which staff can implement design considerations to maximize compatibility with the surrounding neighbourhood and ensure the long-term maintenance and functionality of the site. Site plan control also ensures that developments are designed to meet minimum municipal standards.

The applicant has submitted an application for site plan approval, which includes the detailed designs for access, parking, waste collection, building location and elevations, landscaping, site servicing, grading and drainage, and lighting, among other similar matters. Additionally, studies relating to stormwater management, noise mitigation and tree preservation have been submitted. Staff has reviewed the first submission of plans and studies and has provided comments to the owner. Prior to final site plan approval, the owner will be required to revise its designs to ensure compliance with municipal standards. Once these designs are found to be acceptable, the applicant will be required to enter into a site plan agreement with the City and post securities to ensure the required works are satisfactorily completed.

To bind the future condominium corporation to the terms of the site plan agreement, the applicant and future condominium corporation will also be required to enter into a condominium assumption agreement with the City. Additional securities for incomplete primary services within common elements may be required.

Staff recommends that the requirement to enter into the site plan and condominium assumption agreements be included as conditions of draft plan approval (Appendix 5).

Open House Comments

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

Comment: Will there be street lighting along the private road and, if yes, will it shine into neighbouring yards?

Response: The applicant has submitted a site lighting plan to the City for review. Prior to site plan approval, City staff must be satisfied that lighting levels are sufficient to ensure the safety of pedestrians and motorists internal to the site. At the same time, the design must show that there will be no light trespass onto neighbouring properties.

Comment: Will there be second floor living spaces that overlook neighbouring rear yards?

Response: A representative from Grey Forest Homes Ltd. confirmed that there will be no second floor living spaces, although the Zoning By-law does not preclude this. Dormer windows will be provided in the loft space and overlook the private street.

Comment: What is being done to ensure neighbouring trees won't be damaged during construction?

Response: The owner has submitted a tree preservation and protection plan for review. Once found to be acceptable, the plan and its recommendations will form part of the registered site plan agreement. Securities will be taken to ensure the preservation of the mature White Oak tree.

Public Notice

In accordance with established procedures, notices for the public meeting have been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the staff Recommendation provided in this report, 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.

Financial Implications

Not applicable.

Conclusion

In summary, staff is supportive of the application for Draft Plan of Vacant Land Condominium Approval, subject to the Conditions of Draft Plan Approval outlined in this report and included as Appendix 5. A plan of condominium will allow each of the proposed townhouse dwellings to be sold individually. The proposal is consistent with Provincial, Regional and local Official Plan policies.

Notification

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

Prepared by:

