

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
5. Adoption of the Minutes held March 30, 2016
6. Application:
 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073
 2. 58 Chestnut Street, Minor Variance Application – A-17/16 – 60.81.5061
 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074
 4. 91 Louth Street, Consent Application – B-15/16SC – 60.84.2035
 - 91 Louth Street, Minor Variance Application – A-31/16 – 60.81.5075
 - 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076
 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077
 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078
 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079
 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080
7. New Business:
8. Adjournment

****NOTE:** Planning Reports will be available on Monday, April 18, 2016******

Posted on the City's website: April 15, 2016

25 George Street

Departmental &
Agency Comments



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission(s): A-29/16

File: 60.81.5073

Subject: 25 George Street

Proposal

Application **A-29/16** is made pertaining to the City of St. Catharines By-law 2013-283 for the following.

1. A reduction of minimum setback from the northerly interior lot line for a platform structure under 0.6m high from grade from 1.2m to 0.1m.
2. A reduction of minimum setback from the southerly interior lot line for a platform structure under 0.6m high from grade from 1.2m to 0.1m.
3. A reduction of the minimum setback from the rear lot for a platform structure under 0.6m high from grade from 1.8m to 1.3m.
4. An increase of maximum area of platform structure under 0.6m from grade over 50% of the yard to 65% of the yard.

Recommendation

That Submission **A-29/16** by Elizabeth Jane Neaves, as outlined in the Notice of Hearing be approved.

Summary

The purpose of the application is to facilitate the construction of a lower level deck currently under construction.

Having regard for the matters under 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 variances are desirable for the appropriate use of the land. Staff recommends the approval of the requested variances.

Background

Planning Context

The subject property is located on the west side of George Street, south of Albert Street. The property is abutted by mixed residential uses.

Official Plan

The Garden City Plan (GCP) designates the land as Low Density Residential, which permits a range of residential uses at a density of 20-32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2) pursuant to By-law 2013-283, which permits single detached dwellings, semi-detached dwellings, duplex dwellings, and townhouse dwellings, subject to the provisions of the by-law.

Report

The Variances are requested to facilitate the construction of a lower level deck currently under construction. A higher level deck has been constructed which complies with all provisions of the zoning By-law. The lower deck is less than 0.6m above grade and requires variances for a reduced setback from the side lot lines (Variances 1 and 2), rear lot line (Variance 3), and for overall coverage of the rear yard (Variance 3).

The neighbourhood and surrounding lands are comprised of an older neighbourhood, with a tight lot fabric and compact built form. Rear yards and private amenity spaces are typically smaller than those of a suburban neighbourhood and range in size from 2.0m to 20.0m. The lower level deck on the subject lands is located within an existing, private amenity space located at the rear of the subject lands. Typical uses for these lands are for an amenity area. Amenity areas at grade such as grass, or patio areas are permitted with zero setback from the property line. Fences with a maximum height of 2.0m are also permitted. In light of the above, staff believe that the 1.1m side yard reduction, and 0.5m rear yard reduction, combined with the 15% increase in rear yard coverage will not have a significant impact on the use of the rear yard amenity space, and will not impact noise, or privacy.

The applicant has requested that the Committee waive the fee associated with this application. During the course of the building permit application for the upper deck the applicant diligently sought out permission and information concerning what the City's zoning By-law permitted. At that time, during this process zoning information concerning the lower deck, which is the subject of this minor variance application, had not been appropriately highlighted by staff and, as such, the applicant proceeded to commence construction. While a building permit is not required for the lower deck, construction must comply with the zoning by-law.

In this instance, since information was not forthcoming from staff, it is altogether appropriate for the Committee to waive the minor variance application fee. Therefore, the department strongly recommends that the requested waiving of the fee be granted by the Committee of Adjustment.

Conclusion

In summary, Staff is satisfied that the subject variances are appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning

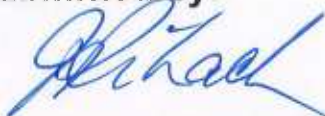
By-law are being maintained. It is the opinion of Staff that the variances be approved, subject to the condition outlined in the recommendation.

Prepared by:



Jessica Button M.C.I.P, R.P.P.
Planner

Submitted by:



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

Approved by:



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

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

- | | |
|---|----------------------|
| 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073 concerns | No issue or concerns |
| 2. 58 Chestnut Street E, Minor Variance Application – A-17/16 – 60.81.5061 concerns | No issue or concerns |
| 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074 concerns | No issue or concerns |
| 4. 91 Louth Street, Consent Application – B-15/16SC – 60.84.2035 concerns | No issue or concerns |
| 91 Louth Street, Minor Variance Application – A-31/16 – 60.81.5075 concerns | No issue or concerns |
| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or concerns |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or concerns |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or concerns |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or concerns |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

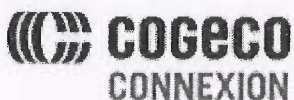
Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com





Memorandum

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

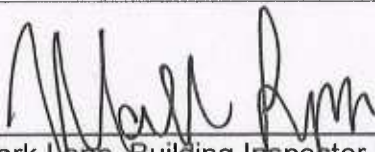
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

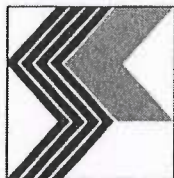
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

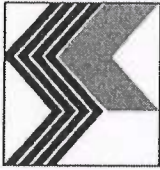
above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham", is written over a faint, rectangular grid pattern.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

58 Chestnut Street Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission: A-17/16

File: 60.81.5061

Subject: 58 Chestnut Street

Proposal

Application A-17/16 is made to the City of St. Catharines By-law 2013-283 for the following:

1. An increase of maximum accessory structure coverage from 10% to 19.2%.
2. A reduction of minimum setback from easterly interior side lot line for a platform structure under 0.6m high from grade from 1.2m to 0m.
3. A reduction of minimum setback from the easterly interior side lot line for a platform structure under 0.6m high from grade from 1.2m to 0m.
4. A reduction of maximum encroachment into the required yard for eaves / gutters on existing covered deck from 0.15m of the lot line to 0m.
5. A reduction of maximum encroachment into the required yard for eaves / gutters on existing carport from 0.15m of the lot line to 0m.
6. A reduction of westerly side lot line setback for an accessory structure from 0.6m to 0m.

Recommendation

That Variances 1-6 of Submission **A-17/16** by Jennifer Biro & Mark Francis Biro, as outlined in the Notice of Hearing, be approved.

Summary

The purpose of this application is to recognize the location of the existing uncovered and covered decks, the eaves / gutters on the existing covered deck & carport and the existing carport.

Having regard for the matters under and subsection 45 (1) of the Planning Act, staff is satisfied that the Variances are 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.

Staff recommends granting of the requested variances.

Background

Planning Context

Location

The subject property is located on the south side of Chestnut Street, extending to Chestnut Lane. The property is surrounded by detached dwellings.

