

Agenda

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

Item #6, 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051

A request has been received by the NPCA (Niagara Peninsula Conservation Authority) to defer the application until the following has been received:

1. A revised sketch indicating the location of the NPCA Approval Physical Top of Bank and ECA Valley Shoreline Extent (7.5 metres from the physical top of bank).
2. One of the following:
 - a. A geotechnical assessment which identifies the location of the stable top of bank and the appropriate setbacks.
 - OR**
 - b. A revised lot configuration which demonstrates that all proposed development (including lot lines) is setback a minimum 15 metres from the NPCA approved physical top of bank.

5. Adoption of the Minutes held July 13, 2016
6. Application:
 1. 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057
517D Scott Street, Consent Application – B-38/16SC – 60.84.2058
 2. 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036
360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037
 3. 535 Geneva Street, Consent Application – B-26/16SC – 60.84.2046
2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094
535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095
 4. 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049
59 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101
7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102
 5. 77 Broadway, Consent Application – B-32/16SC – 60.84.2052
77 Broadway, Consent Application – B-33/16SC – 60.84.2053
77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104
77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105
77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106

7. 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107
8. 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054
1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108
9. 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055
111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056
113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109
111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110
140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111
10. 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112
11. 1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113

7. New Business:

8. Date of next Hearing: August 24, 2016

9. Adjournment

Posted on the City's Website: July 29, 2016

15 Michigan Avenue

Departmental &
Agency Comments



July 28, 2016

File No. MPR 2.13

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

Attn: Elaine Munro, Secretary-Treasurer

Subject: B-31/16SC
15 Michigan Avenue, St. Catharines

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

The application has been made for consent to sever 453 m² of land (Parts 1) creating a new lot to be known as 15A Michigan Avenue for the purpose of constructing a single detached dwelling. A 453.6 m² remnant parcel (Part 2) would be retained for continued residential use.

Niagara Peninsula Conservation Authority Regulations:

The subject property is impacted by a valley slope associated with Martindale Pond.

Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes would pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term.

In accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O.REG 155/06), the Authority regulates all development (including lot lines) within 15 metres of the physical top of bank. NPCA staff conducted a site visit on July 26, 2016 and determined the location of the NPCA Approved Physical Top of Bank (as shown in the attached map). The subject application proposes the creation of a new lot, with proposed lot lines extending within 15 metres of the physical top of bank. As such, in order to entertain the proposed severance, the NPCA will require the submission of a geotechnical assessment which identifies the location of the stable top of bank and the appropriate setbacks. Typically, the NPCA requires a minimum setback of 7.5 metres from the stable top of bank to all development (including lot lines). Due to the location of the lot within the urban area, the NPCA can entertain a reduction in this setback provided the geotechnical assessment reveals that infringement within the setback area can be accommodated on site while maintaining bank stability and no adverse environmental impacts in the long term.

Alternatively, the NPCA could entertain a revised lot configuration which demonstrates that all proposed development (including lot lines) is setback a minimum 15 metres from the NPCA approved physical top of bank. This ensures that the hazards associated with the valley slope, including the buffer, remain under one ownership and no development will take place within the hazard.

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.

The Region's Core Natural Heritage Mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline associated with Martindale Pond. Based on our review and the NPCA's site visit, NPCA staff are satisfied that the extent of the ECA feature is contained within 7.5 metres of the physical top of bank. In accordance with Policy 7.B.1.11, development and site alteration may be permitted within or adjacent to an ECA (within 50 metres) provided it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands over the long term. This can be accomplished through the completion of an Environmental Impact Study (EIS). In accordance with Policy 7.B.1.29, If a proposed single residential lot is to be located entirely within lands adjacent to an ECA feature, the requirement for an EIS may be waived.

The NPCA will require a revised sketch indicating the location of the NPCA approved physical top of bank and the extent of the ECA feature (7.5 metres from the physical top of bank). Should any proposed development (including lot lines) be located within 7.5 metres of the physical top of bank, an EIS may be required.

Conclusion:

Based on the above, the NPCA recommends **deferral** of this application until the following is received:

1. A revised sketch indicating the location of the NPCA Approved Physical Top of Bank and ECA Valley Shoreline Extent (7.5 metres from the physical top of bank).
2. One of the following:
 - a. A geotechnical assessment which identifies the location of the stable top of bank and the appropriate setbacks;
 - OR**
 - b. A revised lot configuration which demonstrates that all proposed development (including lot lines) is setback a minimum 15 metres from the NPCA approved physical top of bank.

Please note, should any proposed development (including lot lines) be located within 7.5 metres of the physical top of bank, an EIS may be required.

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

Yours truly,




















Taya Devlin
Watershed Planner (ext. 262)

cc: Craig Rohe, Planner, Niagara Region
Connie Mancuso, Niagara Region



Legend

-  Campsites
-  Contours 2010 (1m)
-  Top of Slope Features
 -  Stable
 -  Unstable
-  Top of Slope Allowance
-  ECA: Valley Shoreline Buffer
-  Ontario Road Network
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
-  Assessment Parcels
-  AIRPORTS
-  SWOOP_2015
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

physical top of bank

1:1,000



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

Notes

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|---|----------------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or concern |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or concern |
| 535 Geneva Street, Consent Application – B-26/16SC – 60.84.2046 | No issues or concern |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or concern |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or concern |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or concern |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or concern |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or concern |

Email 2

| | |
|---|----------------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or concern |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or concern |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or concern |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or concern |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or concern |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or concern |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or concern |

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-31-16SC**



July 19th, 2016th

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: Leo Di Fabio

Location: 15 Michigan Avenue

MUNICIPAL SERVICES

Water: **Michigan**
- 200mm PVC Watermain
- One existing 16mm water service from the watermain on Broadway to the front property line.

Sanitary Sewer: **Michigan**
- 250mm Sanitary Sewer
- 525mm Sanitary Sewer
- One existing Sanitary Lateral (100mm PVC) depth unknown.

Storm Sewer: - 375mm Storm Sewer

Sidewalks: - A concrete sidewalk exists along the Michigan Avenue frontage.

Road Allowance Width: Michigan +/-20m

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

Comment(s):

It is noted that the Owner proposes to sever lands from 15 Michigan Avenue to create one new single family detached lot (Parts 1 on the included Reference Plan) fronting Michigan Avenue.

Michigan Avenue is designated as a Local road per the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is ± 20 m. Therefore a widening is not required.

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. Grading Plans for Part 1 & 2 must be prepared by a qualified Professional Engineer or Surveyor to ensure that the drainage scheme of the future lots conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, or the City Boulevard. The Grading Plans must be submitted to the City for review and approval at the building permit stage.