Amanda Knutson
Planner I

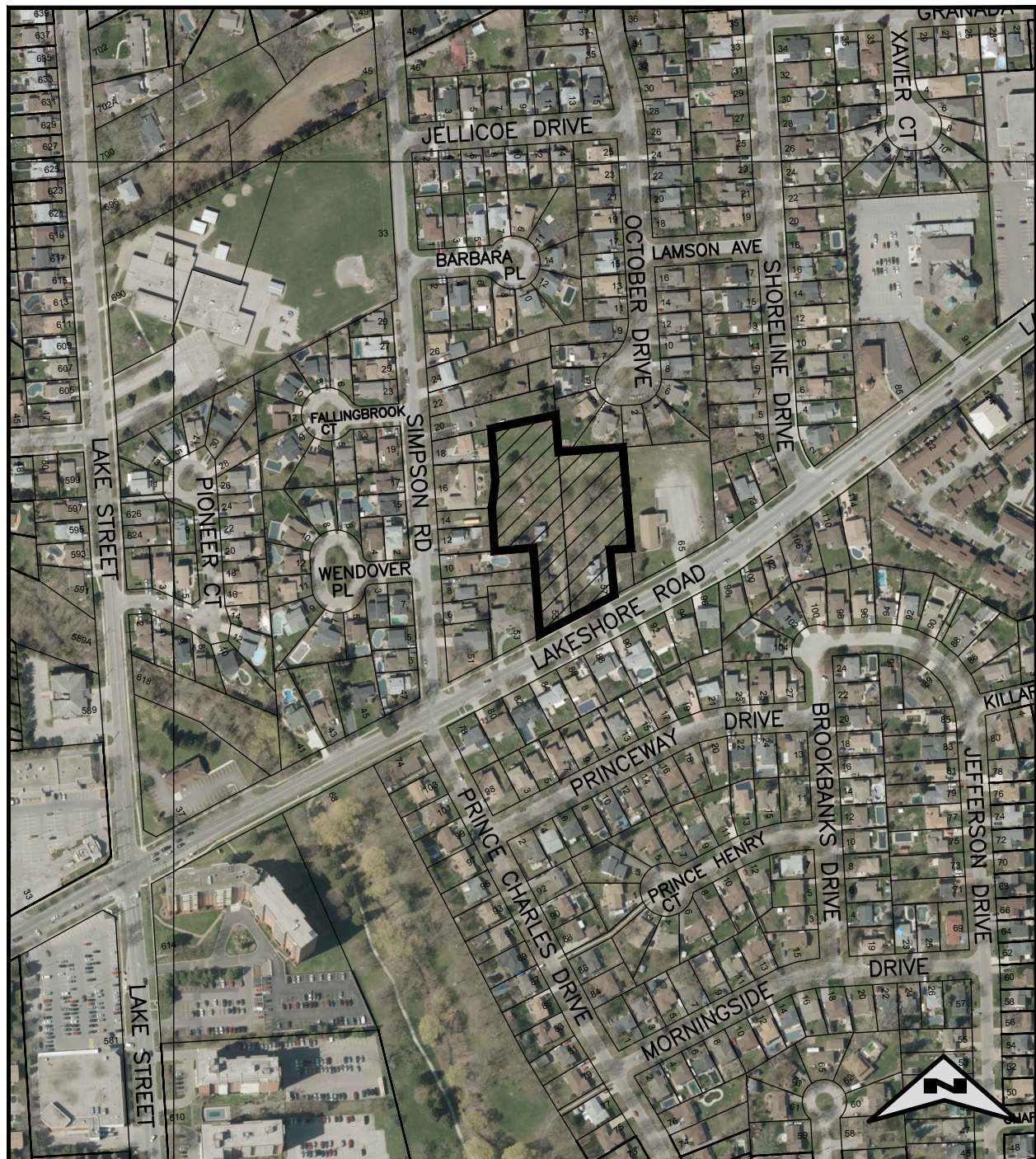
Submitted by:

Judy Pihach, MCIP, RPP
Manager, Planning Services

Approved by:

James N. Riddell, M.P.L., MCIP, RPP
Director, Planning and Building Services

Location Map

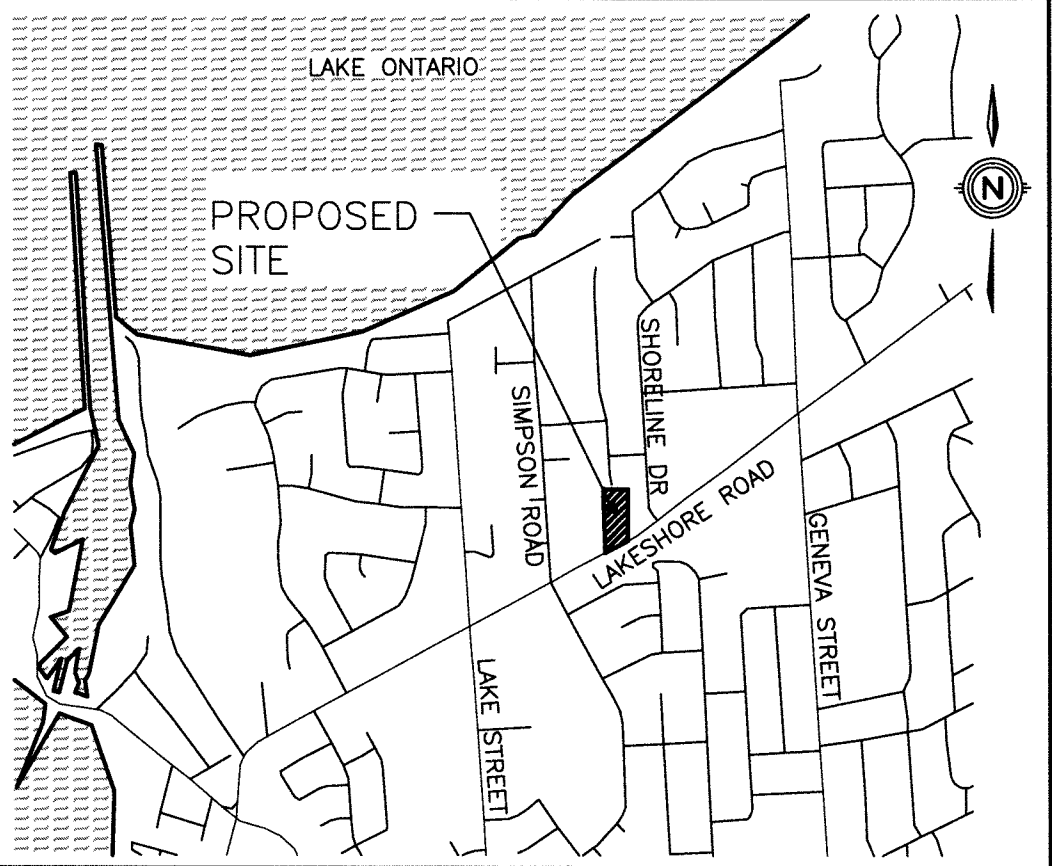


 Subject Lands

55 & 57 Lakeshore Road

File: 60.46.408

UNIT #	LOT AREA	EXCLUSIVE USE AREA-DRIVEWAYS
1	264.49m ²	31.45m ²
2	228.50m ²	15.07m ²
3	224.43m ²	16.76m ²
4	256.82m ²	20.81m ²
5	248.50m ²	22.52m ²
6	253.82m ²	19.26m ²
7	246.82m ²	22.10m ²
8	253.82m ²	18.01m ²
9	240.97m ²	20.87m ²
10	231.10m ²	21.00m ²
11	231.10m ²	21.00m ²
12	250.89m ²	250.89m ²
13	227.72m ²	24.78m ²
14	212.64m ²	15.72m ²
15	218.66m ²	11.93m ²
16	214.64m ²	13.68m ²
17	225.55m ²	13.31m ²
18	247.84m ²	29.61m ²
19	220.18m ²	19.83m ²
20	261.10m ²	25.93m ²
21	282.17m ²	10.43m ²
TOTAL LOT AREA		5041.76m ²
TOTAL EXCLUSIVE USE (TOTAL DRIVEWAY AREA)		410.63m ²
TOTAL COMMON ELEMENT AREA		4039.93m ²
TOTAL AREA		9492.32m ²



KEY PLAN
N.T.S.

**DRAFT PLAN OF
VACANT LAND CONDOMINIUM**

LEGAL DESCRIPTION

57 LAKESHORE ROAD - PT LT 18, CONCESSION 1, BEING PARTS 1 AND 3 ON REFERENCE PLAN 30R-14171,
TOWNSHIP OF GRANTHAM,
CITY OF ST. CATHARINES

55 LAKESHORE ROAD - PT OF LOT 18, CONCESSION 1, TOWNSHIP
OF GRANTHAM,
CITY OF ST. CATHARINES

ALSO PART OF LOTS 2 & 3 PLAN 288

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE CITY OF ST. CATHARINES
FOR APPROVAL.

Grey Forest Homes

GREY FOREST HOMES DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

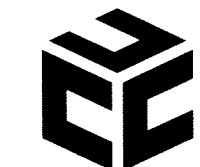
Matthews Cameron Heywood May 14, 2015
MATTHEWS CAMERON HEYWOOD DATE
KERRY T. HOWE SURVEYING

**REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT**

- | | | |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN | i) SILTY SAND |
| b) SEE PLAN | f) SEE PLAN | j) SEE PLAN |
| c) SEE PLAN | g) SEE PLAN | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN |

**SITE STATISTICS
21 UNIT CONDO SITE**

AREA #55 LAKESHORE RD	m ²	% COVERAGE
BUILDING	3483.80	36.70
ROAD/DRIVEWAY/PARKING	2277.52	23.99
LANDSCAPING	3731.00	39.31
TOTAL	9492.32	100.0
UNITS	21	
DENSITY	22.1Units/ha	
PARKING SPACES — DRIVEWAY/GARAGE	42	
PARKING SPACES — GUESTS	8	
AREA #57 LAKESHORE RD	m ²	% COVERAGE
BUILDING	87.6	21.9
ROAD/DRIVEWAY/PARKING	25.0	6.2
LANDSCAPING	287.8	71.9
TOTAL	400.4	100.0



UPPER CANADA
CONSULTANTS
ENGINEERS / PLANNERS

261 Martindale Road
Unit #1
St. Catharines, ON
L2W 1A1
Phone: (905)688-9400
Fax: (905)688-5274

DRAWING TITLE

**DRAFT PLAN OF
55 & 57
LAKESHORE ROAD**

DRAFTING T.A.

DATE MARCH 17, 2015

SCALE 1:300

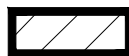
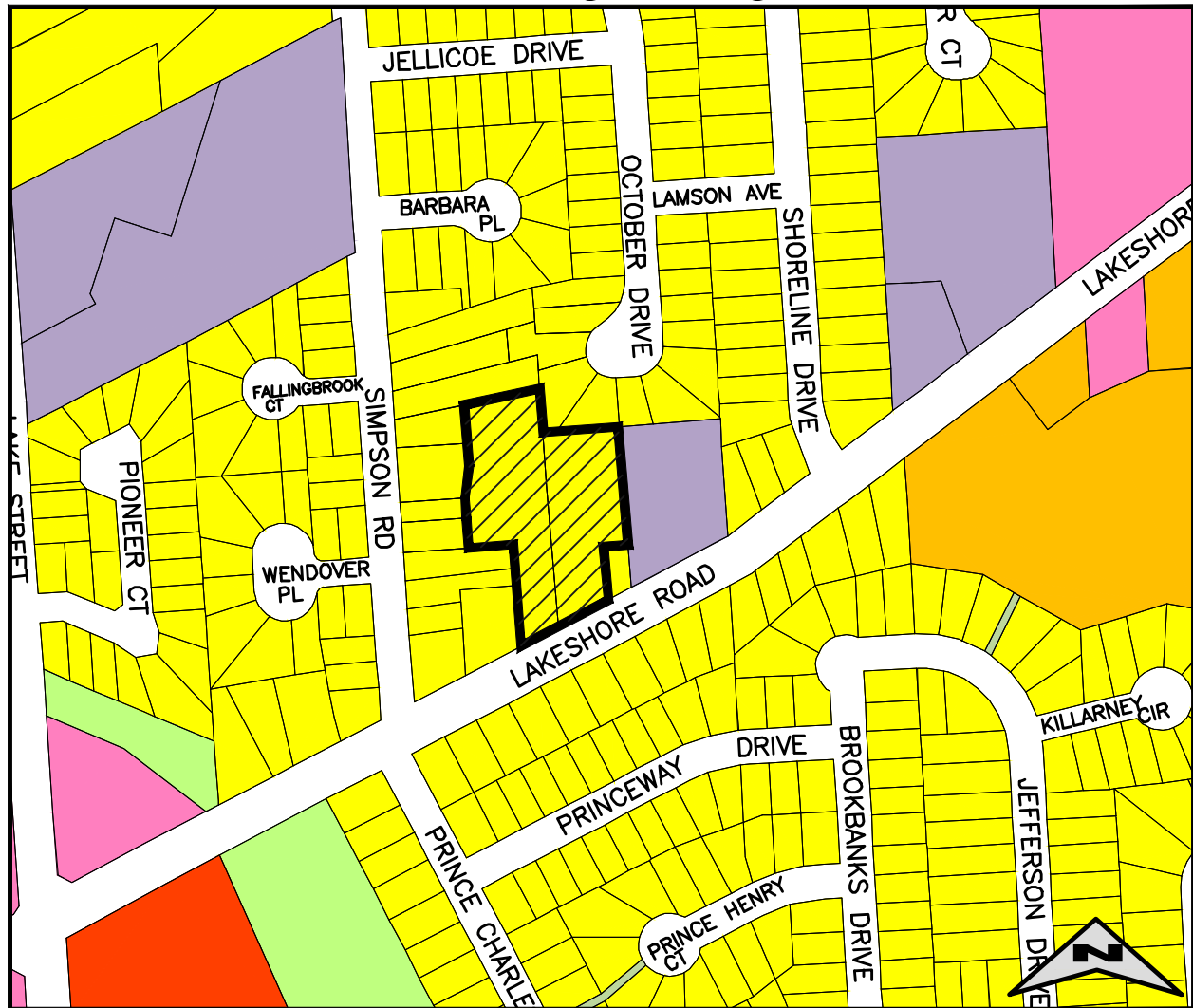
DWG No.