Official Plan

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

Zoning By-law

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2) pursuant to By-law 2013-283, which permits a variety of residential dwelling types and structures accessory to this use.

Report

All variances are requested to recognize existing structures which have been constructed without permits. Should the variances be approved, appropriate building permits will be required.

Variance 1 is requested to increase the total coverage for all accessory structures. As sufficient amenity and greenspace is maintained, and the bulk of the coverage is located along Chestnut Lane, minimal impacts are anticipated to the existing streetscape along Chestnut Street.

Variances 2, 3, and 4 relate to the existing deck. The low level deck on the subject lands is located within an existing, private amenity space located at the rear of the subject lands. Typical uses for these lands are for an amenity area. Amenity areas at grade such as grass, or patio areas are permitted with zero setback from the property line. The existing low level deck is less than 0.6m high and will serve the same function as an at grade patio or amenity area.

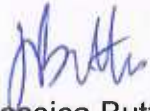
Variances 5 and 6 relate to the existing carport. A portion of the carport which extends on to adjacent lands is to be removed. Once building permit applications are submitted staff will review detailed design and materials of the carport. The roof drainage for the garage splits from back to front and not towards the side lot line. Therefore, staff do not anticipate any negative impact on drainage as a result of the proposed variance.

In light of the above, staff are supportive of the requested variances.

Conclusion

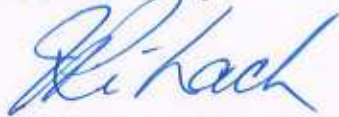
Staff can support the requested variances because they are representative of long-standing situations, do not adversely affect the character of the surrounding neighbourhood or the streetscape, and meet the intent and purpose of the GCP and Zoning By-law. They are minor in nature.

Submitted by:



Jessica Button, M.C.I.P, R.P.P.
Planner 1

Approved by:



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

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

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| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines RE 58 Chestnut Street

From: Vasko, Dennis

Sent: Wednesday, April 06, 2016 8:14 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines RE 58 Chestnut Street

Good morning Elaine,

There are no concerns with this property in respect to any closed landfills or fill sites.

Have a great day,

Dennis Vasko

Fill Site Technician

Email: dvasko@stcatharines.ca

Tel: 905.688.5601 x2163



Memorandum

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

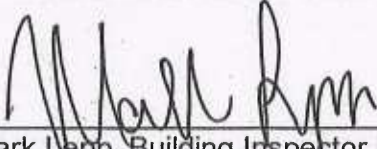
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

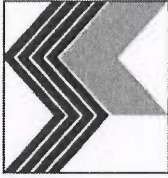
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
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A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
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A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc: Development Technologist

From: Steve Bittner
Transportation Technologist

Date: April 13, 2016

Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

56 Wanda Road Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2015

Submission: A-30/16

File: 60.81.5074

Subject: 56 Wanda Street

Proposal

Application A-30/15 is made to the City of St. Catharines By-law 2013-283 for the following:

1. An increase of the maximum total area for accessory structures from 10% to 14.71%.

Recommendation

That Variances 1 of Submission **A-30/16** by Arthur Gaudet & Veronica Gauget, as outlined in the Notice of Hearing, be approved, subject to the following condition;

1. That the driveway be limited in width to 10.4m.

Summary

The purpose of this application is to facilitate the construction of a two car garage to replace the existing garage.

Having regard for the matters under and subsection 45 (1) of the Planning Act, staff is satisfied that Variance 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 variance is minor in nature.

Staff recommends granting the requested variance.

Background

Planning Context

Location

The subject property is located on the north side of Wanda Street. The property is surrounded by detached dwellings to the north, south, east, and west.

Official Plan

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

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 and structures accessory to this use, subject to the provisions of the by-law.

Report

The variance is requested to increase the lot area coverage permitted for accessory structures to allow for the construction of a double garage. The proposal maintains sufficient amenity space on the property and maintains the landscaping requirements of the Zoning By-law. The 4.71% increase in coverage is minimal, and will be comparable to that of the existing garage. Staff note that the existing driveway is 10.4m wide, exceeding the permissions of the zoning by-law (7.5m). It is unclear when this driveway was established. In order to preserve the existing streetscape, maintain greenspace in the front yard, and minimize impacts on the adjacent property, staff recommend that the driveway be limited in width to the existing 10.4m.

Conclusion

Staff are supportive of the requested variance, subject to the condition noted in the recommendation. The proposal will not adversely affect the character of the surrounding neighbourhood or the streetscape, and meets the intent and purpose of the GCP and Zoning By-law. The variance is minor in nature.

Prepared by:



Jessica Button, M.C.I.P., R.P.P.
Planner I

Approved by:



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

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

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Thanks

Have a great day

DOUG CROWN

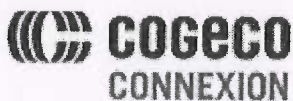
Network Planning and Design

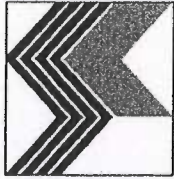
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7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

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Memorandum

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

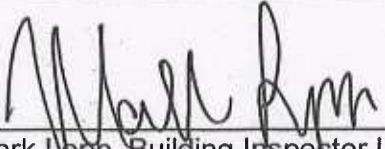
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

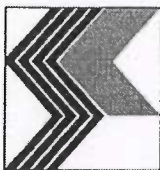
above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham", is written over a light, textured background.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc: Development Technologist

From: Steve Bittner
Transportation Technologist

Date: April 13, 2016

Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

91 Louth Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission(s): B-15/16SC
A-31/16
A-32/16

File: 60.84.2035
60.81.5075
60.81.5076

Subject: 91 Louth Street

Proposal

Application **B-15/16SC** is made for consent for a partial discharge of mortgage and for consent to sever 407 square metres of land for the purpose of creating a new lot to be known as 89 Louth Street for the purposes of constructing a single detached dwelling.

Application **A-32/15** is made pertaining to the City of St. Catharines By-law 2014-283 for

1. A reduction in minimum required lot frontage from 15.0m to 13.58m. (Part 2)

Application **A-32/16** is made pertaining to the City of St. Catharines By-law 2014-283 for

1. An increase in maximum lot area per dwelling unit from 490 square metres to 1,607 square metres. (Part 1)

Recommendation

That Submission **B-15/16SC** by Jeremy Grigg, Ashley Catherine Grigg, Ronald David Wall, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. Prior to final consent, the Applicant shall Pay to the City of St. Catharines the fee for City crews to inspect and trace the existing sanitary lateral and water service to 91 Louth Street in order to determine they do not cross the proposed lot lines of the new lot.
2. Prior to final consent the Applicant shall dedicate road widening dedications of 3.0m along the frontages of Parts 1 and 2 to the Niagara Region.

3. That payment of 5% of the appraised value of the new lot (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.
4. That the Applicant submit a payment for the placement of a boulevard tree, in accordance with the 2016 Schedule of Rates and Fees.
5. That prior to final consent, the applicant shall complete one of the following;
 - a. Remove or relocate the existing garage to comply with the provisions of the by-law. This will require the garage to be located exclusively on Part 1
 - b. Obtain approval for a temporary use by-law, permitting an accessory structure to be located on a lot (Part 2) without a primary use, for a maximum period of two years.
6. That the applicant receive final approval for all necessary minor variances.

