

11 Chestnut Street

Departmental &
Agency Comments

Munro, Elaine

Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, June 29, 2016 7:41 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

Hi Elaine

11 Chestnut Street, Consent Application – B-28/16SC – 60.84.2048	No issue or concerns
11 Chestnut Street, Minor Variance Application – A-55/16 – 60.81.509	No issue or concerns
10 Walnut Lane, Minor Variance Application – A-56/16 – 60.81.5100	No issue or concerns

Happy Long Weekend

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

Munro, Elaine

Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

From: Helene Fleischer [mailto:Helene.Fleischer@cn.ca]

Sent: Thursday, June 30, 2016 9:20 AM

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

Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

Noted. Thanks for the clarification.

CN would not typically ask for more stringent provisions such as a noise study, berming, and legal instruments, as the property is to be developed as a single family dwelling, so as to not overburden self-builders—provided that the safety and well-being of occupants is not compromised and that railway proximity issues are adequately addressed.

At a minimum, for a small scale single family home such as this one, CN recommends:

- A 1.83 m high fence installed on mutual property line;
- noise-sensitive rooms located away from the railway;
- building materials should consist of masonry cladding and acoustically-upgraded window glazing facing the railway;
- limited size of openings facing the railway;
- air-conditioning allowing occupants to close windows during warmer months if required;
- 4" rigid insulation installed on foundation walls and footings facing the railway, if located within 75 m from the railway right-of-way.

Thank you,
Helene Fleischer

Munro, Elaine

Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

From: Pridham, Cindy (6085557) [mailto:cindy.pridham@bell.ca]

Sent: Friday, July 08, 2016 7:57 AM

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

Subject: RE: Notices of Hearing - July 13, 2016 Committee of Adjustment, City of St. Catharines

Good Morning

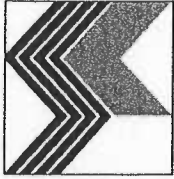
Bell Canada has no concerns over your file#B-28/16SC.

Regards,

Cindy Pridham
Bell Canada - Right of Way Associate
2nd Floor - 140 Bayfield Street
Barrie, Ontario
L4M 3B1

(705) 722-2636
(844) 857-7942

Bell



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – July 13, 2016 hearing - File No.: 300-036

B-28/16SC – 11 Chestnut Street

Comment:

Please be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition: No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 13, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-55/16	11 Chestnut Street	No Comment
A-56/16	10 Walnut Lane	No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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Memorandum

To: Charlotte McEwan, Planning and Building Services
Hailey McWilliam, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: July 4, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 11 Chestnut St.
File No: 60.84.2048

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

That the applicant submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.

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

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 the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the July 13/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, July 04, 2016 3:43 PM

To: McEwan, Charlotte <cmcewan@stcatharines.ca>; McWilliam, Hailey <hmcwilliam@stcatharines.ca>

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

Subject: RE: Committee of Adjustment Notices and Applications for the July 13/16 CofA Hearing

Charlotte and Hailey,

Please see attached comments. PRCS has no comments on the proposed minor variances.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-28-16SC



June 30th, 2016

ENGINEERING FILE 300-36

Hearing Date: July 13th, 2016

Applicant: Mancini Developments

Location: 11 Chestnut Street

MUNICIPAL SERVICES

Water:	Chestnut Street -150mm PVC Watermain	Walnut Lane 150mm PVC Watermain
	No information available for existing services. Location and size to be confirmed by owner. A private 150mm	
Sanitary Sewer:	Chestnut Street -750mm (30") Sanitary Sewer	Walnut Lane 250mm (10") Sanitary Sewer
	-No information available for existing lateral from Chestnut Street sewer. Owner must confirm availability and suitability of any existing lateral. Sanitary sewer on Walnut Lane is extremely shallow (1.5m).	
Storm Sewer:	Chestnut Street 450mm (18") Storm Sewer	Walnut Lane No Storm Sewer
	-No existing Storm Lateral	
Sidewalks:	- A concrete sidewalk exists along both the Chestnut Street and Walnut Lane frontages.	
R.O.W Width:	Chestnut Street +/-20m	Walnut Lane +/-5m

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

Comment(s):

It is noted that the Applicant proposes to sever lands from 11 Chestnut Street to create a new single detached lot (Part 2 on the included Reference Plan) fronting Walnut Lane.

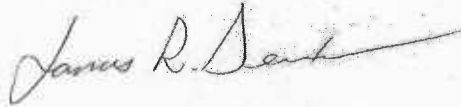
Chestnut Street is a City of St. Catharines local roadway with a right-of-way width of +/-20m. The City's Official Plan indicates local streets should have a width of 20m and therefore a widening on Chestnut Street is not required. Walnut Lane is designated a local roadway per the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is ±5m. To provide suitable access for Fire Trucks, Ambulances, and Garbage Trucks, Walnut Lane ideally should have a wider ROW. However, recognizing there are existing buildings and structures on other lots along this section of Walnut Lane that are in close proximity to the existing ROW limit thereby preventing any widening without their removal, and recognizing that this section of roadway is relatively short, a road widening will not be required in this case.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot grading and drainage plans is 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, nor the City boulevard. Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance.