1340-DP

REV.

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Existing Zoning

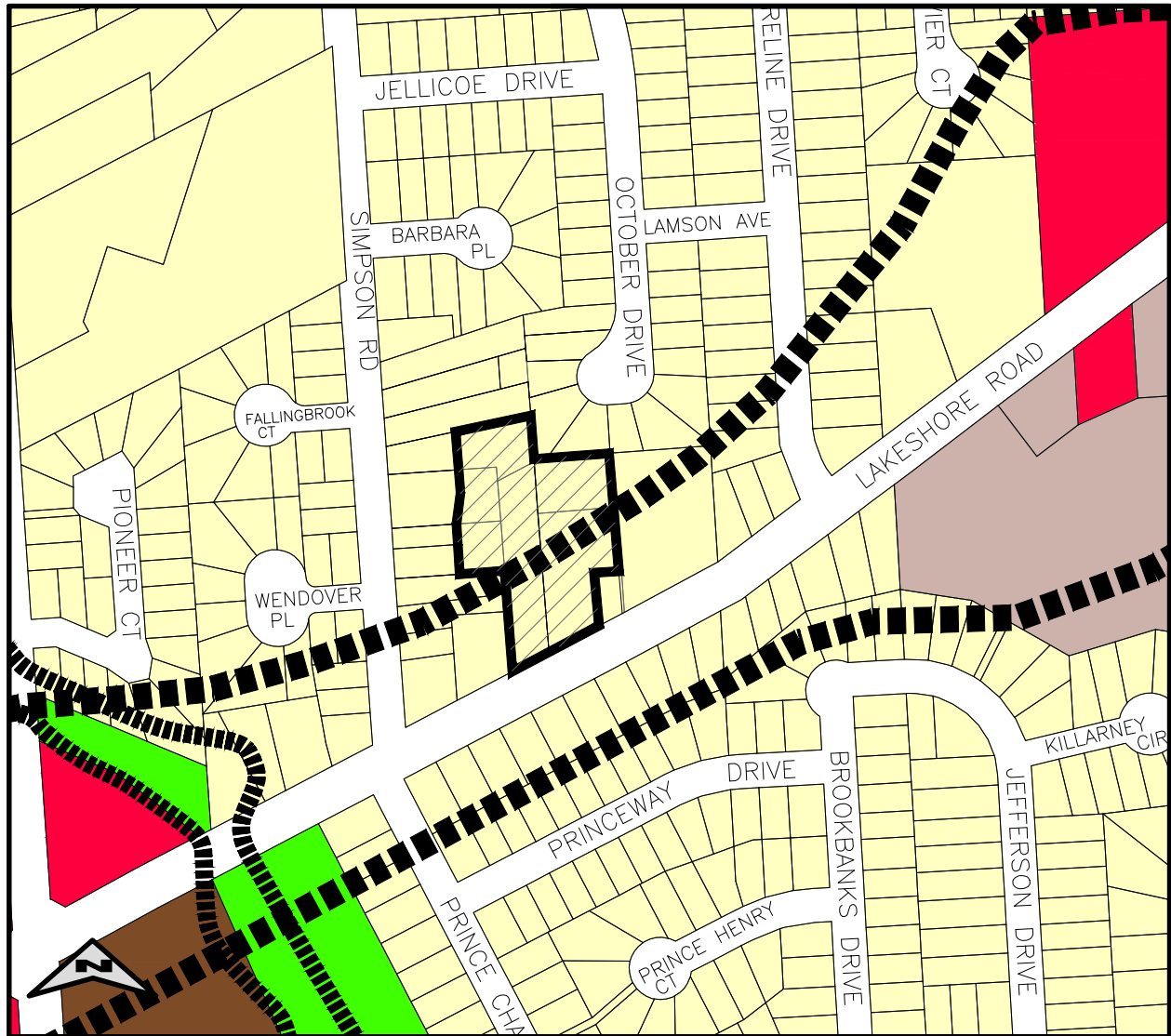


55 & 57 Lakeshore Road
File: 60.46.408

Zones

R1	FIRST DENSITY RESIDENTIAL	G1	CONSERVATION / NATURAL AREA
R3	THIRD DENSITY RESIDENTIAL	G2	MINOR GREEN SPACE
R4	FOURTH DENSITY RESIDENTIAL	I1	LOCAL NEIGHBOURHOOD INSTITUTIONAL
C2	COMMERCIAL GENERAL		

Land Use Designations - District Plan E1



55 & 57 Lakeshore Road

File: 60.46.408

Land Use Designations

- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (25 to 99 units / ha)
- High Density Residential (85 units / ha or greater)

- Special Study Area
- Community Commercial
- Parkland & Open Space

**Conditions of Draft Plan Approval
55 Lakeshore Road (57 Lakeshore Road)
File No. 60.46.408
Submission No. 26CD—10-15003**

General Approval

1. That this approval applies to lands described as Part of Lot 18, Concession 1, Geographic Township of Grantham, St. Catharines, municipally known as 55 Lakeshore Road (57 Lakeshore Road), for a mix of 21 detached, semi-detached and townhouse dwelling units, and common element areas for a private road, parking, servicing, lighting, landscaping, access for maintenance, etc., as illustrated on the plan prepared by Matthews Cameron Heywood Kerry T. Howe Surveying, dated May 22, 2015, and redlined by staff on July 30, 2015.

(City of St. Catharines)

Site Plan Agreement

2. That prior to final approval of the plan of condominium, the owner shall enter into a site plan agreement with the City of St. Catharines, which shall be registered against the title of the lands. The site plan agreement shall address certain matters including, but not limited to building location and elevations, landscaping, tree preservation and protection, fencing, access, parking, waste collection, site servicing, grading and drainage, stormwater management, lighting, discovery of archaeological resources, and noise mitigation.

*(City of St. Catharines,