That Submission **A-31/16** by Jeremy Grigg, Ashley Catherine Grigg, Ronald David Wall, as outlined in the Notice of Hearing, be approved.

And That Submission **A-32/16** by Jeremy Grigg, Ashley Catherine Grigg, Ronald David Wall, as outlined in the Notice of Hearing, be approved.

Background

Planning Context

Location

The subject property is located on the west side of Louth Street, north and south of Valley Road. The property is surrounded by single detached dwellings.

Official Plan

The Garden City Plan designates the land as Low Density Residential, which permits a variety of residential dwellings including single and semi-detached dwellings, 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 dwellings including the proposed single detached dwelling.

Report

Section 8.2 of the GCP states that residential development, redevelopment and intensification will have regard for Part D, Section 7 of the GCP. Section 7 provides guidance on matters that shall be considered when evaluating intensification in existing neighbourhoods. It mentions that each development should be integrated compatibly with adjacent buildings, properties, and the surrounding neighbourhood, in respect to building form, scale, setbacks, siting, and orientation. Additionally, adverse impacts on adjacent properties should be minimized in regard to design of service utilities and areas, access and circulation, parking, and views. Furthermore, it is stated that adequacy of access, on-site facilities, and outdoor amenity areas to accommodate use are to be maintained.

The 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. This form of development also promotes the intent of planning documents such as the Places to Grow: Growth Plan for the Greater Golden Horseshoe Plan and the Provincial Policy Statement (PPS) 2014

The proposed residential dwelling unit provides the opportunity to intensify an underutilized parcel of land along Louth Street and strengthen the streetscape.

The proposed consent will result in the creation of a lot that is consistent with the mixed residential character of the surrounding area. The increased density on the subject lands is consistent with the GCP.

Road widening dedications will be required along the Louth Street, as requested by the Region of Niagara.

The Applicant will be responsible for servicing the lands, including ensuring that lot grading and drainage meet the City's requirements. Cash-in-lieu- of parkland dedication and boulevard tree planting is required in accordance with the City's policies.

Variances

Application A-32/16 requests a reduction of the lot frontage from 15.0m to 13.58m for the proposed lot (Part 2). This reduction maximizes the frontage of the remnant parcel for any future development while remaining consistent with properties in the surrounding area which range in width from 11.0m to upwards of 25.0m.

Application A-31/16 requests an increase in maximum lot area per dwelling unit from 490 square meters to 1,607 square metres (Part 1). Section 2.15.2 of the zoning by-law states that where lots are reduced by public acquisition, a building or structure may be built on a lot so as reduced, provided that all other provisions of the by-law are met. For this reason, no further variances are required in order to account for the requested 3.0m road widening. The parcel configuration and lot area is consistent with many lots in the surrounding area. Staff note that the proposed lot configuration maximizes the future

development potential of Part 1 should the owner seek to re-develop or pursue land assembly in the future. Staff are supportive of the requested variances.

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 also maintains the intent and purpose of the Provincial Policy Statement and does not conflict with any applicable provincial plans. The variance is desirable for the appropriate use of the land and is minor in nature.

Staff recommends the granting of the requested consents, and the requested variances subject to the conditions outlined in the Recommendation.

Conclusion

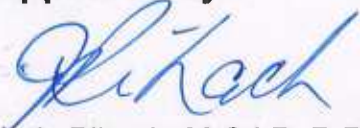
In summary, Staff is satisfied that the subject consent and variances are appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. It is the opinion of Staff that the consents and variance be granted, subject to the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

Submitted by:



Jessica Button, M.C.I.P, R.P.P.
Planner 1

Approved by:



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

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

- | | |
|---|-------------|
| 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073 concerns | No issue or |
| 2. 58 Chestnut Street E, Minor Variance Application – A-17/16 – 60.81.5061 concerns | No issue or |
| 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074 concerns | No issue or |
| 4. 91 Louth Street, Consent Application – B-15/16SC – 60.84.2035 concerns | No issue or |
| 91 Louth Street, Minor Variance Application – A-31/16 – 60.81.5075 concerns | No issue or |
| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com





April 8, 2016

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

Attention: Elaine Munro

File# 60.81.5076, 60.84.2035 & 60.81.5075

Re: 89 & 91 Louth St

In response to your correspondence(s) dated April 5, 2016, 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.
- 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,



Scott Beaudrie
Supervisor, Engineering Design



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

April 12, 2016

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-15/16SC, A-31/16 & A-32/16
89 & 91 Louth Street, St. Catharines

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

B-15/16

For consent to sever 407 m² of land (Part 2) creating a new lot to be known as 89 Louth Street for the purpose of constructing a single detached dwelling. A 1,607 m² remnant parcel with the existing single detached dwelling (Part 1) would be retained for continued residential use.

A-31/16

For an increase of the maximum lot area per dwelling unit from 490 m² to 1,607 m² (Part 1).

A-32/16

For a reduction of minimum required lot frontage from 15.0 metres to 13.58 metres (Part 2).

Niagara Peninsula Conservation Authority Regulations:

The subject property is traversed by Francis Creek. 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). A minimum 15 metre setback is required from a regulated watercourse to all development and site alterations (including lot lines). The application for consent has been made for the creation of a new residential lot (Part 2) which is located entirely outside of the 15 metre buffer associated with the Creek. In addition, no development or site alterations are proposed within 15 metres of the watercourse as a result of the subject applications.

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 Official Plan.

Regional Core Natural Heritage mapping also identifies this section of the Creek as a regulated watercourse requiring a minimum 15 metre setback. There are no works proposed within 15 metres of the identified watercourse as a result of the subject applications.

Conclusion:

Based on the above, the NPCA offers no objections to the subject applications.

Lastly, due to the features identified on site, any future works proposed on the property known as 91 Louth Street will require NPCA review and approval prior to the commencement of the works on site. 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 Devin

Watershed Planner (ext. 262)

Cc: Connie Mancuso, Program Assistant, Niagara Region
Andrew Fetter, Development Approvals Technician, Niagara Region



Legend

-  Campsites
-  Contours 2010 (1m)
-  Corporate Watershed Divide N
-  NPCA APPROXIMATE REGU
-  Reaches Draining 125ha Requ
-  NHS - Fish Habitat
- Ontario Road Network**
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
-  Assessment Parcels
- Fish Habitat Reaches**
 -  'Critical' Type 1
 -  'Important' Type 2
 -  'Marginal' Type 3
-  2K HydroPoly
-  2K Hydrography
-  AIRPORTS
- SWOOP_2015**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

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

April 11, 2016

Sent Via E-mail Only

File: D.06.08.CS-16-025

Elaine Munro ACST
Committee Secretary & Planning Clerk
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Dear Ms. Munro:

**Re: Regional and Provincial Comments
Consent Application
City File B-15/16SC
91 Louth Street (R.R. 72)
City of St. Catharines**

Niagara Region Planning and Development Services staff has completed a review of the consent application for 91 Louth Street, circulated to the Region on April 5, 2016 with fees received on April 7, 2016. The following Provincial and Regional comments are provided to assist the City in considering this consent application.

