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### Revised Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment

Item # 3 – 357, 361 & 365 Martindale Road – Consent Applications – B-46/15SC (60.84.2008) & B-48/15SC (60.84.2009) and Minor Variance Applications – A-90/15 (60.81.5028), A-91/15 (60.81.5029), A-92/15 (60.81.5030)

A request has been received by the owner and by Niagara Peninsula Conservation Authority (NPCA) to defer the applications until a finalized Environmental Impact Study has been submitted for review and approval from NPCA Staff and the NPCA is satisfied that the proposed development is supported by a geotechnical assessment.

5. Adoption of the Minutes held October 28, 2015

6. Application:

- \* 1) 1 Aiken Street, Consent Application – B-38/15SC – 60.84.2000  
3 Aiken Street, Minor Variance Application – A-78/15 – 60.81.5016  
3 Aiken Street, Minor Variance Application – B-39/15SC – 60.84.2001
- \* 2) 421 Linwell Road, Minor Variance Application – A-89/15 – 60.81.5027
- \* 4) 697 Niagara Street, Consent Application – B-48/15SC – 60.84.2010  
697A Niagara Street, Minor Variance Application – A-93/15 – 60.81.5031
- \* 5) 24 White Street, Consent Application – B-49/15SC – 60.84.2011  
24 White Street, Minor Variance Application – A-94/15 – 60.81.5032  
26 White Street, Consent Application – B-50/15SC – 60.84.2012  
21 Thompson Avenue, Minor Variance Application – A-95/15 – 60-.81.5033

7. New Business:

8. Adjournment

- \* Please note that the Planning Reports will be available on Monday, November 16 2015.

Posted on the City's website: November 13, 2015

Reposted on the City's website: November 17, 2015



November 13, 2015

File No. MPR 2.13 & 3.13

St. Catharines  
Committee of Adjustment  
50 Church Street, P.O. Box 3012  
St. Catharines, ON L2R 7C2

Attn: Elaine Munro, Secretary-Treasurer

Subject: B-46/15SC, B-47/15SC and A-91/15  
357 Martindale Road and 361 Martindale Road, St. Catharines

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The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted applications and offers the following for your information.

**B46/15SC**

The application has been made for consent to sever 0.211 ha of land (Parts 2, 3 & 4) subject to an easement in perpetuity over 0.007 ha of land (Part 2) for the benefit of the westerly abutting lot (Part 1) for access and maintenance purposes. A 0.141 ha remnant parcel (Part 5) would be retained for future residential development.

**B47/15SC**

The application has been made for consent to sever 0.043 ha of land (Part 4) creating a new lot to be known as 361 Martindale Road for the purpose of constructing a single detached dwelling. A 0.168 ha parcel with the existing dwelling with attached garage (Parts 2 & 3) and proposed easement of access (Part 2) would be retained for continued residential use.

**A91/15**

The application has been made to permit the following:

1. A reduction of the required minimum front yard setback to the dwelling from 6 metres to 4.5 metres
2. A reduction of the required minimum front yard setback to the garage from 7 metres to 6.1 metres
3. A reduction of the required minimum rear yard setback from 7.5 metre to 6 metres.

**Niagara Peninsula Conservation Authority Regulations:**

The subject lands are impacted by a valley slope, Provincially Significant Wetland, Regulatory Floodplain, and fish habitat associated with Richardson Creek.

**Valley Slope**

Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes would pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term. In accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O.REG 155/06), a minimum 7.5 metre setback is typically required from the stable top of slope to all development and site alterations. Due to the location of the subject property in the urban boundary, the NPCA can consider a reduction in the 7.5 metre setback in order to facilitate Smart Growth for the creation of no more than two new lots. A reduction in the setback must be supported by a geotechnical assessment but in no case shall the setback reduction be such that development is allowed beyond the top of slope (Policy 4.3).

NPCA staff have reviewed the "Geotechnical Investigation and Slope Stability Assessment, 357 Martindale Road, St. Catharines" by Amec Foster Wheeler Ltd (dated August 2015). NPCA staff have no objection to the report's conclusion that the physical top of slope is the same as the stable top of slope. NPCA staff have no objection to the report's recommended 6 metre setback from the top of slope. The subject applications propose the creation of two new lots (Parts 4 & 5) for residential development and conveyance of Part 1 to the City for protection of the natural features. The sketch provided shows the rear (south west) property line of the proposed parcels to be located at the top of bank, and not setback 6 metres, as recommended by the geotechnical assessment. The NPCA cannot support the proposed lot lines, or any development (including grading, pools and structures), closer than 7.5 metres from the top of bank unless supported by a geotechnical assessment.

#### Provincially Significant Wetland

The western portion of the property and valley wall are impacted by Provincially Significant Martindale Barnesdale Marsh Wetland Complex (PSW). In accordance with the Authority's Regulations, no development is permitted within a PSW and a minimum 30 metre buffer from a PSW is typically required for all development and site alterations. If development is proposed within the 30 metre buffer, an Environmental Impact Study (EIS) will be required to determine if there will be any negative impact to the wetland or its ecological or hydrological functions (Policy 3.24.1 c) 1)).

NPCA staff have reviewed the "DRAFT Environmental Impact Study, 357 Martindale Road, St. Catharines" by Beacon Environmental (dated September 2015). The conclusions of the EIS attempt to satisfy NPCA requirements of no negative impact to the natural heritage features on site, and provides mitigation measures to assist in achieving this, however, the NPCA would advise that the study submitted is a DRAFT version and the NPCA will require a finalized study before providing final comments on the proposed development.

#### Regulatory Floodplain and Fish Habitat

Richardson Creek is also noted as a Type 1 (Critical) Fish Habitat and there is an extensive floodplain associated with this section of the Creek. However, since new development proposed on these lands will not be permitted below the top of the bank, the very steep valley acts as an appropriate natural buffer from the floodplain and Type 1 watercourse. As such, NPCA staff are of the opinion that the floodplain and fisheries setbacks will not be a concern for this proposal and will be adequately protected if any future development is proposed.

In accordance with Policy 4.1, through review of consent applications, the NPCA shall encourage appropriate lot line setbacks and recommend that the natural features be placed in public ownership. Through discussions with City staff, the NPCA understands that the lands identified as Part 1 on the sketch are to be retained by the City. An easement over Part 2 is to be provided for access and maintenance purposes. Please note, the lands identified as Part 1 should include the natural hazards as well as the recommended setbacks, as determined by the Geotechnical report and EIS.

#### **Niagara Region Core Natural Heritage Comments:**

In addition to commenting on proposals with respect to the Conservation Authority's regulations noted above, this agency has entered into a Memorandum of Understanding (MOU) with the Region of Niagara. In accordance with this MOU, the Conservation Authority has a responsibility to review and provide comments on planning applications as they relate to the Natural Environment on the Region's behalf. As such, the following comments pertain to the Core Natural Heritage System Policies within the Regional Policy Plan.

The Region's Core Natural Heritage Mapping identifies Provincially Significant Martindale Barnesdale Marsh Wetland (PSW) as an Environmental Protection Area and portions of the subject property as being an Environmental Conservation Area (ECA) for Significant Woodland, Significant Wildlife Habitat and Valley Shoreline. The lands located west of Richardson Creek are located within the Natural Heritage



System (NHS) of the Greenbelt Plan. The ECA features located within the NHS system are classified as Environmental Protection Areas (EPA). The lands located east of Richardson Creek are located within the Urban Area. In accordance with Policy 7.B.1.11, development and site alteration is not permitted within an EPA and may be permitted adjacent to an EPA (within 120 metres) and within or adjacent to an ECA (within 50 metres) provided it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands over the long term. This can be accomplished through the completion of an EIS.

The subject applications propose the creation of two new lots (Parts 4 & 5) for residential development within the portion of the property in the urban area and within the adjacent lands to the EPA and ECA features identified above. NPCA staff have reviewed the "DRAFT Environmental Impact Study, 357 Martindale Road, St. Catharines" by Beacon Environmental (dated September 2015). The NPCA is satisfied that the recommendations for the application of natural heritage features under Regional Policy as outlined above are appropriate, including the delineation of ECA Significant Woodland, and the addition of ECA Significant Wildlife Habitat on site.

The conclusions of the EIS attempt to satisfy Regional requirements of no negative impact to the natural heritage features on site and within adjacent lands, and provides mitigation measures to assist in achieving this, however, the NPCA would advise that the development as proposed and shown within the appendix to the DRAFT EIS, does not appear to conform to Regional Policy 7.A.6.5(c), (d) and (e), which requires that a reduction in the 7.5 metre setback from top of bank be supported by a geotechnical assessment, and that no development shall extend beyond the top of bank and existing vegetation within the valley wall shall not be disturbed. Mitigation measures and other requirements (such as a Restoration Plan) may be requested as part of the review process to satisfy both Regional and NPCA natural heritage policies.

#### **Conclusion:**

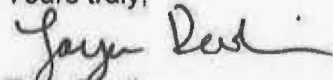
Based on the above, the NPCA recommends **deferral** of this application until a finalized Environmental Impact Study has been submitted for review and approval from NPCA Staff and the NPCA is satisfied that the proposed development is supported by a geotechnical assessment.

Lastly, due to the features identified, any future works proposed on the properties will require NPCA review and approvals prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer may require a work permit from this office, as well as further studies, in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06)".

Please send notice of your Council's decision.

I trust this information will be of assistance to you. Should you have any further questions or require additional information, please do not hesitate to contact me.