Both Parts 1 and 2, must have an individual sanitary lateral, an individual storm lateral, and an individual water service installed by the City from the main lines on the street to the front property line of each lot.

Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does exist on Michigan Avenue, individual storm laterals must be installed to each lot. Sump pump flows must be

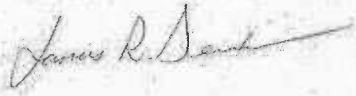
discharged to these storm laterals.

As mentioned above there is an existing 100mm PVC sanitary lateral to this property. It could be used for one of the lots provided it is in good condition and it does not cross one lot to service the other.

The existing 20mm copper water service could also be reused for one of the lots subject to confirmation of the condition and capacity as it relates to the number of fixture units in the new dwelling. In addition one new water service will be required. Again, the size of this water service will be dictated by the number of fixture units in the new dwelling.

Upon application for a building permit the Owner will be required to pay for the City to install that portion of any new sanitary lateral, new storm lateral, and new water service within the road allowance.

Condition(s): None

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

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



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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 15 Michigan Ave.
File No: 60.84.2051

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

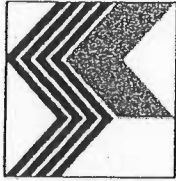
That the applicant submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.

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 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

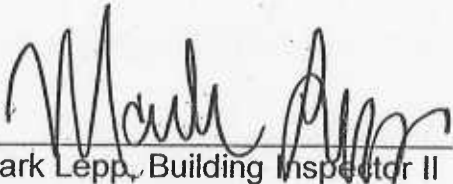
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

517A Scott Street

517D Scott Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-37/16SC
B-38/16SC

File: 60.84.2057
60.84.2058

Subject: 517A & 517D Scott Street

Recommendation

That Submission **B-37/16SC** by David Wiens, as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That the Owner 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.

And that Submission **B-38/16SC** by David Wiens, as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That the Owner 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.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consents are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

Staff recommends that the requested consents be approved.

Proposed Development

Application **B-37/16SC** is requesting a consent to sever 324.3m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 517B Scott Street for the purpose of constructing one half of the semi-detached dwelling. A 348.2m² remnant parcel (Part 1) would be retained for the other half of the semi-detached dwelling currently under construction.

Application **B-38/16SC** is requesting a consent to sever 291.6m² of land (Part 3 on the submitted sketch) to create a new lot to be known as 517C Scott Street for the purpose of constructing one half of the semi-detached dwelling. A 296.6m² remnant parcel (Part

4) would be retained for the other half of the semi-detached dwelling currently under construction.

Location and Site Description

The subject property is located on the north side of Scott Street, west of Tavistock Road. The subject lands are surrounded by detached dwellings to the north, institutional uses and semi-detached dwellings to the south, institutional uses to the west, and a detached dwelling to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received.

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 as per Schedule E3 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 – Suburban Neighbourhood (R1). The R1 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.

Staff note that the minor variances required to facilitate the consents were previously requested through applications A-79/15 and A-80/15 and were approved by the Committee of Adjustment at the October 28, 2015 hearing.

The consents are requested to allow each dwelling unit in the semi-detached dwellings that are currently under construction to be sold separately. The surrounding neighbourhood is comprised of semi-detached and detached dwellings. The proposed lots are narrower than the lots in the immediate area. However, Staff is satisfied that they are appropriate as they meet the provisions of the Zoning By-law, and allow for an appropriate amount of intensification for the area. Staff is of the opinion that the proposal is desirable and compatible with the surrounding area and that it upholds the intent of the Official Plan. No adverse impacts are anticipated as a result of the consents.

Conclusion

Staff is satisfied that the consents requested through applications B-37/16SC and B-38/16SC are desirable and compatible with the surrounding area and that there will not

be any adverse impacts on surrounding properties as a result of the applications. It is Staff's recommendation that the requested consents be approved.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
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| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or concern |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or concern |
| 535 Geneva Street, Consent Application – B-26/16SC – 60.84.2046 | No issues or concern |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or concern |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or concern |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or concern |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or concern |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or concern |

Email 2

| | |
|---|----------------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or concern |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or concern |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or concern |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or concern |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or concern |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or concern |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or concern |

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|---|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |

Email 3

| | |
|---|--------------|
| 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055 concern | No issues or |
| 111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056 concern | No issues or |
| 113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109 concern | No issues or |
| 111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110 concern | No issues or |
| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |

1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 **(To be circulated by July 22/16)**

| | |
|--|--------------|
| 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057 concern | No issues or |
| 517D Scott Street, Consent Application – B-38/16SC – 60.84.2058 concern | No issues or |

Thanks and have a great week

DOUG CROWN

Network Planning and Design

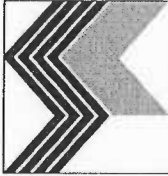
T 289-296-6266 | C 905-401-9967

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com





Memorandum

To: 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 517A Scott St.
File No: 60.84.2057

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 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



Memorandum

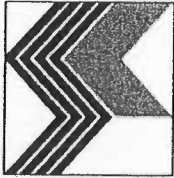
To: Charlotte McEwan, Planning and Building Services
Hailey McWilliam, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: July 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 517D Scott St.
File No: 60.84.2058

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 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



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

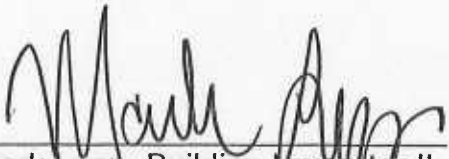
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

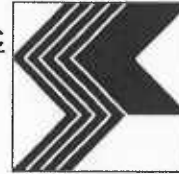
Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-37&38/16SC



July 21st, 2016

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: David Wiens

Location: 517(A & D) Scott Street

MUNICIPAL SERVICES

Scott Street

Water: 150mm Asbestos Cement
600mm Regional Trunk watermain

Sanitary Sewer: 300mm

Storm Sewer: 375mm

Sidewalks: None

Road Allowance Width: +/-20.0m

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1 & 2 and 3 & 4
creating 4 new semi lots to be known as 517A, B, C, & D Scott Street.

These severances are to create the semi lots from lots that were severed
for the purpose of constructing the recently constructed semi-detached
dwellings.

We have no further comments as servicing was all taken care of through
the previous severance process.