The application is made for consent to a partial discharge of mortgage and for consent to sever 407 m² of land (Part 2 on the submitted sketch), creating a new lot to be known as 89 Louth Street for the purpose of constructing a single detached dwelling. A 1,607 m² remnant parcel with the existing single detached dwelling (Part 1) will be retained for continued residential use.

Regional Road 72

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 (3.0) 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.

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

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 (3.0) 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, MCIP, RPP, Senior Planner, at extension 3359.

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

Sincerely,



Andrew Fetter
Development Approvals Technician

cc. Morgan Casciani, MCIP, RPP, Senior Planner, Development Services Division
Pat Busnello, MCIP, RPP, Manager, Development Services Division



Memorandum

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

Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 20, 2016 hearing - File No.: 300-036

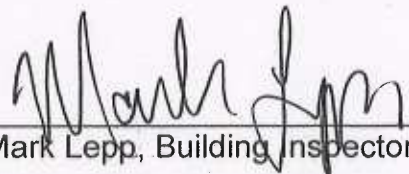
B-15/16SC – 91 Louth Street

Comment:
No Comment

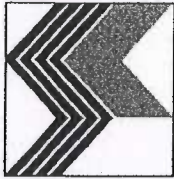
Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings meets the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the south building face of the existing residence.

The garage that crosses Part 1 and Part 2 is to be demolished. A permit to demolish the garage shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.


Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

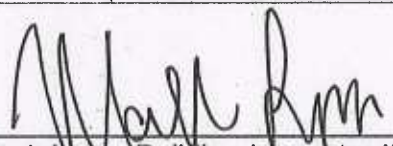
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

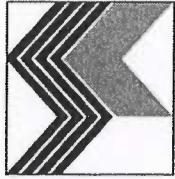
NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.



Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive


Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have **no comments or objections to** the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham", is written over a faint, rectangular grid pattern.

Jim Denham P.Eng.
Development Engineering Technologist

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-15/16SC



April 6th, 2016

ENGINEERING FILE 300-36

Hearing Date: April 16th, 2016

Applicant: Daniel Romanko (Better Neighborhoods)

Location: 91 Louth Street

MUNICIPAL SERVICES **Louth Street**

Water: 200mm (8") PVC

Sanitary Sewer: 250mm (8") Vitrified Clay

Storm Sewer: 300mm (12") Concrete

Sidewalks: Yes

Road Allowance Width: 18m± (Regional Road)

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

Comment(s):

It is noted that the Applicant proposes to sever 407m² of land (Part 2) including an existing garage creating a new lot to be known as 89 Louth Street for the purpose of constructing a single detached dwelling. A 1607m² remnant parcel with the existing single detached dwelling with a shed would be retained for continued residential use.

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 does not adversely affect abutting properties.

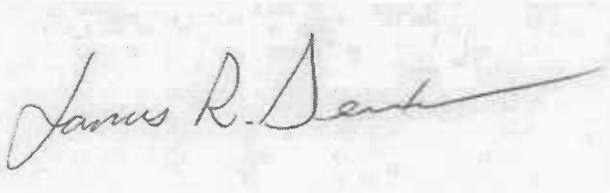
Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since an adequately-sized storm sewer exists on Louth Street, sump pump flows could be discharge to the storm sewer via a storm sewer lateral, at the Region's discretion. Fees for these lateral installations will be collected at the time a building permit is applied for as per the City's current Schedule of Rates & Fees. As an alternative the sump pump water could be discharged towards the back of the lot.

Condition(s):

Prior to consent, the Applicant/Owner shall:

- Pay to the City of St. Catharines the fee for City crews to inspect and trace the existing sanitary lateral and waterservice to 91 Louth

Street in order to determine they do not cross the proposed lot lines of the new lot, fees in accordance with the City's current Schedule of Rates & Fees.

A handwritten signature in black ink, reading "James R. Denham". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Prepared By: _____
Jim Denham, P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

359 Carlton Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission(s): A-33/16

File: 60.81.5077

Subject: 359 Carlton Street

Proposal

Application **A-33/16** is made pertaining to the City of St. Catharines By-law 2014-283 for

1. An increase in the maximum gross leasable floor area per commercial unit from 278 square metres to 560 square metres.

Recommendation

That Submission **A-33/16** by Sedimar Developments Ltd, as outlined in the Notice of Hearing, be approved.

Summary

The purpose of the application is to increase the maximum unit size to accommodate flexibility for future tenants within the existing commercial plaza.

Having regard for the matters under 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 variances are desirable for the appropriate use of the land.

Staff recommends the approval of the requested variance.

Background

Planning Context

Location

The subject property is located on the north west corner of Carlton Street and Vine Street. The property is surrounded by commercial, residential and institutional uses.

Official Plan

The Garden City Plan (GCP) designates the land as Low density Residential, which permits a Local Convenience Commercial Centres, subject to the policies of the plan.

Zoning By-law

The subject land is zoned Local Convenience Commercial (C1) pursuant to By-law 2013-283, which permits a variety of commercial uses, limited in size for 370 square metres per unit. Site specific zoning provisions are additionally in place to require a minimum of 4 commercial units on the subject lands.

Report

An increase in the maximum gross leasable floor area per commercial unit from 278 square metres to 560 square metres is requested in order to accommodate flexibility for future tenants within the existing commercial plaza. The applicant advises that since the site specific zoning was put in place, the commercial needs of tenants have changed, as they now require more space to display a greater variety of products.

Section 8.3.3 of the GCP provides direction for Local Neighbourhood Convenience Commercial Centres. It is noted that these centres are intended to cater to the needs of local residents, and may include a range of uses including retail, service commercial, office, institutional, recreational, and residential uses. The GCP notes that the size of an individual unit should generally not exceed 370 square metres. In this case, staff note that the existing plaza has additional zoning provisions which already require a minimum of four commercial units on the subject lands. This provision will ensure that a range of uses are provided on site, ensuring that no one use dominates the site, therefore meeting the objectives of the GCP. Staff are supportive of the variance, as it permits a community plaza to meet the needs of local residents while maintaining a mix of commercial uses within the existing plaza. The variance is minor in nature and meets the intent and purpose of the Zoning By-law and the GCP.

Conclusion

In summary, Staff is satisfied that the subject variance is 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 variance be approved.