Yours truly,



Taya Devlin

Watershed Planner (ext. 262)

Cc: Morgan Casciani, Planner, Niagara Region  
Andrew Fetter, Development Approval Technician, Niagara Region  
Connie Manusco, Niagara Region





### Legend

- Contours 2010 (1m)
- Regulated Floodplain Extent**
  - Advisory (CWR)
  - Regulated
- Top of Slope Features**
  - Stable
  - Unstable
- OWES WETLANDS**
  - Non-Provincially Significant Wetland
  - Provincially Significant Wetland
- Wetland Allowance**
- Ontario Road Network**
  - Major Highways
  - Arterial Roads
  - Local Roads
- Assessment Parcels**
- AIRPORTS**
  - 1km176540477002010MAPCC
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - 1km176550477002010MAPCC
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - 1km176560477002010MAPCC

1: 1,999



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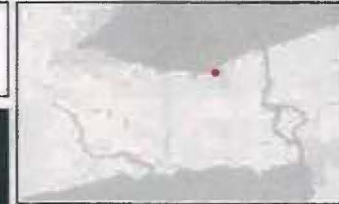
NAD\_1983\_UTM\_Zone\_17N

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






This map is for illustrative purposes only. Information contained hereon is not intended to constitute advice, is not a substitute for professional review or a site survey, and is subject to change without notice. The NPCA takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. THIS IS NOT A PLAN OF SURVEY

### Notes





### Legend

- Contours 2010 (1m)
- NHS - Fish Habitat
-  EPA: Provincially Significant W
-  EPA: Greenbelt NHS
-  ECA: Valley Shoreline Buffer
-  ECA: Significant Woodlands
-  ECA: Significant Wildlife Habits
- Ontario Road Network**
  -  Major Highways
  -  Arterial Roads
  -  Local Roads
-  Assessment Parcels
-  AIRPORTS
- 1km176540477002010MAPCC
  -  Red: Band\_1
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  -  Red: Band\_1
  -  Green: Band\_2
  -  Blue: Band\_3
- 1km176560477002010MAPCC
  -  Red: Band\_1
  -  Green: Band\_2
  -  Blue: Band\_3
- 1km176570477002010MAPCC

### Notes

101.5 0 50.77 101.5 Meters

NAD\_1983\_UTM\_Zone\_17N

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November 6, 2015

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

Attention: Elaine Munro

File# 60.84.2001, 60.84.2000, 60.81.5016

Re: 1 & 3 Aiken St

In response to your correspondence(s) dated November 3, 2015, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ [www.horizonutilities.com](http://www.horizonutilities.com).
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Horizon Utilities to facilitate this.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
  - Electrical Safety Code Rule 75-312
  - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
  - CAN/CSA-C22.3 No. 1-10, Overhead System



- C22.3 No. 7- 10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-521-4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott Beaudrie".

Scott Beaudrie  
Supervisor, Engineering Design

o, Elaine

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From: Zemsta, Dave (6049459)  
Subject: RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

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**From:** Zemsta, Dave (6049459)  
**Sent:** Tuesday, November 03, 2015 2:54 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

Good afternoon Elaine,

I have reviewed all 3 emails and do not have any concerns with any of the proposed variances.

You have a good week, too.

Regards,

**Bell**

Dave Zemsta  
Specialist, Network Provisioning  
**Bell Canada**  
63 King St., Floor 2, St. Catharines, Ontario, L2R 3H6

Office: 905-641-3390



CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** November 13, 2015

**Date of Meeting:** November 18, 2015

**Submission(s):** B-38/15SC  
B-39/15SC  
A-78/15

**File:** 60.84.2000  
60.84.2001  
60.81.5016

**Subject:** 1 Aiken Street  
3 Aiken Street  
21 Tracey Road

### Proposal

Application **B-38/15SC** is made for consent to sever 227 m<sup>2</sup> of land (Part 3 on the submitted sketch). A 480 m<sup>2</sup> remnant parcel of land (Part 4) with the existing single detached dwelling would be retained for continued residential use.

Application **B-39/15SC** is made for consent to sever 174 m<sup>2</sup> of land (Part 2 on the submitted sketch). A 539 m<sup>2</sup> remnant parcel of land (Part 1) with the existing single detached dwelling and garage would be retained for continued residential use.

Application **A-78/15** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

- 1) An increase of the maximum required lot area per dwelling unit from 490 m<sup>2</sup> to 539 m<sup>2</sup>.
- 2) An increase of the maximum accessory structure coverage from 10% to 11.9%.

### Recommendation

That Submission **B-38/15SC** by Dirk Vanderlely & Agatha Vanderlely, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant submit a payment of \$420.00 for the placement of a boulevard tree, in accordance with the 2015 Schedule of Rates and Fees.
2. That payment of 5% of the appraised value of the new lot (Part 2 and Part 3) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the



provisional consent was given'. That the appraisal be completed by a qualified appraiser.

3. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties (Parts 2 and 3) will be merged and become one parcel of land.
4. The Applicant shall pay to the City the fee for a Sanitary Lateral inspection of the existing home to determine it does not cross the new property lot boundary. If it is determined that the existing home's sanitary lateral crosses the proposed lot boundary, the Applicant shall pay to the City the fee to provide a new lateral for the existing home.
5. That the final certificate for submission **B-39/15SC** be issued concurrently.
6. That final approval for the necessary minor variance application be received.

That Submission **B-39/15SC** by Dirk Vanderlely & Agatha Vanderlely, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

That Submission **A-78/15** by Dirk Vanderlely & Agatha Vanderlely, as outlined in the Notice of Hearing, be approved.

## Summary

The purpose of the applications is to facilitate the construction of a single detached dwelling.

Having regard for the matters under Section 51 (24) and section 45 (1) of the Planning Act, staff is satisfied that the proposal is desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. The proposal maintains the intent and purpose of the Provincial Policy Statement and does not conflict with applicable provincial plans. The severances and minor variance are desirable for the appropriate use of the land.

Staff recommends the approval of the requested consents and the requested variance, subject to the conditions outlined in the recommendation.

## Background

### Planning Context

#### Location

The subject property is located on the corner of Aiken Street and Tracey Road. The property is surrounded by single detached dwellings in all directions.

### Official Plan

The Garden City Plan (GCP) designates the land as Low Density Residential, which permits a variety of residential dwelling types at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

### Zoning By-law

The subject land is zoned Low Density Residential – Suburban Neighbourhood (R1) pursuant to By-law 2013-283, which permits a variety of residential dwelling types including semi-detached dwellings.

## Report

### Consent for New Lot

The proposed severances are to create a new lot for the purpose of constructing a single detached dwelling.

The Garden City Plan (GCP) encourages many forms of residential development including infill and intensification, as the City has developed outward to its growth boundaries. Staff are supportive of modest intensification in accordance with the policies of the GCP. Facilitating the construction of a new single detached dwelling is in keeping with the policies of the GCP. The new lot provides adequate space for a new dwelling, without compromising the established character of the street. There is no negative impact on surrounding lands. Staff is supportive of both of the proposed severances for the creation of a new lot, on the condition that the concurrent minor variances are approved.

### Variances Proposed

Application A-78/15 is made pertaining to the City of St. Catharines By-law 2013-283 for an increase of the maximum required lot area per dwelling unit from 490 m<sup>2</sup> to 539 m<sup>2</sup>, and for an increase of the maximum accessory structure coverage from 10% to 11.9%. The variances recognize the proposed lot size, and existing accessory structure coverage of 3 Aiken Street (Part 1).

The first variance is proposed to recognize the size of the remnant lot (Part 1) which exceeds the maximum lot size. The lot is even larger without the proposed consent, which is bringing it closer to conforming with the Zoning By-law. Staff are supportive of this direction, and recommend approval of this variance.

The second variance is proposed to permit the existing garage and shed on Part 1. No new development of accessory structures is proposed. The variance to permit the existing structures is minor in nature, and there will be no impact on surrounding lands.

Staff are satisfied that the variances are minor in nature, that the intent of the Zoning By-law and Official Plan is maintained, and that the variances are desirable for the appropriate use of land. Staff are supportive of the requested variances.

Further comments from staff can be found in the Appendix of this report.

## Conclusion

Staff is satisfied that the subject consents and variances are appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. It is the opinion of Staff that the consents and variances be approved, subject to the conditions outline in the recommendation.

### Prepared by:



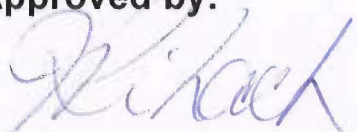
Charlotte McEwan  
Student Planner

### Submitted by:



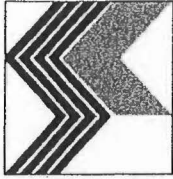
Sara Rogers  
Planner 1

### Approved by:



Judy Pihach, M.C.I.P, R.P.P.  
Manager Planning Services





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Memorandum

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To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte McEwan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Consents – November 18, 2015 hearing - File No.: 300-036**

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**B-38/15SC - 1 Aitken**

Comment:  
No Comment

Condition:  
No Comment

**B-39/15SC - 3 Aitken**

Comment:  
No Comment.

Condition:  
Drawings indicate the shed on Part 2 to be removed. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-46/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:  
The existing storage shed on Part 5 is shown to be removed. If storage unit exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-47/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:

That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing garage facing Part 4 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-48/15SC - 697 Niagara Street**

Comment:  
No Comment.

Condition:

That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing Part 1 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-49/15SC – 24 White Street**

Comment:  
No Comment.

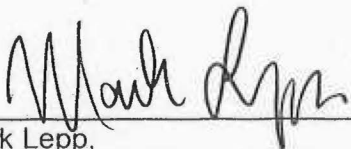
Condition:

Drawing indicates an existing shed to be removed from Part 1. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-50/15SC – 26 White Street**

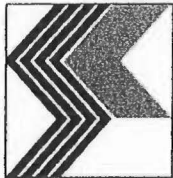
Comment:  
No Comment.

Condition:  
No Comment



Mark Lepp,  
Building Inspector II

Cc: Files, 300-036



## Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

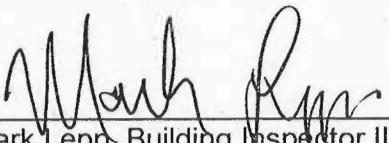
Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte Mcewan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Minor Variance – November 18, 2015 hearing - File No.: 300-010**

NO.	ADDRESS	COMMENTS
A-78/15	3 Aitken Street	No Comment
A-89/15	421 Linwell Road	Please be advised that a Building Permit is required for the proposed addition.
A-90/15	357 Martindale Road	No Comments
A-91/15	361 Martindale Road	Please be advised that a Building Permit is required for the future residential development.
A-92/15	365 Martindale Road	No Comments
A-93/15	697A Niagara Street	Please be advised that a Building Permit is required for the proposed single detached dwelling.
A-94/15	24 White Street	No Comments
A-95/15	21 Thompson Avenue	Please be advised that a Building Permit is required for the proposed single detached dwelling.