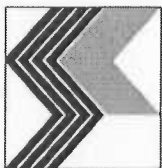
A new individual sanitary lateral and water service will be required for the proposed lot. Upon application for a building permit the Owner will be required to pay for the City to install that portion of the new sanitary lateral and water service within the Walnut Lane road allowance.

Condition(s): None

Respectfully Submitted By:

A handwritten signature in dark ink, appearing to read "James R. Denham", with a long horizontal flourish extending to the right.

James R Denham, P.Eng.
Development Engineering Technologist



Memorandum

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

Cc: Charlotte McEwan
Hailey McWilliam

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

Date: June 30th, 2016
Hearing Date: July 13th, 2016

Subject: Engineering Comments to Committee of Adjustment File No's:
A-55/16SC -11 Chestnut Street
A-55/16SC -10 Walnut Lane

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-55/16SC and A-56/16SC.

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

Regards,

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 29, 2016

Subject: Committee of Adjustment
Public Hearings – July 13, 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/



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 6, 2016

Date of Meeting: July 13, 2016

Submission(s): B-28/16SC
A-55/16
A-56/16

File: 60.84.2048
60.81.5099
60.81.5100

Subject: 11 Chestnut Street

Recommendation

That Submission **B-28/16SC** by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That proposed detached dwelling on Part 2 be limited in height to 9 metres;
- 2) That the applicant submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees;
- 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 the 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; and
- 4) That the owner submit payment to the City for the installation of a sanitary lateral and water services within the Walnut Lane road allowance.

And that Submission **A-55/16** by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That Application B-28/16SC be approved.

And that Submission **A-56/16** by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That Application B-28/16SC be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consent is desirable and compatible with the surrounding area and will

not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variances A-55/16 and A-56/16 are minor in nature and 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 that the requested consent and variances be approved.

Proposed Development

Application **B-28/16SC** is requesting a consent to sever 202.34m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 10 Walnut Lane for the purpose of constructing a detached dwelling. A 202.34 m² remnant parcel of land (Part 1) would be retained for residential use; a detached dwelling is under construction.

Location and Site Description

The subject property is a through lot that has frontage on both Chestnut Street and Walnut Lane, which is located west of Merritt Street. The property is surrounded by a detached dwelling and a semi-detached dwelling that is under construction to the west, townhouses and commercial uses to the north, a detached dwelling to the east, and a detached dwelling and apartment building to the south.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received. Parks, Recreation and Culture Services and the Development Division requested a number of standard conditions, which have been included in the recommendation.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential and as per Schedule E9 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple-attached dwellings including triplexes at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2). The R2 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, and quadruplex dwellings, townhouses and private road developments.

The consent is requested to create a new lot for the purpose of constructing a detached dwelling. The consent requires minor variances for both the proposed and remnant lot, as they do not meet the Zoning By-law requirements for minimum lot size. The minor variances are requested to reduce the minimum required lot size from 300m² to 202.34m² for both Part 1 and Part 2.

The Garden City Plan (GCP) provides criteria to be used when evaluating development and redevelopment, with Section 7 of the GCP providing specific direction on matters related to development within the Urban Area. Section 7.c) i) states that development within the Urban Area shall be evaluated having regard for building, site and streetscape context sensitive design to ensure the “integration of compatible building form, scale, massing, [and] height... with adjacent buildings, properties and the surrounding neighbourhood”. Section 7. c) iv) further mentions that the “adequacy of lot size ... to accommodate use” is to be used as criteria to evaluate development.

On June 20, 2016, the applicant was issued a building permit for the lands on 11 Chestnut Street (Part 1) to build a three-storey detached dwelling. Staff consider the building to be appropriate on the current lot, which meets the Zoning By-law requirements for lot size. However, with the information received through applications made to the Committee of Adjustment, Staff is concerned that when the lot is severed and therefore becomes undersized, that the scale and massing of the building that is under construction may overwhelm the proposed undersized lot with frontage on Walnut Lane. Therefore, as a condition of the severance, and in order to ensure a better degree of compatibility with the immediate neighbourhood in terms of massing and scale, Staff is recommending that the proposed detached dwelling on Part 2 be limited to 9 metres in height. It should be noted that besides lot area, all other zone provisions are compliant with the Zoning By-law including setbacks.

Staff is satisfied that the development in this situation is an efficient use of the land and appropriate, provided that the resulting building is compatible with the surrounding area.

Conclusion

Staff is satisfied that in this instance, the consent requested through application B-28/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. It is Staff's recommendation that the requested consent be approved. Staff is also of the opinion that variance applications A-55/16 and A-56/16 are minor in nature, are appropriate and desirable for the use of the land, and maintain the intent of the Official Plan and Zoning By-law. Therefore, Staff recommend approval of these requested variances.

Prepared by:



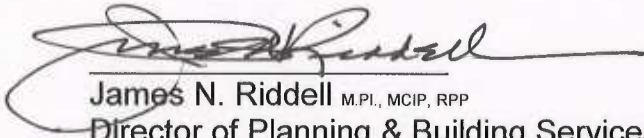
Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



James N. Riddell M.Pl., MCIP, RPP
Director of Planning & Building Services