Regional Municipality of Niagara)*

Addressing

3. That prior to final approval of the plan of condominium, the name of the internal private road be reviewed and approved by the City.

(City of St. Catharines)

Archaeological Resources

4. That prior to final approval of the plan of condominium, the owner shall ensure that a copy of the Ministry of Tourism, Culture and Sport's letter of compliance and/or notice of entry into the Ontario Public Register of Archaeological Reports is provided to the Region of Niagara for the Stage 1-2 and Stage 3 Archaeological Assessment of 55 & 57 Lakeshore Road, prepared by Detritus Consulting Ltd., and dated June 2015.

(Regional Municipality of Niagara)

Noise Mitigation

5. That the owner submit confirmation from its noise consultant, HGC Engineering, that the acoustical performance of the 1.8 metre high noise barrier proposed behind Unit 1 will not be compromised by the swale to be located along the westerly lot line.

(Regional Municipality of Niagara)

6. That prior to final approval of the plan of condominium, the location of the 1.8 metre high noise barrier be revised so that it is completely contained within a common element area.

(City of St. Catharines)

Site Servicing and Stormwater Management

7. That the owner secure an easement, on behalf of the City, for maintenance rights to the rear yard catch basin at 65 Lakeshore Road.

(City of St. Catharines)

8. That prior to final approval of the plan of condominium, the owner demonstrate that all site servicing and stormwater management measures, including swales, can be completely accommodated within common element areas.

(City of St. Catharines)

9. That the owner acknowledge to the Region of Niagara that draft approval of this condominium does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of final approval of the condominium for registration purposes and any pre-servicing will be at the sole risk and responsibility of the owner.