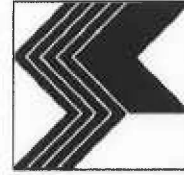
  
Mark Lepp, Building Inspector II

Cc: Files, 300-010

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**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-38/15SC**



November 5, 2015

**ENGINEERING FILE 300-36**

**Hearing Date:** November 18, 2015

**Applicant:** Dirk & Agatha Vanderlely

**Location:** 1 Aiken Street

**MUNICIPAL SERVICES**

**Tracey Road**

**Water:** 150mm (6")  
**Sanitary Sewer:** 250mm (10")  
**Storm Sewer:** None Available  
**Sidewalks:** Yes  
**Road Allowance Width:** 20.0m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 3. A remnant parcel Part 4 with the existing single detached dwelling would remain for continued residential use. The application, combined with consent application B-39/15SC would create a new lot (Parts 2 & 3) to be known as 21 Tracey Road, for the purposes of constructing a single detached dwelling.

**Roads**

Tracey Road along this section is designated as a Local road as per the City's Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m±, therefore the City is satisfied with its current width and will not be pursuing a road widening along this section of Tracey Road at this time.

**Engineering Services**

The above noted engineering services are available to service the proposed lot with water and sewer. The Applicant will be required to pay to the City the fees for City crews to provide sewer and water laterals to the property line at the building permit stage, according to the City's current Schedule of Rates & Fees.

**Grading & Drainage**

Increased drainage challenges occur in these types of in-fill lot developments, where existing and established lots and lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and not adversely affect abutting

properties.

Condition(s):

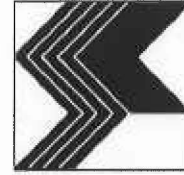
Development Engineering Services do not have any further comments or conditions to impose at this time, and have no objection to the approval of this consent application.



**Prepared By:**

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

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-39/15SC**



November 5, 2015

**ENGINEERING FILE 300-36**

**Hearing Date:** November 18, 2015

**Applicant:** Dirk & Agatha Vanderlely

**Location:** 3 Aiken Street

**MUNICIPAL SERVICES**

**Tracey Road**

**Water:** 150mm (6")  
**Sanitary Sewer:** 250mm (10")  
**Storm Sewer:** None Available  
**Sidewalks:** Yes  
**Road Allowance Width:** 20.0m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2. A remnant parcel Part 1 with the existing single detached dwelling and garage would remain for continued residential use. The application, combined with consent application B-38/15SC would create a new lot (Parts 2 & 3) to be known as 21 Tracey Road, for the purposes of constructing a single detached dwelling.

**Roads**

Tracey Road along this section is designated as a Local road as per the City's Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m±, therefore the City is satisfied with its current width and will not be pursuing a road widening along this section of Tracey Road at this time.

**Engineering Services**

The above noted engineering services are available to service the proposed lot with water and sewer. The Applicant will be required to pay to the City the fees for City crews to provide sewer and water laterals to the property line at the building permit stage, according to the City's current Schedule of Rates & Fees.

**Grading & Drainage**

Increased drainage challenges occur in these types of in-fill lot developments, where existing and established lots and lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and not adversely affect abutting

properties.

Condition(s):

Development Engineering Services do not have any further comments or conditions to impose at this time, and have no objection to the approval of this consent application.

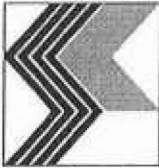


**Prepared By:**

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





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## Memorandum

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**To:** Elaine Munro, Committee Secretary & Planning Clerk  
Planning & Building Services

**Cc:** Margaret Josipovic, Planner 1  
Charlotte McEwan, Planning Student  
Judy Pihach, Manager of Planning Services

**From:** Brad Johnston, C.E.T., Development Engineering Technologist  
Planning and Building Services

**Date:** November 6, 2015  
**Hearing Date:** November 18, 2015

**Subject:** Engineering Comments to the Committee of Adjustment  
File No's: A-78/15SC – 3 Aiken Street  
A-89/15SC – 421 Linwell Road  
A-90,91&92/15SC – 357 Martindale Road  
A-93/15SC – 697 Niagara Street  
A-94/15SC – 24 White Street  
A-95/15SC – 21 Thompson Avenue

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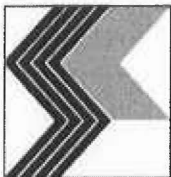
Development Engineering Services have had the opportunity to review the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, subject to the following;

- The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

Regards,

---

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



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## Memorandum

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**To:** Sara Rogers, Planning & Building Services  
Charlotte Mcewan, Planning & Building Services

**CC:** Elaine Munro, Planning & Building Services  
Judy Pihach, Planning & Building Services

**From:** Kristen Sullivan, Parks, Recreation & Culture Services

**Date:** November 6, 2015

**Subject:** Notice of Hearing: Consent to Sever  
Address: 1 and 3 Aiken  
File No: 60.84.2000, 60.84.2001

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Please be advised that we have reviewed the above-noted applications and request the following condition of severance:

That the applicant submit a payment of \$420.00 for the placement of a boulevard tree, in accordance with the 2015 Schedule of Rates and Fees.

If Planning and Building Services determines that parkland dedication can be collected for this application we request the following condition of severance:

That payment of 5% of the appraised value of the new lot (Part 2 and Part 3) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 3145.

Kristen Sullivan  
Project and Development Planner  
Parks, Recreation and Culture Services

## Munro, Elaine

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**To:** Sullivan, Kristen  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

---

**From:** Sullivan, Kristen  
**Sent:** Friday, November 06, 2015 4:46 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>; Rogers, Sara <srogers@stcatharines.ca>; Josipovic, Margaret <mjosipovic@stcatharines.ca>; Mcewan, Charlotte <cmcewan@stcatharines.ca>  
**Cc:** Pihach, Judy <jpihach@stcatharines.ca>  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

Please see attached. Please note PRCS has no comments on the following applications:

- 3 Aiken (minor variance)
- 24 White (minor variance)
- 357 Martindale (minor variance)
- 361 Martindale (minor variance)
- 365 Martindale (minor variance)
- 421 Linwell (minor variance)
- 697A Niagara (minor variance)

Thank you,

**Kristen Sullivan**  
Project & Development Planner  
**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)  
**Tel:** 905.688.5601 x3145

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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:** Development Technologist

**From:** Steve Bittner  
Transportation Technologist

**Date:** November 17, 2015

**Subject:** Committee of Adjustment  
Public Hearings – November 18, 2015  
File No. 305-17-01

---

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner  
Transportation Technologist  
SB/



VIA E-MAIL ONLY

November 13, 2015

File: D.17.08.MV-15-042

Elaine Munro ACST

Committee Secretary & Planning Clerk

City of St. Catharines

PO Box 3012, 50 Church Street

St. Catharines, ON L2R 7C2

**Applicant:** Dr. Mohamad Salame Dentistry Professional Corporation

**Proposal:** Minor Variance application for expansion of a non-conforming use

**Location:** 421 Linwell Road, City of St. Catharines

**City File:** A-89/15

---

Niagara Region Planning and Development Services staff has completed a review of information circulated for the above noted minor variance application. The proposed application requests permission to expand a non-conforming use by permitting an addition to the main floor of a residential building (i.e. 2-storey dwelling). The application states that according to the applicant, the current use of the building for a non-conforming dental office and 2<sup>nd</sup> floor residential apartment existed prior to the passage of the City's Comprehensive Zoning By-law 2013-283. The following Provincial and Regional comments are provided to assist the City in considering this minor variance application.

**Regional Road # 48 (Niagara Street)**

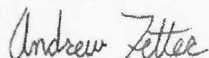
The subject property has frontage along Regional Road # 48 (Niagara Street). Staff notes that all final construction, including the roof line, must remain solely on private property. Staff also notes that a road widening has previously been obtained and will not be required.

In conclusion, staff would offer no objection to the proposed minor variance application.

If you have any questions or wish to discuss these comments, please contact me at extension 3177 or Morgan Casciani, Senior Development Planner, at extension 3359.

Please send notice of the Committee's decision on this application.

Sincerely,



Andrew Fetter

Development Approvals Technician

cc. Morgan Casciani, Senior Planner, Development Services Division, Niagara Region

## Munro, Elaine

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**From:** Taya Devlin <tdevlin@npca.ca>  
**Sent:** Thursday, November 12, 2015 1:35 PM  
**To:** Munro, Elaine  
**Cc:** Mancuso, Connie (connie.mancuso@niagararegion.ca); Andrew.fetter@niagararegion.ca  
**Subject:** A-89/15 421 Linwell Road, St. Catharines  
**Attachments:** 421 Linwell Road Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed application A-89/15 which has been made to permit the extension of a non-conforming use by permitting an addition to the main floor of the existing 2 storey residential building at 421 Linwell Road, St. Catharines.

There are no NPCA regulated features currently identified on the subject property.

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline associated with Walkers Creek adjacent to (within 50 metres) of the subject property. In accordance with policy 7.B.1.11, development may be permitted within or adjacent to an ECA where it has been demonstrated that there will be no significant negative impact on the feature. NPCA staff are satisfied that since the proposal is for an addition to an existing structure and there is existing development located between the subject site and the ECA feature, the proposed works will have no significant negative impact on the ECA feature.

Based on the above, the NPCA offers no objection to the subject application which has been made to permit the extension of a non-conforming use.

Please contact me if you have any questions.