Submitted by:



Jessica Button, M.C.I.P., R.P.P.
Planner 1

Approved by:



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

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

- | | |
|---|-------------|
| 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073 concerns | No issue or |
| 2. 58 Chestnut Street E, Minor Variance Application – A-17/16 – 60.81.5061 concerns | No issue or |
| 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074 concerns | No issue or |
| 4. 91 Louth Street, Consent Application – B-15/16SC – 60.84.2035 concerns | No issue or |
| 91 Louth Street, Minor Variance Application – A-31/16 – 60.81.5075 concerns | No issue or |
| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



April 11, 2016

Sent Via E-mail Only

File: D.17.08.MV-16-019

Elaine Munro ACST
Committee Secretary & Planning Clerk
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Dear Ms. Munro:

**Re: Regional and Provincial Comments
Minor Variance Application
City File A-33/16
359 Carlton Street (R.R. 83)
City of St. Catharines**

Niagara Region Planning and Development Services staff has completed a review of the minor variance application for 359 Carlton Street, circulated to the Region on April 5, 2016 with fees received on April 7, 2016. The following Provincial and Regional comments are provided to assist the City in considering this minor variance application.

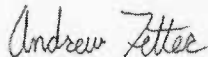
The minor variance application requests an increase of the maximum glfa (gross leasable floor area) per commercial unit from 278 m² to 560m² to accommodate future development on the subject property.

Staff notes that the variance is minor in nature and that no Provincial or Regional interests will be compromised. Therefore, Regional 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, MCIP, RPP, Senior Planner, at extension 3359.

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

Sincerely,



Andrew Fetter
Development Approvals Technician

cc. Morgan Casciani, MCIP, RPP, Senior Planner, Development Services Division
Pat Busnello, MCIP, RPP, Manager, Development Services Division



April 8, 2016

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

Attention: Elaine Munro

File# 60.81.5077

Re: 359 Carlton St

In response to your correspondence(s) dated April 5, 2016, 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.
- 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". The signature is fluid and cursive, with a large initial "S" and a stylized "B".

Scott Beaudrie
Supervisor, Engineering Design



Memorandum

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

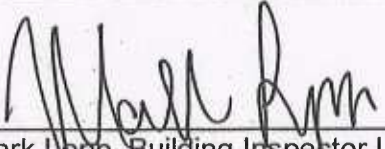
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

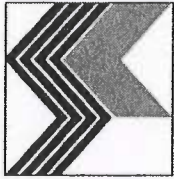
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

44 Jacobson Avenue Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission(s): A-34/16

File: 60.81.5078

Subject: 44 Jacobson Avenue

Recommendation

That Submission **A-34/16** by Harold Parisi, as outlined in the Notice of Hearing, be approved subject to the following condition:

1. That the semi-detached dwelling be a maximum of one storey in height, not to exceed 5.5 metres.
2. If driveways for each dwelling unit, are located within 2.0 metres of the existing tree located within the Jacobson Avenue boulevard (as outlined on the sketch submitted with the application) the owner shall pay the full cost of tree removal and, in addition, submit the following fees to compensate for the removal of the tree:
 - i) Boulevard tree replacement - \$649.00
 - ii) One new boulevard tree - \$433

Summary

The purpose of this application is to reduce the required rear yard setback from 7.5 metres to 5.85 metres in order to permit the construction of a semi-detached dwelling on the property.

Having regard for the matters under subsection 45 (1) of the Planning Act, staff is satisfied, subject to the requested condition for limiting building height, that the requested variance is minor in nature, 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.

Background

Planning Context

Location

The subject property is located on the southwest corner of Jacobson Avenue and Glen Morris Drive. The lands on the north side of Glen Morris Drive are developed for single detached dwellings and a townhouse complex. The property is surrounded on the east

and south by single detached dwellings, and the lands immediately to the west of the property are currently vacant but approved for a medium density development consisting of single detached and semi-detached dwellings, townhomes, and a four storey apartment building.

Official Plan

The Garden City Plan (GCP) designates the land as Low Density Residential, permitting a variety of residential dwelling types including the proposed semi-detached dwelling, at a density range generally between 20 and 32 units per hectare, subject to the policies of the GCP.

Zoning By-law

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

Report

The subject property is undersized with respect to minimum lot area and lot frontage requirements of the Zoning By-law for development of a semi-detached dwelling. However, Section 2.15.1 of the Zoning By-law permits development of a semi detached dwelling on undersized lots, provided that all other requirements of the Zoning By-law are met.

Approval of the requested variance will satisfy the requirements of Section 2.15.1 of the Zoning By-law.

The requested variance may be considered minor in nature, subject to certain conditions. However, to minimize the potential impact of developing a semi-detached dwelling on the undersized lot, and to support context sensitive site design in relation to the size of the property, staff recommend, as a condition of approval, a maximum building height limit of one storey, up to a maximum height of 5.5 metres.

With the requested condition for limiting building height, it is the opinion of staff that the variance is minor in nature, that the semi-detached dwelling may be accommodated on the lot in a context sensitive manner, will not have a negative impact on adjacent properties, the existing streetscape or the character of the surrounding neighbourhood.

In addition, staff note that the location of the proposed driveway is impacted by the location of an existing tree on the Jacobson Avenue boulevard . The applicant is advised that the removal of the tree (triggered by driveways located within 2.0 metres of the trunk) will incur additional fees to replace the tree canopy lost by the tree removal. The fees will be paid at the time of the issuance of a building permit and will cover the cost of replacing the current boulevard tree and the cost of one new boulevard tree. Staff is recommending a condition to reflect this outcome.

Conclusion

Staff is satisfied that the requested variance is minor in nature, subject to the recommended conditions, is appropriate to accommodate the proposed development, and will not negatively impact adjacent properties, the streetscape, or the character of the surrounding neighbourhood. The intent and purpose of the Official Plan and Zoning By-law will be maintained. Due regard has been had for subsection 45 (1) of the Planning Act. It is the opinion of staff that the variance should be granted.

Prepared by:



Bruce Bellows
Planner

Approved by:



Judy Pihach, MCIP, RPP
Manager, Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

- | | |
|---|-------------|
| 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073 concerns | No issue or |
| 2. 58 Chestnut Street E, Minor Variance Application – A-17/16 – 60.81.5061 concerns | No issue or |
| 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074 concerns | No issue or |
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| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

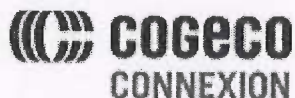
Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com





April 8, 2016

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

Attention: Elaine Munro

File# 60.81.5078

Re: 44 Jacobson Ave

In response to your correspondence(s) dated April 5, 2016, 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.

We would also like to stipulate the following:

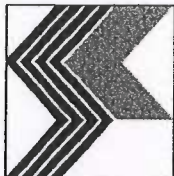
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's 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", with a stylized, flowing script.

