



Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 9, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-603-2012

File: 60.35.599 Vol. 2

Subject: Application to Remove Holding Provision from Zoning, 55 McGuire Street;
Applicant: City of St. Catharines

Recommendation

That Council grant approval to remove the Holding (H) designation from the zoning for lands known as 55 McGuire Street; and

That the City Solicitor be directed to prepare the necessary by-law to give effect to Council's decision. FORTHWITH

Background

The lands at 55 McGuire Street (Appendix "1") include the site for the proposed spectator facility. In order to approve the site plan for the proposed development, the Holding (H) provision must be removed from the current zoning.

Report

The lands are zoned Business and Commercial- Holding (BC-H) by amending By-law 91-433, which was passed by Council on October 28, 1991. The BC zoning permits the proposed spectator facility, providing the Holding (H) provision is removed. Section 2 of the by-law requires that studies of slope stability, foundation conditions and flood hazards be approved by the NPCA and the City of St. Catharines prior to the removal of the Holding (H) provision. The Holding (H) provision shall be removed by Council without any further public meeting once these studies have been completed to the satisfaction of the NPCA and the City of St. Catharines.

The Niagara Peninsula Conservation Authority (NPCA) has advised that a review of current mapping indicates that the lands lie within an area that was once a part of the Twelve Mile Creek Valley system, which may be impacted by steeper slopes. However, Highway 406 now traverses through this area, and the section of Twelve Mile Creek that once traversed along the southern edge of the lands is now piped. Therefore, this area can now be considered more of an isolated valley and not part of the larger Twelve Mile Creek Valley system. As such, the NPCA does not regulate this area as a valley and will not need to review any studies relating to

slope stability, foundation concerns or flooding hazards. The NPCA recommends that the Holding (H) provision be lifted. Any stormwater management issues can be addressed through the site plan control process as per normal procedures.

The application was also circulated to Transportation and Environmental Services (TES) for clearance on behalf of the City. TES advised that there has been extensive environmental work done on the lands in recent past, and staff have no concerns with removing the Holding (H) provision. Any concerns may be addressed through the site plan control process.

No further public meeting is required prior to Council considering this matter. The notice of Council's intent to remove the Holding (H) provision has been issued as required by the Planning Act.

Staff have reviewed the request to remove the Holding (H) provision and advise that the conditions required in accordance with By-law 91-433 have been resolved.

Financial Implications

Not Applicable.

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Director of Planning and Development Services



SUBJECT LANDS KNOWN AS
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