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

360 Martindale Road

**Departmental &
Agency Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-16/16SC
B-17/16SC

File: 60.84.2036
60.84.2037

Subject: 360 Martindale Road

Recommendation

That Submission **B-16/16SC** by Frank Robert Bracken and Susan Lee Bracken, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner submit a payment of \$433.00 for each of the new lots (Part 2 and Part 3) to the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) That payment of 5% of the appraised value of the new lot 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.
- 3) That the Owner dedicate Part 4 of the submitted sketch to the City as Natural Area, subject to the completion of the following conditions:
 - a. That the Restoration/Landscape Plan recommended in the Environmental Impact Study (EIS) by Beacon Environmental Limited, dated October 2015, be submitted to the NPCA for review and approval. The Restoration/Landscape Plan must include native species appropriate for the site conditions, planting densities, mapping of the plantings, a monitoring plan and replanting requirements and thresholds for the planting of the valley slope from Martindale Pond to the approved top of slope; and,
 - b. That the works outlined in the Restoration/Landscape Plan, as approved by the NPCA, be completed to the satisfaction of the NPCA.
- 4) That the Owner install a 1.8 metre black vinyl chain link fence to OPSD 972.130 standards. The fence shall be installed on lands to be dedicated to the City (Part

- 4), immediately within the proposed property line, along the west property line and the south property line from the west property line to the existing City fence.
- 5) That the Owner enter into a Development Agreement with the City of St. Catharines to address servicing, lot grading, stormwater management and the geotechnical requirements for the proposed development. The Development Agreement shall be executed and registered on the title of the lands.

And that Submission **B-17/16SC** by Frank Robert Bracken and Susan Lee Bracken, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner submit a payment of \$433.00 for each of the new lots (Part 2 and Part 3) to the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) That payment of 5% of the appraised value of the new lot 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.
- 3) That the Owner dedicate Part 4 of the submitted sketch to the City as Natural Area, subject to the completion of the following conditions:
 - a. That the Restoration/Landscape Plan recommended in the Environmental Impact Study (EIS) by Beacon Environmental Limited, dated October 2015, be submitted to the NPCA for review and approval. The Restoration/Landscape Plan must include native species appropriate for the site conditions, planting densities, mapping of the plantings, a monitoring plan and replanting requirements and thresholds for the planting of the valley slope from Martindale Pond to the approved top of slope; and,
 - b. That the works outlined in the Restoration/Landscape Plan, as approved by the NPCA, be completed to the satisfaction of the NPCA.
- 4) That the Owner install a 1.8 metre black vinyl chain link fence to OPSD 972.130 standards. The fence shall be installed on lands to be dedicated to the City (Part 4), immediately within the proposed property line, along the west property line and the south property line from the west property line to the existing City fence.
- 5) That the Owner enter into a Development Agreement with the City of St. Catharines to address servicing, lot grading, stormwater management and the geotechnical requirements for the proposed development, and;

- 6) The Development Agreement shall be executed and registered on the title of the lands.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consents are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

Staff recommends that the requested consents be approved.

Proposed Development

Application **B-16/16SC** is requesting a consent to a partial discharge of mortgage and for consent to sever 502 m² of land (Part 3 on the submitted sketch) to create a new lot to be known as 360A Martindale Road for the purpose of constructing a detached dwelling. A 1,241m² remnant parcel of land with an existing detached dwelling (Parts 1 & 2) would be retained for residential use. Part 4 is to be conveyed to the City as Conservation/Natural Area.

Application **B-17/16SC** is requesting a consent for partial discharge of mortgage and for consent to sever 620m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 360B Martindale Road for the purpose of constructing a detached dwelling. A 621m² parcel with the existing dwelling and detached garage would be retained for continued residential use.

Location and Site Description

The subject property is located on the east side of Martindale Road, north of the Queen Elizabeth Way. The subject property is surrounded by Green Space to the west, detached dwellings to the north and south and Martindale Pond to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received. A number of conditions are requested by various departments, which have been included in the recommendation.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential and Natural Areas as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential and Natural Area as per Schedule E1 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. The density of

the proposal is 17 units per hectare, which is generally in keeping with the density range provided in the GCP. The Natural Areas designation permits passive, small scale recreation features and legally existing uses.

Zoning By-law (2013-283)

The westerly portion of the subject land is zoned Low Density Residential – Suburban Neighbourhood (R1-134). The R1 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 easterly portion of the subject lands is zoned Conservation/Natural Area (G1). The G1 zone permits boat ramps, trails and picnic areas and shelters. Special Provision 134 permits the subject lands to have a maximum lot area of 621m² and a decreased minimum rear yard requirement of 6.1 metres.

The purpose of the consent applications is to create two new lots for the purpose of constructing two detached dwellings. 2487m² of land below the top of bank (Part 4) is to be dedicated to the City. The developable area on the proposed and remnant lots is similar to that of surrounding properties. The proposed lots are compatible with the surrounding area.

Staff note that the 4.14 metre rear yard setback on Part 1 does not meet the 6.1 metre rear yard setback required by Special Provision 134. However, Section 2.15.2 of the Zoning By-law applies to the subject lands, which states that where the area of a lot is reduced by means of an acquisition by a public agency and where such acquisition causes the lot or any building or structure existing lawfully on the lot on the date of such acquisition not to comply with the requirements of this By-law, the lot and/or any building(s) or structure(s) shall be deemed to comply with this By-law. Accordingly, no minor variance is required to address this shortfall in minimum rear yard.

The property was recently the subject of a Zoning By-law Amendment. As a part of the zoning amendment process, an Environmental Impact Study was submitted. The EIS recommended that a Restoration/Landscape Plan be submitted for lands along the shore of Martindale Pond (Part 4). The NPCA has requested that the submission and completion of the Restoration Landscape Plan be included as a condition of this consent.

Conclusion

Staff is satisfied that the consents requested through applications B-16/16SC and B-17/16SC are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. It is Staff's recommendation that the requested consents be approved, subject to the conditions outlined in the recommendation.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pinach MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|---|--------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or |
| concern | |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or |
| concern | |
| 535 Geneva Street, Consent Application – B-26/16SC – | No issues or |
| concern 60.84.2046 | |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or |
| concern | |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or |
| concern | |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or |
| concern | |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or |
| concern | |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or |
| concern | |

Email 2

| | |
|---|--------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or |
| concern | |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or |
| concern | |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or |
| concern | |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or |
| concern | |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or |
| concern | |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or |
| concern | |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or |
| concern | |



**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

July 29, 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-16/16SC and B-17/16SC
360 Martindale Road, St. Catharines

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

B-16/16SC

The application has been made for consent to sever 502 m² of land (Part 3) creating a new lot to be known as 360A Martindale Road for the purpose of constructing a single detached dwelling. A 1,241 m² remnant parcel with the existing single detached dwelling (Parts 1 & 2) would be retained for continued residential use. Part 4 will be dedicated to the City as Conservation/Natural Area.