Scott Beaudrie
Supervisor, Engineering Design



Memorandum

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

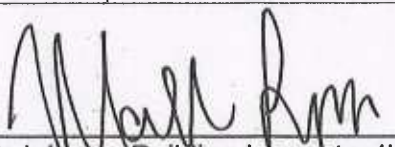
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

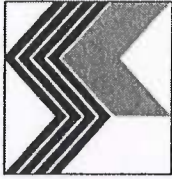
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016

Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment

File No's: A-17/16SC - 58 Chestnut Street

A-29/16SC - 25 George Street

A-30/16SC - 56 Wanda Road

A-31/16SC - 91 Louth Street

A-32/16SC - 89 Louth Street

A-33/16SC - 359 Carlton Street

A-34/16SC - 44 Jacobson Avenue

A-35/16SC - 136 Village Road

A-36/16SC - 20 Bradmon Drive

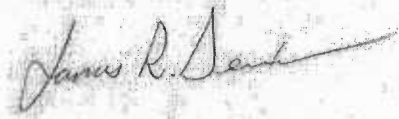
Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

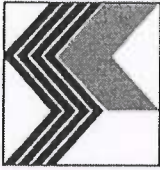
above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

136 Village Road Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 15, 2016

Date of Meeting: April 20, 2016

Submission(s): A-35/16

File: 60.81.5079

Subject: 136 Village Road

Recommendation

That Submission **A-35/16** by Santy Yeh, as outlined in the Notice of Hearing, be approved.

Summary

The purpose of this application is to reduce the required front yard setback from 6.0 metres to 4.2 metres in order to enclose the existing front porch.

Having regard for the matters under subsection 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 variances requested are minor in nature.

Staff recommends granting the requested variance.

Background

Planning Context

Location

The subject property is located on the west side of Village Road, north of Glendale Avenue. The property is surrounded by single detached dwellings with natural areas to the immediate west.

Official Plan

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

Zoning By-law

The subject land is zoned Low Density Residential – Suburban Neighbourhood (R1) pursuant to By-law 2013-283, permitting a variety of residential dwelling types and structures accessory to this use.

Report

A variance to reduce the minimum setback from the front lot line to the proposed foyer is requested to recognize the location of the existing porch. Staff note that the street is characterized with a wide right of way providing for extensive greening within the municipal boulevard. Enclosure of the existing porch is consistent with the established neighborhood and will not impact the existing streetscape.

Conclusion

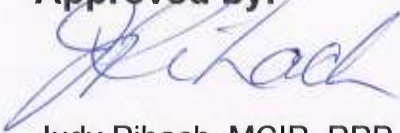
Staff is satisfied that the proposed will not negatively impact the streetscape or the character of the surrounding neighbourhood. The intent and purpose of the Official Plan and Zoning By-law will be maintained. The proposal is desirable for the appropriate use of this land, and the variances are minor in nature. Due regard has been had for subsection 45 (1) of the Planning Act. It is the opinion of Staff that the variances should be granted.

Prepared by:



Jessica Button MCIP, RPP
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager, Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Wednesday, April 06, 2016 7:50 AM

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

Subject: RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

Good Morning Elaine

- | | |
|---|----------------------|
| 1. 25 George Street, Minor Variance Application – A-29/16 – 60.81.5073 concerns | No issue or concerns |
| 2. 58 Chestnut Street E, Minor Variance Application – A-17/16 – 60.81.5061 concerns | No issue or concerns |
| 3. 56 Wanda Road, Minor Variance Application – A-30/16 – 60.81.5074 concerns | No issue or concerns |
| 4. 91 Louth Street, Consent Application – B-15/16SC – 60.84.2035 concerns | No issue or concerns |
| 91 Louth Street, Minor Variance Application – A-31/16 – 60.81.5075 concerns | No issue or concerns |
| 89 Louth Street, Minor Variance Application – A-32/16 – 60.81.5076 concerns | No issue or concerns |
| 5. 359 Carlton Street, Minor Variance Application – A-33/16 – 60.81.5077 concerns | No issue or concerns |
| 6. 44 Jacobson Avenue, Minor Variance Application – A-34/16 – 60.81.5078 concerns | No issue or concerns |
| 7. 136 Village Road, Minor Variance Application – A-35/16 – 60.81.5079 concerns | No issue or concerns |
| 8. 20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 (To be circulated on Wed. Apr. 6/16) | |

Thanks

Have a great day

DOUG CROWN

Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com

 **COGECO**
CONNEXION



April 12, 2016

File No. MPR 3.13

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

BY EMAIL ONLY

Attn: Elaine Munro, Secretary-Treasurer

Subject: A-35/16
136 Village Road, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application which has been made to permit a reduction of minimum front yard setback to dwelling from 6 metres to 4.2 metres and offers the following for your information.

Niagara Peninsula Conservation Authority Regulations:

The rear (western) portions of the subject property is impacted by a steep valley slope associated with Dicks Creek. In accordance with the Authority's Regulations, the Authority can regulate development up to 15 metres from the top of bank. Generally, the Authority requires that all new development and site alterations be setback a minimum of 7.5 metres from the Stable Top of Slope. The subject application proposes a reduction of the front yard setback to facilitate enclosure of the front porch. NPCA staff are satisfied that the porch is located on the east side of the existing dwelling, more than 15 metres from the top of bank.

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 Official Plan.

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for a Significant Woodland adjacent to the rear (west) of the subject property. In accordance with Regional Policies, development and site alterations may be permitted within an ECA, or on lands adjacent to (i.e. within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. The subject proposal is for a reduction of the front yard setback to facilitate enclosure of the front porch. NPCA staff are satisfied that the porch is located on the east side of the existing dwelling, more than 30 metres from the ECA feature, and will have no significant negative impact on the feature or its function.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made to permit a reduction of minimum front yard setback to dwelling from 6 metres to 4.2 metres.

Lastly, please note that due to the identified features on the property, any future works proposed will require NPCA review prior to the commencement of the works on site and may require further studies and a work permit from this office 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: Andrew Fetter, Development Approvals Technician, Niagara Region
Connie Mancuso, Niagara Region



Legend

-  Campsites
-  Contours 2010 (1m)
- Regulated Floodplain Extent**
 -  Advisory (CWR)
 -  Regulated
- Top of Slope Features**
 -  Stable
 -  Unstable
-  Top of Slope Allowance
-  NHS - Fish Habitat
-  EPA: Regional Local Amendm
-  EPA: Provincially Significant W
-  EPA: Provincial Life ANSI
-  EPA: Greenbelt NHS
-  ECA: Significant Woodlands
- Ontario Road Network**
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
-  Assessment Parcels
-  AIRPORTS
- SWOOP_2015**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

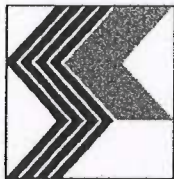
Notes

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

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet



Memorandum

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

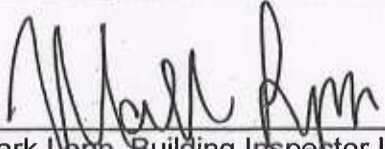
Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.


Mark Lepp, Building Inspector II

Cc: Files, 300-010

g:\pbs-building & development\committee of adjustment\bldg memo 2016\11 bcoa memo-mv-April 20, 2016.docx



Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/

20 Bradmon Drive Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2016

Date of Meeting: April 20, 2016

Submission(s): A-36/16

File: 60.81.5080

Subject: 20 Bradmon Drive

Proposal

Application **A-36/16** is made pertaining to the City of St. Catharines By-law 2014-283 for

1. Permission to convert interior space within the existing building into 14 residential units and to add 4 parking spaces.