Thank you,

**Taya Devlin**

**Watershed Planner**

Niagara Peninsula Conservation Authority

250 Thorold Road West, 3rd Floor

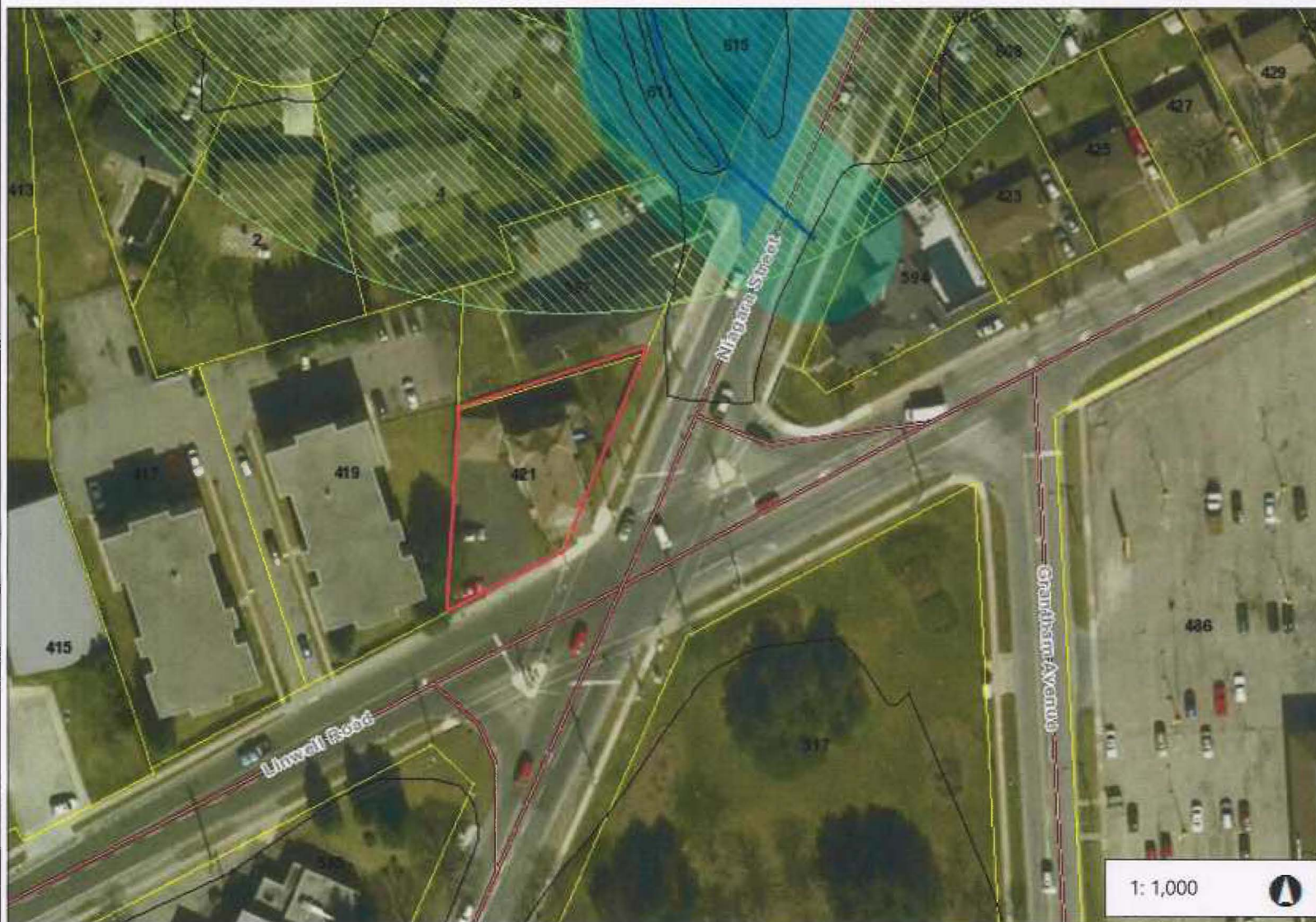
Welland, Ontario L3C 3W2

Phone: 905 788 3135 (ext. 262)

Fax: 905 788 1121

Email: [tdevlin@npca.ca](mailto:tdevlin@npca.ca)

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



### Legend

- Contours 2010 (1m)
  - Corporate Watershed Divide N
  - NPCA APPROXIMATE REGULATED FLOODPLAIN EXTENT
    - Advisory (CWR)
    - Regulated
  - Top of Slope Features**
    - Stable
    - Unstable
  - Top of Slope Allowance
  - OWES WETLANDS**
    - Non-Provincially Significant Wetland
    - Provincially Significant Wetland
  - NHS - Fish Habitat
  - ECA: Valley Shoreline Buffer
  - Ontario Road Network**
    - Major Highways
    - Arterial Roads
    - Local Roads
  - Assessment Parcels
  - 2K HydroPoly
  - 2K Hydrography
  - AIRPORTS
- 1km176540477002010MAPCC
- Red: Band\_1
  - Green: Band\_2

### Notes

50.8 0 25.40 50.8 Meters

NAD\_1983\_UTM\_Zone\_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

This map is for illustrative purposes only. Information contained hereon is not intended to constitute advice, is not a substitute for professional review or a site survey, and is subject to change without notice. The NPCA takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. THIS IS NOT A PLAN OF SURVEY



o, Elaine

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**Subject:**

Zemsta, Dave (6049459)

RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

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**From:** Zemsta, Dave (6049459)

**Sent:** Tuesday, November 03, 2015 2:54 PM

**To:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

Good afternoon Elaine,

I have reviewed all 3 emails and do not have any concerns with any of the proposed variances.

You have a good week, too.

Regards,

**Bell**

Dave Zemsta

Specialist, Network Provisioning

**Bell Canada**

63 King St., Floor 2, St. Catharines, Ontario, L2R 3H6

Office: 905-641-3390





CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** November 13, 2015

**Date of Meeting:** November 18, 2015

**Submission(s):** A-89/15

**File:** 60.81.5027

**Subject:** 421 Linwell Road

### Proposal

Application **A-89/15** is made pertaining to the City of St. Catharines By-law 2013-283 for permission to extend a non-conforming use by permitting an addition to the main floor of the 2-storey residential building.

### Recommendation

That Submission **A-78/15** by Dr. Mohamad Salame Dentistry Professional Corporation, as outlined in the Notice of Hearing, be denied.

### Summary

The purpose of the application is to allow the expansion of the existing dentist office.

Having regard for the matters under Section 45(2)(a)(i) of the Planning Act, staff is not satisfied that proposed expansion is appropriate for the subject lands.

Staff recommends the denial of the application for expansion of a legal non-conforming use.

### Background

#### Planning Context

##### Location

The subject property is located on the northwest corner of Linwell Road and Niagara Street. The property is surrounded by medium density residential units to the west and to the north, and single detached dwellings further north, the Greek Community Centre to the south, and residential and commercial uses to the west.

##### Official Plan

The land is designated Neighbourhood Residential by the General Land Use Plan of the Garden City Plan (GCP). These general land use designations are refined by the District Plans of the GCP, which designates the land as Medium Density Residential. The Neighbourhood Residential designation permits a variety of residential dwelling

types, and several ancillary uses such as neighbourhood commercial uses including offices, subject to the policies of the Garden City Plan.

#### **Zoning By-law**

The subject land is zoned Medium Density Residential (R3) pursuant to By-law 2013-283, which permits a variety of residential dwelling types, but does not permit the existing dental office. The dental office legally existed prior to the passing of Zoning By-law 2013-283 and continues to be used for this purpose, and accordingly the use is deemed to comply as a legal non-conforming use.

## **Report**

The purpose of the application is to allow the expansion of the existing dentist office.

The use is non-conforming because the existing combined commercial/residential use is not permitted in the R3 zone, however, the existing dentist office with second floor rental apartment and existing detached garage was legally permitted under former Zoning By-law 2005-39.

Section 16.12.4 of the Garden City Plan (GCP) states that in special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses provided that special efforts are made to enhance the compatibility of the uses, and to improve the amenity and design, more particularly, buffering, landscaping, parking and active transportation and vehicular circulation.

In reviewing the application staff have considered the site's function and form and conclude that the proposed expansion does not improve the site amenity and design, as required by the Official Plan. The proposed expansion within the existing lot is an overdevelopment of the site, largely due to the absence of sufficient site area to accommodate all parking on the lot. Staff do understand that an agreement exists with First Grantham United Church to provide extra parking, however, staff understand that there is no agreement registered on title to both parcels to ensure that arrangement is tied to the lands and binding to any subsequent owners. Although a "gentleman's agreement" may exist and function for the existing land use, it does not satisfy the zoning by-law minimum requirements for an expanded dental office.

Any agreement to provide commercial off site parking greater than 120 metres from the site is contrary to the current zoning by-law and is not a matter to be addressed via a minor variance application. A rezoning is required to permit off site parking to meet the minimum parking requirements for the current land use and for the proposed expansion.

In addition, the site does not reflect current standards for parking layout, accessible parking, minimum landscaping requirements, setbacks from lot lines and similar site design elements that would be standard practice for a mixed commercial residential building. Should this expansion be considered for approval via a rezoning application, site plan approval would be required to ensure the site is brought up to current standards or as close to current standards as possible.

## Conclusion

Staff is not satisfied that the proposed expansion of a legal non-conforming use is in accordance with the policies of the Official Plan and does not constitute an appropriate improvement to the site.

Staff is prepared to consider a rezoning application to address the shortfalls in parking by provision of off site parking. As an application to the Committee of Adjustment for an expansion of a legal non-conforming use, this application is recommended for denial.

**Prepared by:**



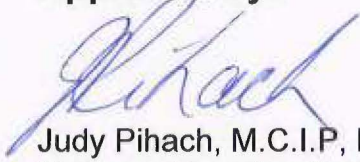
Charlotte McEwan  
Student Planner

**Submitted by:**

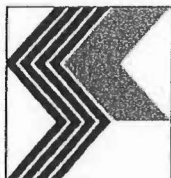


Sara Rogers  
Planner 1

**Approved by:**



Judy Pihach, M.C.I.P., R.P.P.  
Manager Planning Services




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Memorandum

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To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

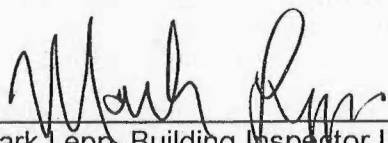
Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte Mcewan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Minor Variance – November 18, 2015 hearing - File No.: 300-010**

NO.	ADDRESS	COMMENTS
A-78/15	3 Aitken Street	No Comment
A-89/15	421 Linwell Road	Please be advised that a Building Permit is required for the proposed addition.
A-90/15	357 Martindale Road	No Comments
A-91/15	361 Martindale Road	Please be advised that a Building Permit is required for the future residential development.
A-92/15	365 Martindale Road	No Comments
A-93/15	697A Niagara Street	Please be advised that a Building Permit is required for the proposed single detached dwelling.
A-94/15	24 White Street	No Comments
A-95/15	21 Thompson Avenue	Please be advised that a Building Permit is required for the proposed single detached dwelling.