B-17/16SC

The application has been made for consent to sever 620 m² of land (Part 2) creating a new lot to be known as 360B Martindale Road for the purpose of constructing a single detached dwelling. A 621 m² remnant parcel with the existing single detached dwelling and detached garage (Part 1) would be retained for continued residential use.

Niagara Peninsula Conservation Authority Regulations:

The subject lands are impacted by a valley slope and fish habitat associated with Martindale Pond.

Valley Slope

Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes would pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term. In accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O.REG 155/06), a minimum 7.5 metre setback is typically required from the stable top of slope to all development and site alterations (including grading).

There is a Registered Agreement (Certificate of Registration Number 0794478, dated May 7, 2002), between the NPCA and the landowners, at that time, which affects the subject property (Part 5 in the Agreement). The Agreement was put in place as a result of an Ontario Municipal Board (OMB) decision (PI001079 dated July 19, 2001). The Agreement identifies the 90 metre contour as the top of slope for the subject lands.

NPCA staff have reviewed the "Geotechnical Investigation and Slope Stability Assessment, 360 Martindale Road, St. Catharines" dated October 2015 by Amec Foster Wheeler (TG153032). Based on our review, the NPCA offers the following comments:

1. No objection to the report's conclusion that the existing top of bank (at the north of the property) and the 90 metre contour top of bank (at the south of the property) are also the location of the stable top of slope.
2. No objection to the recommended 6.0 metre structural setback from the stable top of bank.
3. As per the recommendation on Page 7, the NPCA requires that the geotechnical engineer review and approve final structural designs.

The Plan submitted (15-0008-sketch, dated May 17, 2016 by Kirkup, Mascoe, Ure) shows the rear lot line for the proposed lots at the 90 metre contour/top of bank and the proposed building envelopes more than 6.0 metres from the stable top of bank.

Fish Habitat

Martindale Pond has been identified as Type 1 (Critical) Fish Habitat by the Ministry of Natural Resources and Forestry (MNR). A 30 metre naturally vegetated buffer measured from the bank of the pond is required for all new site alterations and development. The subject application proposes to dedicate the lands below top of bank (Part 4), which include the lands within 30 metres of Martindale Pond, to the City as Conservation/Natural Area.

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.

The Region's Core Natural Heritage Mapping identifies the subject property as being an Environmental Conservation Area (ECA) for Valley Shoreline and adjacent to an Environmental Protection Area (EPA) for Provincially Significant Martindale Barnesdale Marsh Wetland. In accordance with Policy 7.B.1.11, development and site alteration may be permitted adjacent to an EPA (within 120 metres) and within or adjacent to an ECA (within 50 metres) provided it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands over the long term.

NPCA staff have reviewed the "Environmental Impact Study, 360 Martindale Road, St. Catharines" dated October 2015 by Beacon Environmental (215241). Based on our review, the NPCA is satisfied that the lands below the top of bank (90 metre contour), which contain the natural heritage features, will be dedicated to the City. The NPCA is satisfied there will be no significant negative impact on the natural heritage features, as a result of the subject applications, provided the mitigation measures, as outlined in the EIS, are implemented.

Conclusion:

Based on the above, the NPCA is satisfied that a suitable building envelope has been identified on the two new lots to be severed (Parts 2 & 3) and the lot to be retained (Part 1) and that the natural features (Part 4) will be brought into public ownership. As such, the NPCA offers no objections to the subject applications subject to the following conditions:

1. As per the recommendation on page 7 of the Geotechnical Report, the NPCA will require that the geotechnical engineer review and approve the final structure designs.
2. A Restoration Plan shall be submitted to the NPCA for review and approval for the planting of the valley slope from Martindale Pond to the approved top of slope, to provide a natural buffer to the natural heritage features of the valley from the proposed development. The Restoration Plan must include native species

appropriate for the site conditions, planting densities, mapping of the plantings, a monitoring plan and replanting requirements and thresholds.

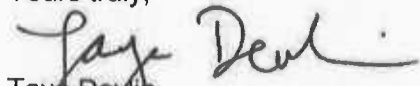
3. That the owner(s) agrees to implement the mitigation measures, as outlined in the EIS and listed below, to the satisfaction of the Niagara Peninsula Conservation Authority:
 - a) No site alteration (except as needed to complete the Restoration Plan) will occur below the top of slope.
 - b) No removal of natural vegetation will occur below the top of slope.
 - c) Final grading along the top of slope shall be undertaken to ensure that surface water runoff is not concentrated to discharge points along the slope that could result in long term channelization or erosion down the valley slope.
 - d) Filter fabric and paige wire fencing shall be installed to define the development limit above the top of slope prior to any site alteration or removal of vegetation. Filter fabric shall be inspected daily and be maintained in good working order throughout the development process. Filter fabric shall be removed once development work is completed and all exposed soils have been stabilized.
 - e) An Erosion and Sediment Control Plan shall be submitted to the NPCA for review and approval which will limit sediment transport below the top of slope, or into Martindale Pond.

Please note, vegetation removal associated with clearing, site access and staging should occur outside the key breeding bird period (generally March 15 to August 31 for Niagara) identified by Environment Canada for migratory birds to ensure compliance with the Migratory Birds Convention Act (MBCA), 1994 and Migratory Bird Regulations (MBR). If vegetation is to be removed during this time, a nest survey should be completed by a qualified avian biologist prior to commencement of works to identify and locate active nests of species covered by the MBCA. This should include the development of a mitigation plan to address any potential impacts on migratory birds and their active nests.

Lastly, due to the features identified, an NPCA work permit will be required for the proposed development prior to the issuance of a building permit from the City and commencement of works on site. Any future works proposed on the properties will require NPCA review and approvals prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer (i.e. within 15 metres of the top of slope) will require a work permit from this office, and possible further studies, in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06)".

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

Yours truly,



Taya Devlin
Watershed Planner (ext. 262)

cc: Craig Rohe, Planner, Niagara Region
Carmen Vetrone, Development Approval Technician, Niagara Region
Connie Mancuso, Niagara Region



Legend

- Contours 2010 (1m)
- Top of Slope Features
 - Stable
 - Unstable
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
- AIRPORTS

1: 500



25.4 0 12.70 25.4 Meters

NAD_1983_UTM_Zone_17N

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

Notes

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION B-16&17/16SC



July 18th, 2016

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Owner: Frank and Susan Bracken

Location: 360 Martindale Road

EXISTING MUNICIPAL SERVICES

Martindale Road

Water: 300mm Regional Trunk
No local Municipal Watermain

Sanitary Sewer: None

Storm Sewer: 375mm Ultra Rib

Sidewalks: Yes

Road Allowance Width: 25m± (Regional)

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

It is noted that the Applicant proposes to sever Parts 2 and 3 on plan File 15-109A dated May 17th, 2016 prepared by Kirkup Mascoe Ure to create two new residential lots. A remnant parcel (Part 1) will be retained for residential use. Part 4 is to be given to the City.