Recommendation

That Submission **A-36/16** by 2494899 Ontario Ltd., as outlined in the Notice of Hearing, be approved, subject to the following condition;

1. That the applicant enter into a development agreement, addressing the following:
 - provision of a garbage enclosure in an appropriate location;
 - review of a functional servicing report;
 - review of a grading plan;
 - review of a stormwater management report;
 - provision of 10 bicycle parking spaces, to mitigate the reduction in required parking; and
 - additional landscaping to screen the parking area.

Summary

The purpose of the application is to approve the addition of 14 residential units through interior renovations and alterations, as well as the addition of 4 parking spaces to the existing parking area.

The Committee has the jurisdiction to approve a use that is similar to the use that legally existed on the day the zoning by-law was passed (Section 45 (2) a) ii) of the Planning Act). Staff is satisfied that the proposed high density residential use (14 additional apartment units) is similar to the high density residential use (71 apartments units) that existed on the date the current zoning by-law was passed.

Staff recommends the approval of the request.

Background

Planning Context

Location

The subject property is located on the east side of Bradmon Dr. north of Parnell Rd. The property is surrounded by residential uses of varying densities, and backs onto Walkers Creek

Official Plan

The Garden City Plan (GCP) designates the land as Medium Density Residential and Natural Area. The Medium Density Residential designation permits an apartment building with a maximum density of 99 units per ha. The existing apartment building has a density of 124.6 units/ha. The apartment building is legal non-conforming. The proposed new density would be 149 units/ha. The Natural Area designation does not permit development.

Zoning By-law

The subject land is zoned Medium Density Residential (R3) and Conservation/Natural Area (G1) pursuant to By-law 2013-283. The R3 zone permits a variety of residential uses up to a maximum density of 99 units/ha. The current apartment building is legal non-conforming. The G1 zone does not permit development.

Report

This application is made for permission to permit 14 additional residential units in an existing apartment building with 71 units. The new units would be facilitated through the interior renovation/alteration of existing units, storage spaces, offices and laundry areas.

A residential use with a density over 99 units/ha is not permitted in the R3 zone. However, since the use was lawfully established prior to the passing of zoning by-law 2013-283 the current use is legal conforming. This would mean that the permitted use on the site is high density residential. The applicant believes that a high density residential use with a density of 149 units/ha is similar to the legal non-conforming high density residential use with a density of 124 units/ha. To service these additional units the applicant would also be providing an additional 4 parking spaces.

All changes to the building are internal and there is little to no impact on the site, staff are therefore satisfied that the proposed use is similar in nature to the existing legal non-conforming use.

According to the requirements in the zoning by-law the development would require 106 parking spaces, they are proposing to provide 97. The applicant has indicated the currently 10 spaces are not used. The proposed expansion to the parking area is at the rear of the site and outside of the G1 zone. Staff are recommending that 10 bicycle parking spaces also be provided and are satisfied that the proposed parking number to be provided is appropriate.

To ensure that the additional parking will not negatively impact the site, nor Walker's Creek, staff recommend that the approval be conditional on the applicant entering into a development agreement. The development agreement would address the following:


- provision of a garbage enclosure in an appropriate location;
- review of a functional servicing report;
- review of a grading plan;
- review of a stormwater management report;
- provision of 10 bicycle parking spaces, to mitigate the reduction in required parking; and
- additional landscaping to screen the parking area.

Staff note that a building permit is required for the proposed renovation/interior alternations.

Conclusion

In summary, Staff is satisfied that the proposal to add 14 residential units through interior alterations, with the addition of 4 parking spaces is similar in nature to the high density residential use that existed on the day the current by-law was passed. Staff recommend approval subject to the condition that the applicant enter into a development agreement.

Submitted by:



Margaret Josipovic
Planner 1

Approved by:



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

Munro, Elaine

Subject: RE: Last Application attached for 20 Bradmon Dr. RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 06, 2016 1:38 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Last Application attached for 20 Bradmon Dr. RE: Committee of Adjustment Applications for April 20, 2016 Hearing - City of St. Catharines (of 2 emails)

20 Bradmon Drive, Minor Variance Application – A-36/16 – 60.81/5080 Cogeco equipment is all external on this building.. I don't foresee any issues

DOUG CROWN

Network Planning and Design

T 289-296-6266 | C 905-401-9967

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



April 13, 2016

File No. MPR 3.13

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

BY EMAIL ONLY

Attn: Elaine Munro, Secretary-Treasurer

Subject: A-36/16
20 Bradmon Drive, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application which has been made for permission to convert interior space within the existing building to 14 residential units and to add 4 parking spaces and offers the following for your information.

Niagara Peninsula Conservation Authority Regulations:

The subject property is impacted by a steep valley slope associated with Walkers Creek. In accordance with the Authority's Regulations, the Authority can regulate development up to 15 metres from the top of bank. Generally, the Authority requires that all new development and site alterations (including lot lines) be setback a minimum of 7.5 metres from the Stable Top of Slope.

Our mapping indicates that the property is impacted by the Floodplain associated with Walkers Creek. The Regulatory Floodplain elevation for this section of the Creek is 84.12 metres. In accordance with NPCA regulations, all new development and site alterations must be located outside of the floodplain hazard (above this elevation).

This section of the Creek has been identified by the Ministry of Natural Resources and Forestry (MNRF) as Type 2 (Important) Fish Habitat. A development setback buffer of 15 metres measured from the edge of the watercourse is required for all new development.

The subject application is for a variance to permit the conversion of interior space within the existing structure and the addition of 4 parking spaces outside of the 15 metre setback from top of bank, fish habitat and outside of the Regulatory Floodplain.

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 Official Plan.

A portion of the property has been identified as an Environmental Conservation Area (ECA) for Valley Shoreline on the Region of Niagara's Core Natural Heritage Mapping. In accordance with Regional Policies, development and site alterations may be permitted within an ECA, or on lands adjacent to (i.e. within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. The subject application has been made to

permit the conversion of interior space within the existing structure and the addition of 4 parking spaces which do not extend any closer to the identified feature than the existing development on site. As such, the NPCA is satisfied there will be no significant negative impact to the identified features as a result of the subject application.

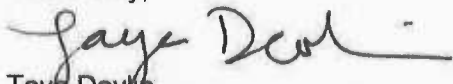
Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made for permission to convert interior space within the existing building to 14 residential units and to add 4 parking spaces.

Lastly, please note that due to the identified features on the property, any future works proposed will require NPCA review prior to the commencement of the works on site and may require further studies and a work permit from this office 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.