  
 Mark Lepp, Building Inspector II

Cc: Files, 300-010

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## Memorandum

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**To:** Elaine Munro, Committee Secretary & Planning Clerk  
Planning & Building Services

**Cc:** Margaret Josipovic, Planner 1  
Charlotte McEwan, Planning Student  
Judy Pihach, Manager of Planning Services

**From:** Brad Johnston, C.E.T., Development Engineering Technologist  
Planning and Building Services

**Date:** November 6, 2015  
**Hearing Date:** November 18, 2015

**Subject:** Engineering Comments to the Committee of Adjustment  
File No's: A-78/15SC – 3 Aiken Street  
A-89/15SC – 421 Linwell Road  
A-90,91&92/15SC – 357 Martindale Road  
A-93/15SC – 697 Niagara Street  
A-94/15SC – 24 White Street  
A-95/15SC – 21 Thompson Avenue

---

Development Engineering Services have had the opportunity to review the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, subject to the following;

- The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

Regards,

---

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

**Munro, Elaine**

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**To:** Sullivan, Kristen  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

---

**From:** Sullivan, Kristen  
**Sent:** Friday, November 06, 2015 4:46 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>; Rogers, Sara <srogers@stcatharines.ca>; Josipovic, Margaret <mjosipovic@stcatharines.ca>; Mcewan, Charlotte <cmcewan@stcatharines.ca>  
**Cc:** Pihach, Judy <jpihach@stcatharines.ca>  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

Please see attached. Please note PRCS has no comments on the following applications:

- 3 Aiken (minor variance)
- 24 White (minor variance)
- 357 Martindale (minor variance)
- 361 Martindale (minor variance)
- 365 Martindale (minor variance)
- 421 Linwell (minor variance)
- 697A Niagara (minor variance)

Thank you,

**Kristen Sullivan**  
Project & Development Planner  
**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)  
**Tel:** 905.688.5601 x3145

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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:** Development Technologist

**From:** Steve Bittner  
Transportation Technologist

**Date:** November 17, 2015

**Subject:** Committee of Adjustment  
Public Hearings – November 18, 2015  
File No. 305-17-01

---

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner  
Transportation Technologist  
SB/



November 6, 2015

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

Attention: Elaine Munro

File# 60.81.5031, 60.84.2010

Re: 697 & 697A Niagara St

In response to your correspondence(s) dated November 3, 2015, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ [www.horizonutilities.com](http://www.horizonutilities.com).
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Horizon Utilities to facilitate this.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
  - Electrical Safety Code Rule 75-312
  - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
  - CAN/CSA-C22.3 No. 1-10, Overhead System

- C22.3 No. 7- 10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-521-4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", written in a cursive style.

Scott Beaudrie  
Supervisor, Engineering Design





November 12, 2015

File No. MPR 2.13

St. Catharines  
Committee of Adjustment  
50 Church Street, P.O. Box 3012  
St. Catharines, ON L2R 7C2

Attn: Elaine Munro, Secretary-Treasurer

Subject: B-48/15SC  
697 Niagara Street, St. Catharines

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The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted applications and offers the following for your information.

The subject application has been made for consent to sever 835 m<sup>2</sup> of land (Part 1) creating a new lot to be known as 697A Niagara Street for the purpose of constructing a single detached dwelling. A 2,900 m<sup>2</sup> remnant parcel with an existing single detached dwelling with a detached garage as well as a second existing single detached dwelling with attached garage.

**Niagara Peninsula Conservation Authority Regulations:**

The subject property is located adjacent to Beamer Creek and impacted by the regulatory floodplain associated with the Creek. It is the Conservation Authority's mandate to ensure protection to life and property for development in or adjacent to flood prone areas and erosion hazards. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

In accordance with Policy 3.17, no development (including lot lines) are permitted within the limit of the Regulatory Floodplain. The Regulatory Floodplain elevation for this section of the Creek is 86.66 metres. All new development and site alterations must take place above this elevation to be located outside of the floodplain. NPCA mapping indicates that the north east corner of the property is impacted by the Regulatory Floodplain. The proposed lot (Part 1) is located in the southern portion of the property and the entire lot is shown to be located outside of the extent of the regulatory floodplain.

**Niagara Region Natural Heritage Comments:**

In addition to commenting on proposals with respect to the Conservation Authority's regulations noted above, this agency has entered into a Memorandum of Understanding (MOU) with the Region of Niagara. In accordance with this MOU, the Conservation Authority has a responsibility to review and provide comments on planning applications as they relate to the Natural Environment on the Region's behalf. As such, the following comments pertain to the Core Natural Heritage System Policies within the Regional Policy Plan.

There are no Regional Core Natural Heritage features currently identified on the subject property.

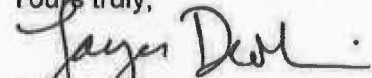
**Conclusion:**

Based on the above, the NPCA offers no objections to the subject application which has been made to create a new lot for the purpose of constructing a single detached dwelling.

Lastly, due to the features identified, any future works proposed on the property known as 697 Niagara Street will require NPCA review and approval prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer may require a work permit from this office, as well as further studies, in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

I trust the above will be of assistance to you. Please do not hesitate to call should you have further questions in this matter.

Yours truly,

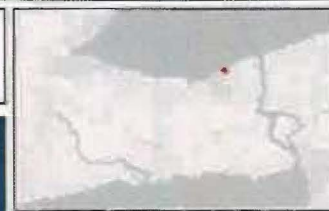


Taya Devlin

Watershed Planner (ext. 262)

Cc: Connie Manusco, Niagara Region  
Andrew Fetter, Development Approvals Technician, Niagara Region





### Legend

- Contours 2010 (1m)
- NIAGARA NATURAL ENVIRO  
INFORMATION SCREENING
- NPCA APPROXIMATE REGULI
- Regulated Floodplain Extent
  - Advisory (CWR)
  - Regulated
- Ontario Road Network
  - Major Highways
  - Arterial Roads
  - Local Roads
- Assessment Parcels
  - 1km176540477002010MAPCC
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - 1km176550477002010MAPCC
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - 1km176560477002010MAPCC
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - 1km176570477002010MAPCC
    - Red: Band\_1

1: 1,000



50.8 0 25.40 50.8 Meters

NAD\_1983\_UTM\_Zone\_17N

© NPCA, Niagara Region, UO, MPAC & Teranet

This map is for illustrative purposes only. Information contained hereon is not intended to constitute advice, is not a substitute for professional review or a site survey, and is subject to change without notice. The NPCA takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. THIS IS NOT A PLAN OF SURVEY

### Notes

VIA E-MAIL ONLY

November 13, 2015

File D.06.08.CS-15-086

Elaine Munro ACST

Committee Secretary & Planning Clerk

City of St. Catharines

PO Box 3012, 50 Church Street

St. Catharines, ON L2R 7C2

Applicant: Carl Beyer & Sherrie Beyer

Proposal: Consent Application B-48/15SC, partial discharge of mortgage and severance of land

Location: Regional Road 48 (697 Niagara Street)  
In the City of St. Catharines

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Regional Niagara Development Services Division has completed an engineering review of the proposed consent application for the above-noted development. The application proposes to sever a new lot with an area of 835 m<sup>2</sup> (Part 1) for the purpose to construct a single detached dwelling. The remnant parcel (Part 2) with two existing dwellings and detached garage will continue to be used for residential purposes. The following comments are offered to assist the city in considering the application.

**1) Regional Road # 48 (Niagara Street)**

After review of the Regional mapping system, this section of road has a substandard road allowance. Therefore, in accordance with the approved *Regional Road Allowance Policy (Amendment 2-2005 to the Official Plan for the Niagara Planning Area)*, we would require the applicant grant the following gratuitously to the Region:

- a (3.05) metre road allowance across the frontage of the subject property

The widening is intended to accommodate future pavement widening and to provide sufficient boulevard area for an alternative alignment for sidewalk, utilities, snow storage and tree plantings. Please note that the daylight triangle at the northeast corner of the property will not be required in lieu of the road allowance.

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances.

The widening is to be described by Reference Plan. The widening portion of the Plan will be the responsibility of the owner to order. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to the Regional Surveys Manager for approval. The Regional Surveys Manager will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the above condition.

As this process can take an average of 8 weeks, the owner is encouraged to advise the Region of the name of the surveyor and legal contact that will be dealing with the widening.

Regional Contact information:

- Stephanie Tripp, Real Estate Officer, Properties Management, (905) 685-4225 extension 3327.  
E-mail: [stephanie.tripp@niagararegion.ca](mailto:stephanie.tripp@niagararegion.ca)

## 2) Regional Permit Requirements

Prior to any construction taking place within a Regional Road Allowance, a Regional Construction Encroachment and Entrance Permit must be obtained from the Permits Section of the Transportation Services Division or online, during the building permit process.

- Link to the Application for Construction Encroachment:  
<http://www.niagararegion.ca/living/roads/permits/Application-for-Construction-Encroachment.aspx>
- Link to the Application for Entrance Permit:  
<http://www.niagararegion.ca/living/roads/permits/Application-for-Entrance-Permit.aspx>

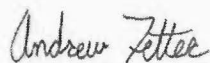
In conclusion, Regional staff would offer no objection in principle to the consent application subject to the inclusion of the following conditions:

- That the applicant grant the Region with a (3.05) metre road allowance across the frontage of the property. The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances.

If you have any questions or wish to discuss these comments, please contact me at extension 3177 or Morgan Casciani, Senior Development Planner, at extension 3359.

Please send notice of the Committee's decision on this application.

Sincerely,



Andrew Fetter  
Development Approvals Technician

cc. Morgan Casciani, Senior Planner, Development Services Division  
Stephanie Tripp, Real Estate Officer, Properties Management



, Elaine

---

**Subject:**

Zemsta, Dave (6049459)

RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

---

**From:** Zemsta, Dave (6049459)

**Sent:** Tuesday, November 03, 2015 2:54 PM

**To:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

Good afternoon Elaine,

I have reviewed all 3 emails and do not have any concerns with any of the proposed variances.

You have a good week, too.

Regards,

**Bell**

Dave Zemsta

Specialist, Network Provisioning

**Bell Canada**

63 King St., Floor 2, St. Catharines, Ontario, L2R 3H6

Office: 905-641-3390



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** November 13, 2015

**Date of Meeting:** November 18, 2015

**Submission(s):** B-48/15SC  
A-93/15

**File:** 60.84.2010  
60.81.5031

**Subject:** 697 Niagara Street  
697A Niagara Street

### Proposal

Application **B-48/15SC** is made for consent to a partial discharge of mortgage and for consent to sever 835 m<sup>2</sup> of land (Part 1 on the submitted sketch) creating a new lot to be known as 697A Niagara Street for the purpose of constructing a single detached dwelling. A 2,900 m<sup>2</sup> remnant parcel with an existing single detached dwelling with a detached garage as well as a second existing single detached dwelling with attached garage (Part 2) would be retained for residential use.

Application **A-93/15** is made pertaining to the City of St. Catharines By-law 2013-283 an increase of the maximum lot area per dwelling unit from 490 m<sup>2</sup> to 835 m<sup>2</sup> (Part 1).

### Recommendation

That Submission **B-48/15SC** by Carl Beyer & Sherrie Beyer, as outlined in the Notice of Hearing, be denied.