Roads

Martindale Road along this section is designated as a Regional Arterial road as per the City's Official Plan, with a desired right-of-way width of 26.2m. The Regional Municipality of Niagara will determine if there is a need for a further widening along the frontage.

Engineering Services

A local 375mm storm sewer exist on Martindale Road across the frontage of the lands, Parts 1 to 3 will be required have individual storm lateral connections installed to the existing storm sewer at the Owner's expense.

There is no existing sanitary sewer on Martindale Road across the frontage of the lots. There is an existing 200mm PVC Sanitary sewer 11m+/- south of the most southerly limit of the subject lands. As a condition of severance the Owner must pay for the extension of the existing sanitary sewer and provide individual sanitary laterals for Parts 1 to 3. It should be noted that the existing sanitary sewer is quite shallow (+/- 2m) so any plumbing works installed below finished grade may require an individual private pumping system. Confirmation of the capacity of the existing sanitary sewer to accommodate the additional demand created by the proposed lots will be required.

Individual water services to the Region of Niagara 300mm watermain are not permitted. Subject to the approval of the Regional Municipality of Niagara, one connection to provide a single local municipal watermain to service Parts 2 and 3 will be required and must be designed and constructed in accordance with City and Regional standards in order to provide individual waterservices to each of the lots. The design and construction of these services shall be at the Owner's cost.

Grading & Drainage

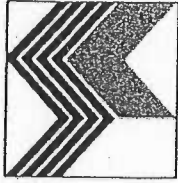
Drainage of the lands must be addressed to convey flows on each property to a sufficient outlet, while at the same time not adversely affecting abutting properties. The Applicant shall be responsible to submit to the City for review and approval a Master Grading Control Plan for the entire development addressing the grading of the individual lots. A Stormwater Management Report addressing the development's ability to control post-development storm flows to that of pre-development rates, and a Geotechnical Report addressing soil slope stability and drainage is also required. Individual lot grading plans must be submitted for building permit applications and shall conform to the approved Master Grading Control Plan.

Condition(s): Prior to final consent, the Applicant shall;

- Enter into a Development Agreement with the City of St. Catharines to address servicing, lot grading, stormwater management and the geotechnical requirements for the proposed development, and;
- The Development Agreement shall be executed and registered on the title of the lands at the Owner's expense.



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



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

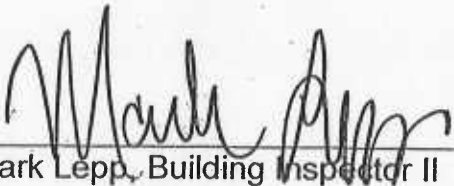
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

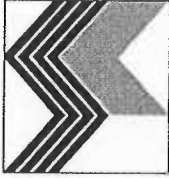
- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

To: Charlotte McEwan, Planning and Building Services
Hailey McWilliam, Planning and Building Services
CC: Elaine Munro, Planning & Development Services
From: Kristen Sullivan, Recreation & Community Services
Date: July 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 360 Martindale Rd.
File No: 60.84.2036, 60.84.2037

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

That the applicant submit a payment of \$433.00 for each of the new lots (Part 2 and Part 3) to the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.

That the applicant dedicate Part 4 of the submitted sketch to the City as Natural Area and that the applicant be responsible for satisfying any conditions related to this dedication.

That the applicant install a 1.8 metre black vinyl chain link fence to OPSD 972.130 standards. The fence shall be installed on lands to be dedicated to the City (Part 4), immediately within the proposed property line, along the west property line and the south property line from the west property line to the existing City fence.

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 lots (Part 2 and Part 3) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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
Recreation and Community Services

535 Geneva Street

**Departmental &
Agency Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-26/16SC
A-50/16
A-51/16

File: 60.84.2046
60.81.5094
60.81.5095

Subject: 535 Geneva Street

Recommendation

That Submission **B-26/16SC** by John Kendall & Lorri Jean Kendall, as outlined in the Notice of Hearing, be approved subject to the following conditions:

That the owner:

- 1) 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.
- 2) Submit payment of 5% of the appraised value of the new lot (Part 1) 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 provisional consent was given'. The appraisal shall be completed by a qualified appraiser.
- 3) That the owner(s) obtains final approval of minor variance applications A-50/16 and A-51/16.

That application **A-50/16** (Part 1), by John Kendall & Lorri Jean Kendall, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the proposed detached dwelling on Part 1 be limited in height to 6.0 metres.

That application **A-51/16**, by John Kendall & Lorri Jean Kendall, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff are satisfied that consent B-26/16SC 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 are of the opinion that variances A-50/16 and A-51/16, are minor in nature, 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 that the requested consent and variances be approved subject to the conditions outlined in the recommendation.

Report

Proposed Development

The purpose of the consent and minor variance applications are to create a new lot to be known as 2 St. Columba Drive for the purpose constructing a detached dwelling.

Revised application **B-26/16SC** is requesting a consent to sever 358.9m² of land (Part 1 on the submitted sketch) to create a new lot known as 2 St. Columba Drive for the purpose of constructing a detached dwelling. As a result, a 447.1m² remnant parcel of land (Part 2) would be retained for residential use.

Revised application **A-50/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the minimum required rear yard setback to dwelling from 7.5 metres to 6.0 metres.
- 2) A reduction of the minimum lot area per dwelling unit (Part 1) from 400m² to 358.9m².

Revised application **A-51/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the minimum required rear yard setback to dwelling from 7.5 metres to 1.65 metres.
- 2) A reduction of the minimum front yard setback to the existing carport from 7 metres to 4.73 metres.

Background

A previous application for the subject property was deferred by the Committee at the Hearing on July 11, 2016. The application has been revised after discussion with City departments to address an existing healthy locust tree, an easement on the property, and the proposed yards on Part 2. The revision was an adjustment of the location of the proposed lot line. As a result of this revision, an additional variance is required for the lot area of Part 1.

Location and Site Description

The subject property is located on the northwest corner of the Geneva Street and St. Columba Drive intersection. The property is surrounded by low density residential uses to the north, south, and east, and west.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received. Parks, Recreation and Community Services advises the committee should be advised that in order to accommodate a driveway for the proposed lot an existing boulevard tree will need to be removed. If the land division is approved then the tree will be removed by the City or its contractor, at the cost of the applicant, after a building permit has been submitted. This tree is in good condition and as such the applicant will be responsible for the replacement cost of the tree as part of the removal, as calculated using the trunk formula method.