(Regional Municipality of Niagara)

10. That the owner provide the Region of Niagara with a written undertaking stating that all offers and agreements of purchase and sale which may be negotiated prior to and after registration of this condominium shall contain a clause clearly indicating that a servicing allocation for this condominium will not be assigned until the plan is granted final approval for registration. A similar clause shall be inserted in the site plan agreement required herein.

(Regional Municipality of Niagara)

Waste Collection

11. That if curb-side waste collection is to be provided by the Region of Niagara, the draft plan of condominium shall conform to the Region of Niagara's "Collection of Waste by Way of Entry of Private Property" Policy (C3.C17) to the satisfaction of the Regional Public Works Department so that collection vehicles can access collection locations without the need to reverse. Regional waste collection will not be provided if the Policy cannot be met and the owner will, therefore, be required to obtain private waste collection services.

(Regional Municipality of Niagara)

Fire Fighting

12. If it is found that the internal private road is greater than 150 metres in length, measured from the intersection of the curb along Lakeshore Road to the principal entrance of Unit 12, that all dwelling units within the private road development shall be sprinklered to the satisfaction of the Fire Chief.

(City of St. Catharines)

Condominium Assumption Agreement

13. That the owner and condominium corporation to-be-formed shall enter into a condominium assumption agreement with the City of St. Catharines, which shall be registered against the title of the lands immediately following registration of the final plan of condominium.

(City of St. Catharines)

Easements

14. That all easements required for water, sanitary sewers, utilities and drainage purposes be granted by the owner to the appropriate authority.

*(City of St. Catharines,
Horizon Utilities,
Enbridge Gas Distribution,
Bell Canada)*

Administration

15. That if approval is not given to this plan within three years of the approval date and no extension has been granted, draft plan approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required shall be submitted to the Director of Planning and Building Services.

(City of St. Catharines)

Prior to granting approval to the final plan of condominium, the City of St. Catharines shall be satisfied that all conditions have been satisfactorily met.

By-laws to be considered August 24, 2015

- (a) A By-law to authorize a Licence Agreement with The Regional Municipality of Niagara. (One reading – with respect to a web based mapping service for water and sewer infrastructure locations. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to authorize a Data Licence Agreement with The Regional Municipality of Niagara. (One reading – with respect to creation of Fire Dispatch Boundary Zones. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize an Agreement with The Regional Municipality of Niagara. (One reading – with respect to Geographical 9-1-1- Road Network data. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to remove certain lands from part lot control. (One reading – with respect to 4 Tuscany Court. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to authorize the Transfer of Easement of certain lands from Lakeshore Baptist Church. (One reading – with respect to condition of Site Plan Agreement for development at 55-57 Lakeshore Rd. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to amend By-law No. 2002-81 entitled “A By-law to appoint certain employees of the Canadian Corps of Commissionaires (Hamilton) as municipal law enforcement officers.” (One reading – with respect to changing personnel. Delegation By-law No. 2004-277, as amended.)
- (g) A By-law to remove certain lands from part lot control. (One reading with respect to Part of Block 5, Registered Plan 30M-421. Delegation By-law No. 2004-277, as amended.)
- (h) A By-law to repeal By-law No. 2015-166 being “A By-law to authorize transfer of two remnant parcels of Instrument No. MR8996 (1954) being Part of Lot 898, Corporation Plan No. 6 to Donatelli Productions Limited.” (One reading – with respect to repealing the earlier bylaw. Delegation By-law No. 2004-277, as amended.)
- (i) A By-law to amend By-law No. 86-53 entitled “A By-law to designate the property at 160-168 St. Paul Street of architectural value and of historic interest.” (One reading – with respect to 160-168 St. Paul Street. General Committee, July 20, 2015, Item No. 4.2.)
- (j) A By-law to amend By-law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading – with respect to parking prohibitions on Grapeview Dr. To be considered by General Committee, August 24, 2015.)

- (k) A By-law to authorize a Memorandum of Understanding with The Regional Municipality of Niagara. (One reading – with respect to Niagara Go Hub and Transit Station Study. To be considered by General Committee, August 24, 2015.)
- (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 24th day of August, 2015. (One reading – with respect to ratification and adoption of City Council Minutes of July 20, 2015, General Committee Minutes of July 20, 2015, and Special Council Minutes of July 20, 2015.)