That Submission **A-93/15** by Carl Beyer & Sherrie Beyer, as outlined in the Notice of Hearing, be denied.

### Summary

The purpose of the applications is to create a new lot for the purpose of constructing a single detached dwelling.

Having regard for the matters under Section 51 (24) and section 45 (1) of the Planning Act, staff is not satisfied that the proposal is desirable for the appropriate use of the land or that the intent and purpose of the Official Plan and Zoning By-law are being maintained. The severance and minor variance are not desirable for the appropriate use of the land.

Staff recommends the denial of the requested consent and the requested variance.

# **Background**

## **Planning Context**

### **Location**

The subject property is located on the west side of Niagara Street, north of Cherrylane Drive. The property is surrounded by single detached dwellings in all directions.

### **Official Plan**

The Garden City Plan (GCP) designates the land as Low Density Residential, which permits a variety of residential dwelling types at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

### **Zoning By-law**

The subject land is zoned Low Density Residential – Suburban Neighbourhood (R1) pursuant to By-law 2013-283, which permits a variety of residential dwelling types including single detached and semi-detached dwellings.

# **Report**

## **Consent for New Lot**

The proposed severance is to create a new lot for the purpose of constructing a single detached dwelling.

The Garden City Plan (GCP) encourages many forms of residential development including infill and intensification, as the City has developed outward to its growth boundaries. GCP Section 2.3.3(3) states that growth will be accommodated by the efficient usability of vacant and occupied lands, and more compact built form and density of development. The proposed lot size is not an efficient use of the subject lands, nor is it contributing to a compact built form.

The GCP establishes a framework to achieve minimum density targets set out in the Provincial Growth Plan for the Greater Golden Horseshoe and provides opportunities for intensification on all Residential land through density standards, stated in GCP Section 2.3.3(4)(vii). The Low Density Residential area density targets are between 20 and 32 units per hectare. The proposed lot for a single dwelling has a density of 12 units per hectare. Notwithstanding the size of surrounding lots, the GCP is clear that intensification and compact development are a priority for all residential properties, and density standards are implemented to achieve provincial targets.

Section 16.11(3) of the GCP states: "Consents to sever land will only be given where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development for the surrounding area." The proposed lot size is considered too large to maximize infill and intensification objectives. The large parcel size and width of the proposed lot compromises future redevelopment potential of the remnant lot (Part 2).

Staff would be prepared to support a lot with a maximum frontage of 15 metres. The smaller lot size would maximize the development potential of the remnant parcel, and create a new lot that better reflects the infill and intensification policies of the GCP.

Staff is not supportive of the creation of the proposed lot for the purpose of constructing a single detached dwelling. It is not in keeping with the intent of the Official Plan and Zoning By-law, nor is it desirable for the appropriate development of the land.

### **Variances Proposed**

Application **A-93/15** is made pertaining to the City of St. Catharines By-law 2013-283 for an increase of the maximum lot area per dwelling unit from 490 m<sup>2</sup> to 835 m<sup>2</sup>.

Staff recommends the denial of the requested variance, as the proposed lot is not in keeping with the intent of the Official Plan and Zoning By-law in regards to size and frontage.

### **Conclusion**

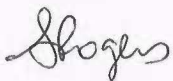
Staff is not satisfied that the subject consent and variance are appropriate and desirable for the use of the land. The proposal is not consistent with GCP policies intended to accommodate population growth, nor is it consistent with the implementation policies guiding lot creation. The intent and purpose of the Official Plan and Zoning By-law are not maintained. It is the opinion of Staff that the consent and variance be denied.

### **Prepared by:**




Charlotte McEwan  
Student Planner

### **Submitted by:**



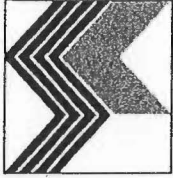
Sara Rogers  
Planner 1

### **Approved by:**



Judy Pihach, M.C.I.P., R.P.P.  
Manager Planning Services





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Memorandum

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To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte McEwan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Consents – November 18, 2015 hearing - File No.: 300-036**

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**B-38/15SC - 1 Aitken**

Comment:  
No Comment

Condition:  
No Comment

**B-39/15SC - 3 Aitken**

Comment:  
No Comment.

Condition:  
Drawings indicate the shed on Part 2 to be removed. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-46/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:  
The existing storage shed on Part 5 is shown to be removed. If storage unit exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-47/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:

That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing garage facing Part 4 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-48/15SC - 697 Niagara Street**

Comment:  
No Comment.

Condition:

That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing Part 1 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-49/15SC – 24 White Street**

Comment:  
No Comment.

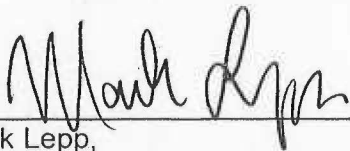
Condition:

Drawing indicates an existing shed to be removed from Part 1. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-50/15SC – 26 White Street**

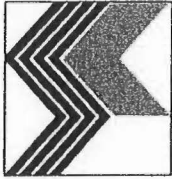
Comment:  
No Comment.

Condition:  
No Comment



Mark Lepp,  
Building Inspector II

Cc: Files, 300-036



## Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte Mcewan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Minor Variance – November 18, 2015 hearing - File No.: 300-010**

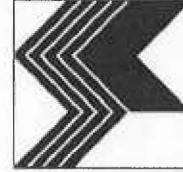
NO.	ADDRESS	COMMENTS
A-78/15	3 Aitken Street	No Comment
A-89/15	421 Linwell Road	Please be advised that a Building Permit is required for the proposed addition.
A-90/15	357 Martindale Road	No Comments
A-91/15	361 Martindale Road	Please be advised that a Building Permit is required for the future residential development.
A-92/15	365 Martindale Road	No Comments
A-93/15	697A Niagara Street	Please be advised that a Building Permit is required for the proposed single detached dwelling.
A-94/15	24 White Street	No Comments
A-95/15	21 Thompson Avenue	Please be advised that a Building Permit is required for the proposed single detached dwelling.

Mark Lepp, Building Inspector II

Cc: Files, 300-010

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**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-48/15SC**



November 5, 2015

**ENGINEERING FILE 300-36**

**Hearing Date:** November 18, 2015

**Applicant:** Carl & Sherrie Beyer

**Location:** 697 Niagara Street

**MUNICIPAL SERVICES**

**Niagara Street (Regional Road No. 48)**

**Water:** 150mm (6") A.C.

**Sanitary Sewer:** 200mm (8") – South Limit of property  
200mm (8") – North Limit of property  
750mm (30") – full frontage

**Storm Sewer:** 300mm (12")

**Sidewalks:** No

**Road Allowance Width:** 21.0m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 697A Niagara Street for the purpose of constructing a single detached dwelling. A remnant parcel with an existing single detached dwelling with a detached garage as well as a second existing single detached dwelling with a garage will remain on Part 2.

**Roads**

Niagara Street is designated as a Regional Arterial road per the City's Official Plan, with a desired right-of-way width of 26.2m±. Its current width is 20.0m±, deficient for the needs of the desired width. A road widening will no doubt be required however will be determined at the discretion of the Regional Municipality of Niagara.

**Engineering Services**

Existing services in the area as noted above are adequate to accommodate the above proposed lot. The Applicant will be responsible to pay to the City the fees required to service the proposed property with water and sewer at the time a Building Permit is applied for, according to the City's current Schedule of Rates & Fees. The Applicant shall also pay the fee to the City to inspect and trace the existing dwelling's sanitary sewer lateral to ensure that it does not cross the proposed lot's property line, the fee according to the City's current Schedule of Rates & Fees. If it is determined that the existing sanitary lateral does cross the proposed lot line, the Applicant shall pay to have the lateral relocated entirely on the existing property no longer creating a maintenance need over the future lot.



### Grading & Drainage

Increase drainage challenges occur in these types of in-fill lot developments, where existing and established lots and lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the proposed drainage scheme conveys drainage flows to a suitable outlet and not adversely affect abutting properties.

#### Condition(s):

Development Engineering Services have no further comment and have no objection to the approval of the above severance application, on the condition that:

- The Applicant pay the City the fee for crews to inspect and trace the existing dwelling's sanitary sewer lateral according to the City's current Schedule of Rates & Fees.



Prepared By: \_\_\_\_\_

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



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## Memorandum

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**To:** Elaine Munro, Committee Secretary & Planning Clerk  
Planning & Building Services

**Cc:** Margaret Josipovic, Planner 1  
Charlotte McEwan, Planning Student  
Judy Pihach, Manager of Planning Services

**From:** Brad Johnston, C.E.T., Development Engineering Technologist  
Planning and Building Services

**Date:** November 6, 2015  
**Hearing Date:** November 18, 2015

**Subject:** Engineering Comments to the Committee of Adjustment  
File No's: A-78/15SC – 3 Aiken Street  
A-89/15SC – 421 Linwell Road  
A-90,91&92/15SC – 357 Martindale Road  
A-93/15SC – 697 Niagara Street  
A-94/15SC – 24 White Street  
A-95/15SC – 21 Thompson Avenue

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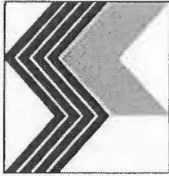
Development Engineering Services have had the opportunity to review the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, subject to the following;

- The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

Regards,

---

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



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## Memorandum

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**To:** Sara Rogers, Planning & Building Services  
Charlotte Mcewan, Planning & Building Services

**CC:** Elaine Munro, Planning & Building Services  
Judy Pihach, Planning & Building Services

**From:** Kristen Sullivan, Parks, Recreation & Culture Services

**Date:** November 6, 2015

**Subject:** Notice of Hearing: Consent to Sever  
Address: 697 Niagara St.  
File No: 60.84.2010

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Please be advised that we have reviewed the above-noted applications and request the following condition of severance:

That the applicant submit a payment of \$420.00 for the placement of a boulevard tree, in accordance with the 2015 Schedule of Rates and Fees.

If Planning and Building Services determines that parkland dedication can be collected for this application we request the following condition of severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 3145.