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 E1 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 – Suburban Neighbourhood (R1). 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 (GCP).

Revised application **B-26/16SC** is requesting a consent to sever 358.9m² of land (Part 1) to create a new remnant lot of 447.1m² (Part 2).

Staff are supportive of this application, as the application upholds the values of the Garden City Plan. GCP Policy 2.3.3.5 ii) states that the GCP “emphasizes the provision of new housing through the efficient usability of vacant and occupied lands; higher density development; small lot infill; [and] intensification...”.

Section 3.2.7d) of the GCP as provides criteria with which to evaluate infill, stating that infill is to “be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation as adjacent buildings [and] being of similar setback...”. Staff are recommending that the new detached dwelling, to be constructed on Part 1, be limited in height to 6.0 metres. Staff believe that based on the submitted plans, and through the inclusion of the height restriction, that the proposed dwelling will meet the criteria set out in the GCP.

The proposed consent will make efficient use of the lands and will not result in adverse impacts on the surrounding neighbourhood. Staff is supportive of the consent.

The proposed variances are requested to facilitate the proposed consent.

Revised application A-50/16 (Part 1)

Variance 1 requests a reduction in the minimum required rear yard setback to dwelling from 7.5 metres to 6.0 metres. Variance 2 requests a reduction of the minimum lot area per dwelling unit from 400m² to 358.9m². Staff are of the opinion that the proposal is minor in nature and that no adverse impacts will result from the proposed lot area and set back. Adequate amenity space will be maintained for the proposed dwelling. To help promote compatibility and mitigate impact of reduced lot area and rear yard on the new house, it is recommended that the height of the proposed dwelling be limited to a raised bungalow. This has been reflected in the conditions as a 6.0 metre limit. Subject to the condition, staff are supportive of the variances proposed on Part 1.

Revised application A-51/16 (Part 2)

Variance 1 requests a reduction in the minimum required rear yard setback to dwelling from 7.5 metres to 1.65 metres. The variance is requested to recognize the location of the existing dwelling on Part 2. Due to the orientation of the existing dwelling, the rear yard will function as a side yard. As long as adequate amenity space is maintained on the lot, staff is of the opinion that the 5.85 metre reduction is minor and appropriate for the property. Part 2 has an exterior side yard of 7.66 metres, which exceeds the Zoning By-law requirements of 4.0 metres, and an interior side yard of 4.05 metres, which exceeds the Zoning By-law requirements of 1.2 metres. Staff are of the opinion that adequate amenity space will be maintained, that the proposal will not result in adverse impacts on adjacent properties and that the proposal is compatible with the surrounding neighbourhood.

Variance 2 requests a reduction in the minimum front yard setback to carport from 7.0 metres to 4.73 metres. The variance is requested to recognize the location of an existing carport. The setback will not result in adverse impacts on the streetscape or on adjacent properties. Staff is supportive of the variance.

Conclusion

Staff are satisfied that the consent requested through application B-26/16SC 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. Additionally, staff are of the opinion that applications A-50/16 and A-51/16 are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

June 14, 2016

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

Attention: Elaine Munro

File# 60.84.2046, 60.81.5094 & 60.81.5095

Re: 535 Geneva St & 2 St Columba Dr

In response to your correspondence(s) dated June 7, 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 blue 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|---|----------------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or concern |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or concern |
| 535 Geneva Street, Consent Application – B-26/16SC – 60.84.2046 | No issues or concern |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or concern |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or concern |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or concern |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or concern |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or concern |

Email 2

| | |
|---|----------------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or concern |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or concern |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or concern |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or concern |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or concern |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or concern |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or concern |

| | |
|---|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |

Email 3

| | |
|---|--------------|
| 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055 concern | No issues or |
| 111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056 concern | No issues or |
| 113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109 concern | No issues or |
| 111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110 concern | No issues or |
| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |

1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 **(To be circulated by July 22/16)**

| | |
|--|--------------|
| 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057 concern | No issues or |
| 517D Scott Street, Consent Application – B-38/16SC – 60.84.2058 concern | No issues or |

Thanks and have a great week

| | |
|---|---|
| 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: 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 535 Geneva St.
File No: 60.84.2046

Please be advised that we have reviewed the above-noted application 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 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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.

The committee should be advised that in order to accommodate a driveway for the proposed lot an existing boulevard tree will need to be removed. If the land division is approved then the tree will be removed by the City or its contractor, at the cost of the applicant, after a building permit has been submitted. This tree is in good condition and as such the applicant will be responsible for the replacement cost of the tree as part of the removal, as calculated using the trunk formula method.

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

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

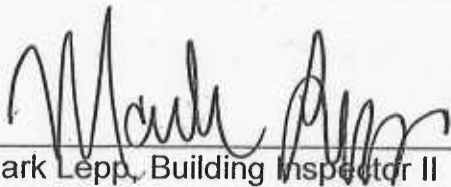
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

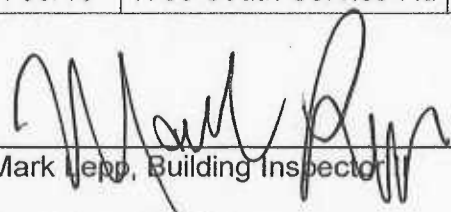
Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

Cc: Files, 300-010

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REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-26/16SC



July 18th, 2016,

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: John & Lori Kendall

Location: 535 Geneva Street

MUNICIPAL SERVICES

- Water:**
- Existing 200mm PVC watermain on Geneva Street
 - One existing 19mm copper water service connected to the watermain on Geneva Street.
 - Existing 150mm C.I. watermain on St. Columba Drive
- Sanitary Sewer:**
- Existing 525mm Sanitary Sewer on Geneva Street
 - Lateral connected to sanitary sewer on Geneva Street. Size, and condition of existing sanitary lateral unknown (installed in 1956).
 - Existing 200mm A.C Sanitary Sewer on St. Columba Drive. Note: depth is only about 10 ft.
- Storm Sewer:**
- Existing 1800mm Storm Sewer on Geneva Street
 - Existing 450mm Storm Sewer on St. Columba Drive
- Sidewalks:**
- On Geneva Street Frontage only
- Road Allowance Width:** - 20m+/-

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

Comment(s):

It is noted that the Applicant proposes to sever lands for a new single dwelling lot.