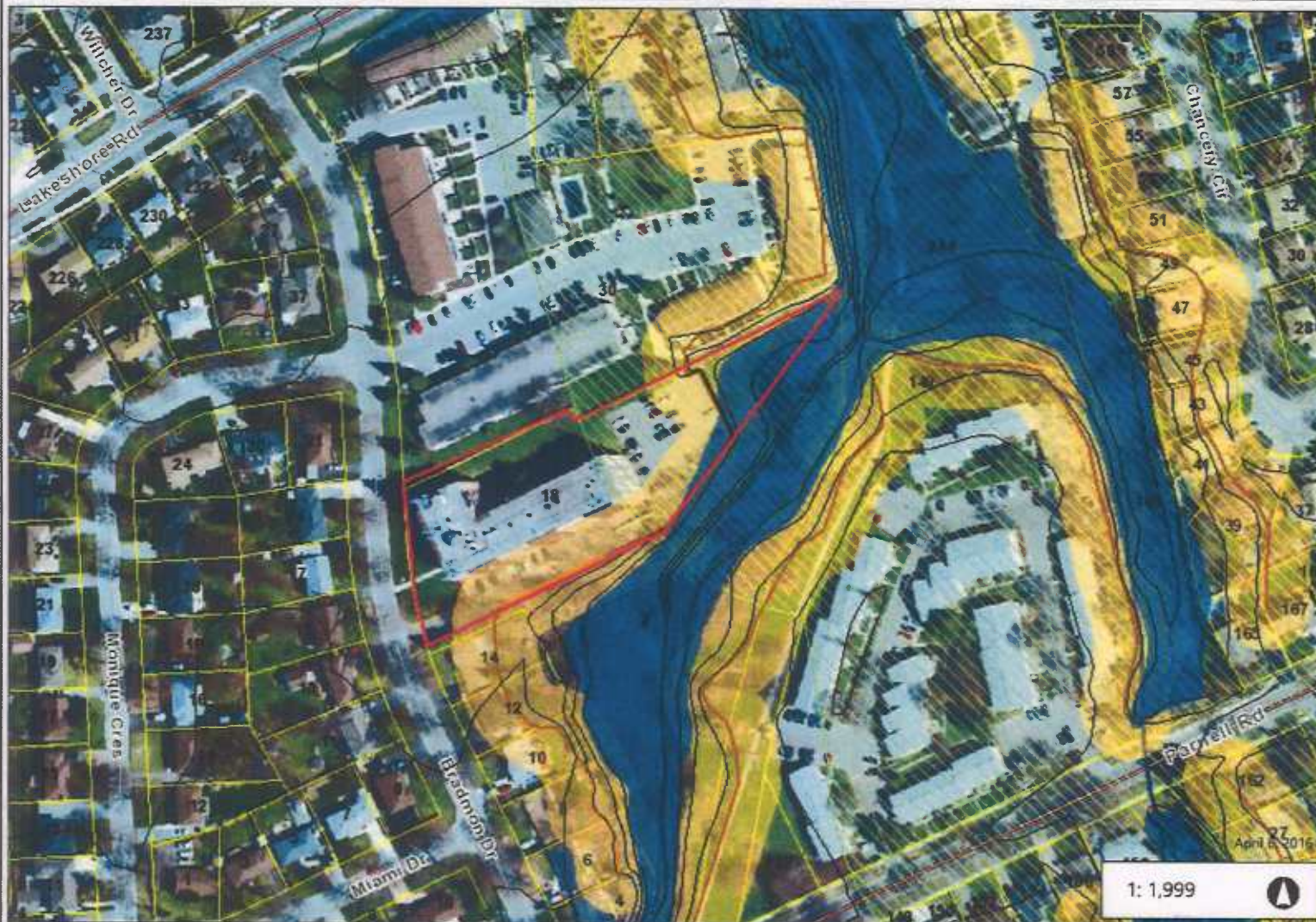
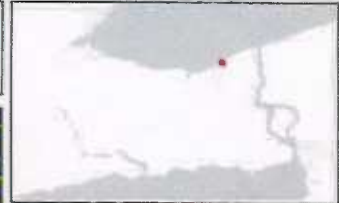
Yours truly,



Taya Devlin

Watershed Planner (ext. 262)

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



Legend

-  Campsites
-  Contours 2010 (1m)
- Regulated Floodplain Extent**
 -  Advisory (CWR)
 -  Regulated
- Top of Slope Features**
 -  Stable
 -  Unstable
-  Top of Slope Allowance
-  NHS - Fish Habitat
-  ECA: Valley Shoreline Buffer
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 -  Major Highways
 -  Arterial Roads
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 -  Red: Band_1
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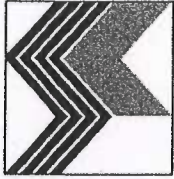
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NAD_1983_UTM_Zone_17N

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Notes



Memorandum

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

Cc: B. Thiessen, Jessica Button, Judy Pihach
Planning and Building Services

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

Date: April 11, 2016

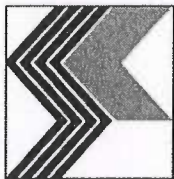
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 20, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/16	58 Chestnut Street E.	Please be advised that a building permit is required for the carport and covered deck. Note that spatial separations will be addressed during Building Permit review.
A-29/16	25 George Street	No Comment
A-30/15	56 Wanda Road	Please be advised a building permit is required for the demolition of the existing garage and a separate permit is required for the new detached garage.
A-31/16	91 Louth Street	No Comment
A-32/16	89 Louth Street	No Comment
A-33/16	359 Carlton Street	Please be advised that a building permit is required for tenant improvements.
A-34/16	44 Jacobson Avenue	No Comment
A-35/16	136 Village Road	Please be advised that a building permit is required for the enclosure of the front porch.
A-36/16	20 Bradmon Drive	Please be advised that a building permit is required for the proposed renovation/alterations.

Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

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

Cc: Terrence Glover, Planner II
Planning & Building Services

From: Jim Denham P.Eng., Development Engineering Technologist
Planning and Building Services

Date: April 6th, 2016
Hearing Date: April 16th, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-17/16SC - 58 Chestnut Street
A-29/16SC - 25 George Street
A-30/16SC - 56 Wanda Road
A-31/16SC - 91 Louth Street
A-32/16SC - 89 Louth Street
A-33/16SC - 359 Carlton Street
A-34/16SC - 44 Jacobson Avenue
A-35/16SC - 136 Village Road
A-36/16SC - 20 Bradmon Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the variance applications A-17/16SC and A-29/16SC TO A-35/16SC.

Regarding A-36/16SC - 20 Bradmon, we also have no objection at this time. However, we understand a Development Agreement will be required. If so, a Functional Servicing Report, Grading Plan, and a Storm Water Management Report shall be required as part of the Development Agreement. If a Development Agreement is not required, the

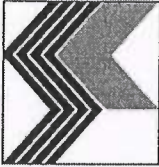
above items must be submitted for our review and approval as part of the Building Permit Application Process.

If you have any questions or concerns regarding the above please feel free to contact me

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham", is written over a faint, rectangular, textured background.

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: April 13, 2016
Subject: Committee of Adjustment
Public Hearings – April 20, 2016
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/