Kristen Sullivan  
Project and Development Planner  
Parks, Recreation and Culture Services

## Munro, Elaine

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**To:** Sullivan, Kristen  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

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**From:** Sullivan, Kristen  
**Sent:** Friday, November 06, 2015 4:46 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>; Rogers, Sara <srogers@stcatharines.ca>; Josipovic, Margaret <mjosipovic@stcatharines.ca>; Mcewan, Charlotte <cmcewan@stcatharines.ca>  
**Cc:** Pihach, Judy <jpihach@stcatharines.ca>  
**Subject:** RE: Committee of Adjustment Notices and Applications for the November 18/15 CofA Hearing

Please see attached. Please note PRCS has no comments on the following applications:

- 3 Aiken (minor variance)
- 24 White (minor variance)
- 357 Martindale (minor variance)
- 361 Martindale (minor variance)
- 365 Martindale (minor variance)
- 421 Linwell (minor variance)
- 697A Niagara (minor variance)

Thank you,

**Kristen Sullivan**  
Project & Development Planner  
**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)  
**Tel:** 905.688.5601 x3145

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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:** Development Technologist

**From:** Steve Bittner  
Transportation Technologist

**Date:** November 17, 2015

**Subject:** Committee of Adjustment  
Public Hearings – November 18, 2015  
File No. 305-17-01

---

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner  
Transportation Technologist  
SB/





November 6, 2015

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

Attention: Elaine Munro

File# 60.84.2011, 60.81.5032, 60.81.5033, 60.84.2012

Re: 24 & 26 White St & 21 Thompson Ave

In response to your correspondence(s) dated November 3, 2015, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ [www.horizonutilities.com](http://www.horizonutilities.com).
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Horizon Utilities to facilitate this. \*Only driveway conflict exists.

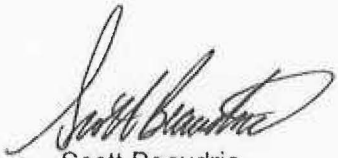
We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
  - Electrical Safety Code Rule 75-312
  - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
  - CAN/CSA-C22.3 No. 1-10, Overhead System

- C22.3 No. 7- 10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-521-4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", written in a cursive style.

Scott Beaudrie  
Supervisor, Engineering Design

o, Elaine

---

**Subject:** Zemsta, Dave (6049459)  
RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

---

**From:** Zemsta, Dave (6049459)  
**Sent:** Tuesday, November 03, 2015 2:54 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** RE: Notices of Hearing for November 18/15 Hearing - City of St. Catharines (3 of 3 emails)

Good afternoon Elaine,

I have reviewed all 3 emails and do not have any concerns with any of the proposed variances.

You have a good week, too.

Regards,

**Bell**

Dave Zemsta  
Specialist, Network Provisioning  
**Bell Canada**  
63 King St., Floor 2, St. Catharines, Ontario, L2R 3H6

Office: 905-641-3390



CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** November 13, 2015

**Date of Meeting:** November 18, 2015

**Submission(s):** B-49/15SC

B-50/15SC

A-94/15

A-95/15

**File:** 60.84.2011

60.84.2012

60.81.5032

60.81.5033

**Subject:** 24 White Street  
26 White Street  
21 Thompson Avenue

### Proposal

Application **B-49/15SC** is made for consent to a partial discharge of mortgage and for consent to sever 246.9 m<sup>2</sup> of land (Part 1 on the submitted sketch). A 449.9 m<sup>2</sup> remnant parcel (Part 4) with the existing single detached dwelling would be retained for continued residential purposes.

Application **B-50/15SC** is made for consent to a partial discharge of mortgage and for consent to sever 246.9 m<sup>2</sup> of land (Part 2 on the submitted sketch). A 449.9 m<sup>2</sup> remnant parcel (Part 3) with the existing single detached dwelling would be retained for continued residential purposes.

Application **A-94/15** (Part 4) is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

- 1) A reduction of the minimum rear yard setback from 7.5 metres to 6.7 metres.
- 2) A reduction of the minimum setback from rear lot line to deck that is 0.44 metres above grade from 1.8 metres to 1.1 metres.
- 3) A reduction of interior side yard setback for accessory structure from 0.6 metres to 0.05 metres.

Application **A-95/15** (Parts 1 & 2) is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

- 1) An increase of the maximum lot area per dwelling unit from 490 m<sup>2</sup> to 495 m<sup>2</sup>.
- 2) A reduction of the minimum lot frontage from 15 metres to 13.5 metres.

### Recommendation

That Submission **B-49/15SC** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant submit a payment of \$420.00 for the placement of a boulevard tree, in accordance with the 2015 Schedule of Rates and Fees.
2. That payment of 5% of the appraised value of the new lot (Part 2 and Part 3) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
3. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties (Parts 2 and 3) will be merged and become one parcel of land.
4. That the fence between Parts 1 & 2 be removed to the satisfaction of the City.
5. That the final certificate for submission **B-50/15SC** be issued concurrently.
6. That final approval for all necessary minor variance applications be received.

That Submission **B-50/15SC** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved.

That Submission **A-94/15** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved.

That Submission **A-95/15** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved, subject to the following condition:

1. That in accordance with the Schedule of Rates and Fees the applicant for the building permit be required to pay for the complete removal of the tree and stump of the boulevard tree in front of 21 Thompson St.

## Summary

The purpose of the applications is to facilitate the creation of a new lot for the purpose of constructing a single detached dwelling to be known as 21 Thompson Avenue.

Having regard for the matters under Section 51 (24) and section 45 (1) of the Planning Act, staff is satisfied that the proposal is desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. The proposal maintains the intent and purpose of the Provincial Policy



Statement and does not conflict with applicable provincial plans. The severances and variances are desirable for the appropriate use of the land.

Staff recommends the approval of the requested consents and the requested variances, subject to the conditions outlined in the recommendation.

## **Background**

### **Planning Context**

#### **Location**

The subject properties are located on the corner of White Street and Thompson Avenue. The properties are surrounded by single detached dwellings in all directions.

#### **Official Plan**

The Garden City Plan (GCP) designates the land as Low Density Residential, which permits a variety of residential dwelling types at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

#### **Zoning By-law**

The subject land is zoned Low Density Residential – Suburban Neighbourhood (R1) pursuant to By-law 2013-283, which permits a variety of residential dwelling types, including single detached dwellings.

## **Report**

### **Consents for the Creation of a New Lot (Parts 1 & 2, 21 Thompson Avenue)**

The proposed severances are to allow the creation of a new residential lot for the purposes of constructing a single detached dwelling.

The current density of the subject lands is below the density range set by the Garden City Plan (GCP). The GCP encourages many forms of residential development including infill and intensification, as the City has developed outward to its growth boundaries. Staff is supportive of modest intensification in accordance with the policies of the GCP. Facilitating intensification of this area is in keeping with the policies of the GCP. The proposed intensification on the subject lands will bring density within the target range.

It is noted that the boulevard in front of the proposed lot contains a tree, and a utility pole and guy wire. The tree is unlikely to survive construction and must be removed at the expense of the applicant. The City will collect a fee as a condition to replace the tree. Future construction may also require the removal or relocation of the utility pole and/or guy wire at the applicant's expense. See the Appendix for comments from Horizon Utilities regarding this process.

### **Variances Proposed**

#### **Application A-94/15 (Part 4, 24 White Street)**

Variance 1 requests a reduction of the minimum rear yard setback from 7.5 metres to 6.7 metres. Staff are supportive of this variance, as the property has adequate amenity

space between the rear yard, front yard and exterior side yard. The minor reduction in required rear yard set back will not impact surrounding lands, and the general intent of the Official Plan and Zoning By-law is maintained.

Variance 2 requests a reduction of the minimum setback from rear lot line to deck that is 0.44 metres above grade from 1.8 metres to 1.1 metres. As a result of the severance, the existing deck would no longer comply with the Zoning By-law. In accordance with Section 7 of the GCP, Staff are satisfied that the impact of this reduced setback adjacent properties with regard to privacy is minimized, as the abutting yard is the neighbouring side yard. Staff are supportive of the variance.

Variance 3 requests a reduction of interior side yard setback for accessory structure from 0.6 metres to 0.05 metres. The variance is made to recognize the location of an existing shed and will have no impact on surrounding lands. Staff are supportive of the variance.

#### **Application A-95/15 (Parts 1 & 2, 21 Thompson Avenue)**

Variance 1 requests an increase of the maximum required lot area per dwelling unit from 490 m<sup>2</sup> to 495 m<sup>2</sup>. In order to achieve the proposed frontage of 13.5 metres, the lot size is greater than the maximum as per the Zoning By-law. The excess area of the lot is not impactful on surrounding lands, and allow a frontage that should not be further reduced. Staff are supportive of the variance.

Variance 2 requests a reduction of the minimum lot frontage from 15 metres to 13.5 metres. In order to accommodate a driveway within the proposed frontage an existing boulevard tree will need to be removed. Parks, Recreation and Culture Services has no concerns with the removal of this tree under the condition that it is removed by City staff. Removal will be completed by the City or its contractor, at the cost of the applicant, after a building permit has been submitted. Upon request the Forestry Foreman will provide a cost estimate for the tree removal prior to the work being completed. The City will plant a replacement tree using the funds collected as a condition of the land division.

Staff are satisfied that the variances are minor in nature, that the intent of the Zoning By-law and Official Plan is maintained, and that the variances are desirable for the appropriate use of land. Staff are supportive of the requested variances for the proposed new lot.

Further comments from staff can be found in the Appendix of this report.

## **Conclusion**

Staff is satisfied that the subject consents and variances are appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. It is the opinion of Staff that the consents be approved, subject to the conditions outlined in the recommendation, and that the variances be approved.

**Prepared by:**

A handwritten signature in blue ink, appearing to read 'CMEwan', with a long horizontal flourish extending to the right.

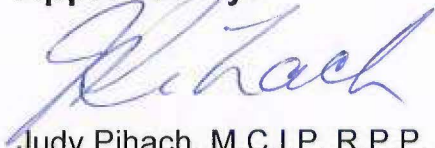
Charlotte McEwan  
Student Planner

**Submitted by:**

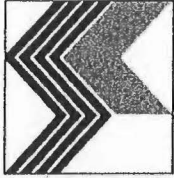
A handwritten signature in blue ink, appearing to read 'S Rogers', with a stylized 'S' and 'R'.

Sara Rogers  
Planner 1

**Approved by:**

A handwritten signature in blue ink, appearing to read 'J Pihach', with a stylized 'J' and 'P'.

Judy Pihach, M.C.I.P., R.P.P.  
Manager Planning Services



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Memorandum

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To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte McEwan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Consents – November 18, 2015 hearing - File No.: 300-036**

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**B-38/15SC - 1 Aitken**

Comment:  
No Comment

Condition:  
No Comment

**B-39/15SC - 3 Aitken**

Comment:  
No Comment.