Geneva Street is designated an Arterial road per the City's Official plan with a desired right-of-way width of 26.2m. Its current width along this section is 26.2m±. St. Columba Drive is designated a Local road in the City's Official Plan with a desired right-of-way of 20m. Its current width across the frontage of the subject property is 20m+/- . Therefore widenings are not required along the frontage of either Geneva Street or St. Columba Drive.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established neighbourhoods 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, nor the City boulevard. Sump pump flows are typically discharged to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does exist on St. Columba Drive sump flows shall be required to discharge to a new storm lateral. The City will install the new storm lateral from the existing storm sewer to the front property line. The owner shall pay for this installation based on the City's Schedule of Rates & Fees at the time of the application for a building permit.

An individual sanitary lateral and water service will be required for the proposed new lot at 2

St. Columba Drive. The City will install the portion of the new services within the St. Columba Street road allowance. The applicant will be required to pay for the new services at the time of the application for a building permit.

Condition(s): None

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

Prepared By: _____
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 18th, 2016
Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A-71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist

59 Bloomfield Avenue

**Departmental &
Agency Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-29/16SC
A-57/16
A-58/16

File: 60.84.2049
60.81.5101
60.81.5102

Subject: 59 Bloomfield Avenue

Recommendation

That Submission **B-29/16SC** by Bruce Greenlaw, as outlined in the Notice of Hearing, be denied.

And that Submission **A-57/16** by Bruce Greenlaw, as outlined in the Notice of Hearing, be denied.

And that Submission **A-58/16** by Bruce Greenlaw, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consent is not desirable or compatible with the surrounding area, as proposed.

Staff recommends that the requested consents be denied.

Proposed Development

Application **B-29/16SC** is requesting a partial discharge of mortgage and consent to sever 249.87m² of land (Part 1 on the submitted sketch) to create a new lot known as 7 Dundonald Street for the purpose of constructing a detached dwelling. A 545.09m² remnant parcel with the existing detached dwelling would be retained for continued residential use.

Application **A-57/16** (Part 2) is requesting an increase in the lot area per dwelling unit from 465 m² to 545.09 m², and a reduction in the minimum rear yard setback from 6.0 metres to 3.1 metres.

Application **A-58/16** (Part 1) is requesting a reduction in the lot area per dwelling unit from 300 m² to 249.87 m².

Location and Site Description

The subject property is located on the northeast corner of the Bloomfield Avenue and Dundonald Street intersection. The property is surrounded by detached dwellings in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Development department has requested a road widening that will require a change in the variances. Staff recommend that the application be denied.

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. The proposal would result in a density of 25.1 units per hectare, which is in keeping with 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 lot and remnant lot, as they do not meet the Zoning By-law requirements for lot size. The proposed lot (Part 1) requires a reduction in the minimum required lot size from 300m² to 249.87m². The remnant lot (Part 2) requires an increase in lot area per dwelling unit from 465m² to 545.09m². A reduction of the minimum required rear yard setback from 6.0 metres to 3.1 metres is also requested for Part 2.

Staff note that the minor variances the applicant has applied for do not take into account the road widening request by the City of St. Catharines.

The road widening requested along Bloomfield Avenue and Dundonald Street is requested for a number of reasons. The existing pavement width along Bloomfield Avenue is 6.5 metres wide, while the standard width for a local road is 8.5 metres. If there are vehicles parked along both sides of the street, it is difficult for emergency vehicles to pass. There are currently no curbs, gutters or storm sewers along Bloomfield Avenue, and the road widening is required if these improvements are to be made. There are also currently no sidewalks on either side of Bloomfield Avenue and only one sidewalk on the east side of Dundonald Street. It is by Council's direction that the City is

to provide sidewalks along both sides of streets, where possible. Additionally, GCP Section 5.2.1 D) states that for local roads, sidewalks should be provided on both sides of the road, where feasible. Finally, Bloomfield Avenue connects to an unopened road allowance for Beatrice Street. There is potential that traffic volumes will increase on Bloomfield Avenue in the future.

With the road widening applied, a minor variance would be required for the front yard setback to the garage on Part 1. 6.0 metres is the required setback and the setback with the road widening applied would be 4.6 metres. The lot areas would be reduced by the road widenings, which would result in a greater reduction to the minimum lot size for the proposed lot (Part 2).

Staff recommend that the proposed consent and variances be denied. Staff would consider a submission from the applicant that reflects the City's request for a road widening dedication of 1.4 metres along Bloomfield Avenue and Dundonald Street. Additionally, to offset the reduction in lot area due to the road widening, Staff recommend that the lot line between Part 1 and Part 2 be shifted 1.4 metres south. The shift in lot line would result in a lot area of approximately 267m² for Part 1 and approximately 449m² for Part 2. If the proposed lot area for Part 2 was 449m², no minor variance would be needed for maximum lot area per dwelling unit, as it would meet the Zoning By-law requirements.

Conclusion

Staff is not satisfied that the consent requested through applications B-29/16SC is desirable and compatible with the surrounding area. It is Staff's recommendation that the requested consent be denied. Staff is not satisfied that variance applications A-57/16 and A-58/16 are minor in nature or sufficient to support the proposed consent. Staff recommends that the requested variances be denied.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|--|--------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 concern | No issues or |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 concern | No issues or |
| 535 Geneva Street, Consent Application – B-26/16SC – concern 60.84.2046 | No issues or |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 concern | No issues or |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 concern | No issues or |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 concern | No issues or |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 concern | No issues or |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 concern | No issues or |

Email 2

| | |
|--|--------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 concern | No issues or |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 concern | No issues or |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 concern | No issues or |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 concern | No issues or |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 concern | No issues or |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 concern | No issues or |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 concern | No issues or |

Munro, Elaine

From: Pridham, Cindy (6085557) <cindy.pridham@bell.ca>
Sent: Friday, July 22, 2016 2:37 PM
To: Munro, Elaine
Subject: RE: Last Application & Corrected NOH FW: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Good Afternoon Elaine

Bell Canada has no concerns over these minor variances.

Regards,

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

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



From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: July-22-16 11:56 AM
To: ROWCC
Subject: Last Application & Corrected NOH FW: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi:

Attached please find the last minor variance that was noted below for 1703 South Service Road. As attached is a corrected NOH for the MV for 59 Bloomfield which just corrected the maximum lot area to be varied from 300m² to 465m².

Any questions, please don't hesitate to contact me.