Condition:  
Drawings indicate the shed on Part 2 to be removed. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-46/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:  
The existing storage shed on Part 5 is shown to be removed. If storage unit exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-47/15SC - 357 Martindale Road**

Comment:  
No Comment.

Condition:  
That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing garage facing Part 4 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-48/15SC - 697 Niagara Street**

Comment:  
No Comment.

Condition:  
That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing Part 1 meet the requirements of Subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code as applicable.

**B-49/15SC – 24 White Street**

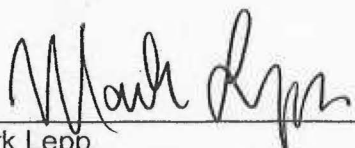
Comment:  
No Comment.

Condition:  
Drawing indicates an existing shed to be removed from Part 1. If shed exceeds 10 square metres in floor area, a Permit to demolish the aforementioned structure shall be obtained from the City Building Department and completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

**B-50/15SC – 26 White Street**

Comment:  
No Comment.

Condition:  
No Comment

  
\_\_\_\_\_  
Mark Lepp,  
Building Inspector II

Cc: Files, 300-036





## Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk  
Planning and Building Services

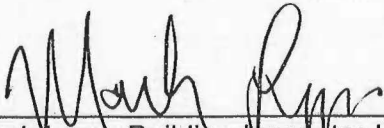
Cc: B. Thiessen, Margaret Jasipovic, Sara Rogers, Charlotte Mcewan,  
Judy Pihach  
Planning and Building Services

From: Mark Lepp, Building Inspector II  
Planning and Building Services

Date: November 06, 2015

Subject: Building Comments on Applications to the Committee of Adjustment  
**Minor Variance – November 18, 2015 hearing - File No.: 300-010**

NO.	ADDRESS	COMMENTS
A-78/15	3 Aitken Street	No Comment
A-89/15	421 Linwell Road	Please be advised that a Building Permit is required for the proposed addition.
A-90/15	357 Martindale Road	No Comments
A-91/15	361 Martindale Road	Please be advised that a Building Permit is required for the future residential development.
A-92/15	365 Martindale Road	No Comments
A-93/15	697A Niagara Street	Please be advised that a Building Permit is required for the proposed single detached dwelling.
A-94/15	24 White Street	No Comments
A-95/15	21 Thompson Avenue	Please be advised that a Building Permit is required for the proposed single detached dwelling.

  
Mark Lepp, Building Inspector II

Cc: Files, 300-010

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**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-49/15SC**



November 5, 2015

**ENGINEERING FILE 300-36**

**Hearing Date:** November 18, 2015

**Applicant:** Bruce Greenlaw

**Location:** 24 White Street

**MUNICIPAL SERVICES**

**Thomson Avenue**

**Water:** 150mm (6")  
**Sanitary Sewer:** 200mm (8") 3.0m+ deep  
**Storm Sewer:** 450mm (18")  
**Sidewalks:** Yes  
**Road Allowance Width:** 20.0m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 1. A remnant parcel (Part 4) with the existing single detached dwelling would remain for continued residential purposes. The application, combined with consent application B-50/15SC would create a new lot (Parts 1 & 2) to be known as 21 Thompson Avenue, for the purposes of constructing a single detached dwelling.

**Roads**

Thompson Avenue along this section is designated as a Local road as per the City's Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m±, therefore the City is satisfied with its current width and will not be pursuing a road widening along this section of Thompson Avenue at this time.

**Engineering Services**

The above noted engineering services are available to service the proposed lot with water and sewer, however the Applicant must note that the sanitary sewer is more than 3.0m deep within the road. The Applicant will be required to pay to the City the fees for City crews to provide sewer and water laterals to the property line at the building permit stage. Since the sanitary sewer is so deep, the fee for this provision will be a cash deposit based on an estimate provided, where the actual costs of City crews providing the lateral to the property line will be billed and/or refunded accordingly.

**Grading & Drainage**

Increased drainage challenges occur in these types of in-fill lot developments, where existing and established lots and lots within established plans of subdivision sometimes do not have suitable drainage

outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when there are no opportunities to connect to a storm sewer in the road allowance. Since an adequately-sized storm sewer exists on Thompson Avenue, sump pump flows shall be required to discharge to the storm sewer via a storm lateral, the fee to be paid by the Applicant to the City to provide this lateral based on the City's current Schedule of Rates & Fees.

Condition(s):

Development Engineering Services do not have any further comments or conditions to impose at this time, and have no objection to the approval of this consent application.



Prepared By: \_\_\_\_\_

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

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-50/15SC**



November 5, 2015

**ENGINEERING FILE 300-36**

**Hearing Date:** November 18, 2015

**Applicant:** Bruce Greenlaw

**Location:** 26 White Street

**MUNICIPAL SERVICES**

**Thomson Avenue**

**Water:** 150mm (6")  
**Sanitary Sewer:** 200mm (8") 3.0m+ deep  
**Storm Sewer:** 450mm (18")  
**Sidewalks:** Yes  
**Road Allowance Width:** 20.0m±

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

*Comment(s):* It is noted that the Applicant proposes to sever Part 2. A remnant parcel (Part 3) with the existing single detached dwelling would remain for continued residential purposes. The application, combined with consent application B-49/15SC would create a new lot (Parts 2 & 3) to be known as 21 Thompson Avenue, for the purposes of constructing a single detached dwelling.

**Roads**

Thompson Avenue along this section is designated as a Local road as per the City's Official Plan, with a desired right-of-way width of 20.0m. Its current width is 20.0m±, therefore the City is satisfied with its current width and will not be pursuing a road widening along this section of Thompson Avenue at this time.

**Engineering Services**

The above noted engineering services are available to service the proposed lot with water and sewer, however the Applicant must note that the sanitary sewer is more than 3.0m deep within the road. The Applicant will be required to pay to the City the fees for City crews to provide sewer and water laterals to the property line at the building permit stage. Since the sanitary sewer is so deep, the fee for this provision will be a cash deposit based on an estimate provided, where the actual costs of City crews providing the lateral to the property line will be billed and/or refunded accordingly.

**Grading & Drainage**

Increased drainage challenges occur in these types of in-fill lot developments, where existing and established lots and lots within established plans of subdivision sometimes do not have suitable drainage

outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when there are no opportunities to connect to a storm sewer in the road allowance. Since an adequately-sized storm sewer exists on Thompson Avenue, sump pump flows shall be required to discharge to the storm sewer via a storm lateral, the fee to be paid by the Applicant to the City to provide this lateral based on the City's current Schedule of Rates & Fees.

Condition(s):

Development Engineering Services do not have any further comments or conditions to impose at this time, and have no objection to the approval of this consent application.



**Prepared By:**

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





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## Memorandum

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**To:** Elaine Munro, Committee Secretary & Planning Clerk  
Planning & Building Services

**Cc:** Margaret Josipovic, Planner 1  
Charlotte McEwan, Planning Student  
Judy Pihach, Manager of Planning Services

**From:** Brad Johnston, C.E.T., Development Engineering Technologist  
Planning and Building Services

**Date:** November 6, 2015  
**Hearing Date:** November 18, 2015

**Subject:** Engineering Comments to the Committee of Adjustment  
File No's: A-78/15SC – 3 Aiken Street  
A-89/15SC – 421 Linwell Road  
A-90,91&92/15SC – 357 Martindale Road  
A-93/15SC – 697 Niagara Street  
A-94/15SC – 24 White Street  
A-95/15SC – 21 Thompson Avenue

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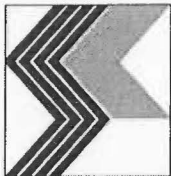
Development Engineering Services have had the opportunity to review the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, subject to the following;

- The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

Regards,

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



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## Memorandum

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**To:** Sara Rogers, Planning & Building Services  
Charlotte Mcewan, Planning & Building Services

**CC:** Elaine Munro, Planning & Building Services  
Judy Pihach, Planning & Building Services

**From:** Kristen Sullivan, Parks, Recreation & Culture Services

**Date:** November 6, 2015

**Subject:** Notice of Hearing: Consent to Sever  
Address: 24 and 26 White St.  
File No: 60.84.2011, 60.84.2012

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Please be advised that we have reviewed the above-noted applications and request the following condition of severance:

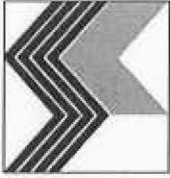
That the applicant submit a payment of \$420.00 for the placement of a boulevard tree, in accordance with the 2015 Schedule of Rates and Fees.

If Planning and Building Services determines that parkland dedication can be collected for this application we request the following condition of severance:

That payment of 5% of the appraised value of the new lot (Part 1 and Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 3145.

Kristen Sullivan  
Project and Development Planner  
Parks, Recreation and Culture Services



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## Memorandum

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**To:** Sara Rogers, Planning & Building Services  
Charlotte McEwan, Planning & Building Services

**CC:** Elaine Munro, Planning & Building Services  
Judy Pihach, Planning & Building Services

**From:** Kristen Sullivan, Parks, Recreation and Culture Services

**Date:** November 6, 2015

**Subject:** Notice of Hearing: Minor Variance  
Address: 21 Thompson St.  
File No: 60.81.5033

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Please be advised that we have reviewed the above-noted application and have no concerns with minor variance 1, being an increase in maximum lot area per dwelling.

Minor variance 2 requests a reduction in lot frontage. In order to accommodate a driveway within the proposed frontage an existing boulevard tree will need to be removed. Parks, Recreation and Culture Services has no concerns with the removal of this tree under the condition that it is removed by City staff. Removal will be completed by the City or its contractor, at the cost of the applicant, after a building permit has been submitted. Upon request the Forestry Foreman will provide a cost estimate for the tree removal prior to the work being completed. The City will plant a replacement tree using the funds collected as a condition of the land division. Given this situation we request the following condition:

That in accordance with the Schedule of Rates and Fees the applicant for the building permit be required to pay for the complete removal of the tree and stump of the boulevard tree in front of 21 Thompson St.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 3145.

Kristen Sullivan  
Project and Development Planner  
Parks, Recreation and Culture Services



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:** Development Technologist

**From:** Steve Bittner  
Transportation Technologist

**Date:** November 17, 2015

**Subject:** Committee of Adjustment  
Public Hearings – November 18, 2015  
File No. 305-17-01

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Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner  
Transportation Technologist  
SB/