Thanks, Elaine

Elaine Munro ACST

Committee Secretary & Planning Clerk

Email: emunro@stcatharines.ca **Visit:** www.stcatharines.ca

Phone: 905.688.5601 x1715 **TTY:** 905.688.4TTY (4889)

Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2



July 21, 2016

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

Attention: Elaine Munro

File# 60.84.2049, 60.81.5101 & 60.81.5102

Re: 59 Bloomfield Ave & 7 Dundonald St

In response to your correspondence(s) dated July 19, 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

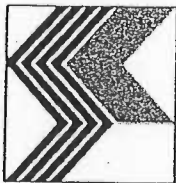
- C22.3 No. 7- 10 Underground Systems

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", written in a cursive style.

Scott Beaudrie
Supervisor, Engineering Design



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

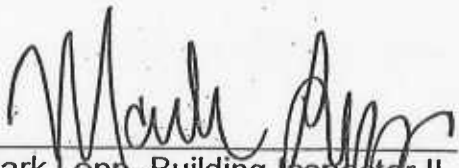
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

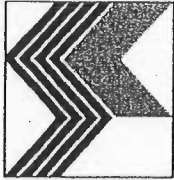
- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-036

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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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 59 Bloomfield Ave.
File No: 60.84.2049

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 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-29/16SC



July 18th, 2016,

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: Bruce Greenlaw

Location: 59 Bloomfield Avenue and 7 Dundonald Street

MUNICIPAL SERVICES

- Water:**
- Existing 150mm PVC watermain on Dundonald
 - Existing 150mm PVC on Bloomfield
 - One existing 19mm copper water service to existing property connected to the watermain on Bloomfield.
- Sanitary Sewer:**
- Existing 200mm Clay Sanitary Sewer on Bloomfield
 - Existing 200mm Clay Sanitary Sewer on Dundonald Note: Depth is only about 2m+/-.
 - Lateral for existing house is off Bloomfield
- Storm Sewer:** - None
- Sidewalks:** - Existing Sidewalk on Dundonald Street frontage only frontage only.
- Road Allowance Width:**
- Bloomfield – 15.2m+/-
 - Dundonald – 15.2m+/-

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

Comment(s):

It is noted that the Applicant proposes to sever lands for a new single dwelling lot to front on Dundonald.

Bloomfield is designated as a Local road per the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is 15.2m±. Dundonald is designated a Local road in the City's Official Plan with a desired right-of-way of 20m. Its current width across the frontage of the subject property is 15.2m+/- . Therefore 1.4m widenings are required along the frontage of both Bloomfield Avenue and Dundonald Street.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established neighbourhoods 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, nor the City boulevard. Sump pump flows are typically discharged to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Dundonald Street sump flows may discharge to grade to either the front yard or rear yard, but not the side yards.

An individual sanitary lateral and water service will be required for the proposed new lot at 7 Dundonald Street. The City will install the portion of the new services within the Dundonald Street road allowance. The applicant will be required to pay for the new services at the time

of the application for a building permit.

Condition(s): The Owner shall dedicate to the City of St. Catharines a road widening of 1.4m along the frontage of both Bloomfield Avenue and Dundonald Street and pay all associated costs.

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

Prepared By: _____
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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A-71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist

77 Broadway

Departmental &
Agency Comments

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|---|--------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or |
| concern | |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or |
| concern | |
| 535 Geneva Street, Consent Application – B-26/16SC – | No issues or |
| concern 60.84.2046 | |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or |
| concern | |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or |
| concern | |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or |
| concern | |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or |
| concern | |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or |
| concern | |

Email 2

| | |
|---|--------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or |
| concern | |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or |
| concern | |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or |
| concern | |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or |
| concern | |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or |
| concern | |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or |
| concern | |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or |
| concern | |

| | |
|---|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |

Email 3

| | |
|---|--------------|
| 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055 concern | No issues or |
| 111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056 concern | No issues or |
| 113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109 concern | No issues or |
| 111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110 concern | No issues or |
| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |

1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 **(To be circulated by July 22/16)**

| | |
|--|--------------|
| 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057 concern | No issues or |
| 517D Scott Street, Consent Application – B-38/16SC – 60.84.2058 concern | No issues or |

Thanks and have a great week

| | |
|---|---|
| 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

From: Taya Devlin <tdevlin@npca.ca>
Sent: Monday, July 25, 2016 10:46 AM
To: Munro, Elaine
Cc: Mancuso, Connie (connie.mancuso@niagararegion.ca); Rohe, Craig; Carmen Vetrone (carmen.vetrone@niagararegion.ca) (carmen.vetrone@niagararegion.ca)
Subject: 77 Broadway Avenue, St. Catharines
Attachments: 77 Broadway Map.pdf

Good Morning Elaine,

NPCA staff have reviewed:

1. Application B-32/16SC for consent to sever 258 m² of land (Part 1) creating a new lot to be known as 77C Broadway Avenue.
2. Application B-33/16SC for consent to sever 268 m² of land (Part 2) creating a new lot to be known as 77B Broadway Avenue.
3. Application A-60/16 for a reduction of the minimum lot area per dwelling unit from 300m² to 268 m² (Part 2).
4. Application A-61/16 for a reduction of the minimum lot area per dwelling unit from 300m² to 283 m² (Part 3).
5. Application A-62/16 for a reduction of the minimum lot area per dwelling unit from 300m² to 258 m² (Part 1).

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

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.

The Region's Core Natural Heritage Mapping identifies the subject property as being located adjacent to (within 50 metres) an Environmental Conservation Area (ECA) for Other Evaluated Wetlands and Significant Woodland. Policy 7.B.1.11 of the Region's Policies permits development within and adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact to the Core Natural Heritage System. NPCA staff are satisfied that since the property is located on the south side of Woods Park Road and is separated from the identified features by the road and existing development, there will be no significant negative impact on the identified features as a result of development on the subject property.









Based on the above, the NPCA offers no objections to the subject applications for consent to sever two new lots (Parts 1 and 2) and minor variances to permit a reduction of the minimum lot area per dwelling.

Please contact me if you have any questions.
Thank you,

Taya Devlin
Watershed Planner
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2
Phone: 905 788 3135 (ext. 262)
Fax: 905 788 1121



Legend

-  Campsites
- OWES WETLANDS**
 -  Non-Provincially Significant Wetland
 -  Provincially Significant Wetland
-  Regulation Wetlands
-  Wetland Allowance
-  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

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



July 21, 2016

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

Attention: Elaine Munro

File# 60.84.2052, 60.81.5105, 60.81.5104, 60.81.5106 & 60.84.2053

Re: 77 Broadway Ave, 77B Broadway Ave & 77C Broadway Ave

In response to your correspondence(s) dated July 19, 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", written over a horizontal line.

Scott Beaudrie
Supervisor, Engineering Design



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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 77 Broadway Ave.
File No: 60.84.2052, 60.84.2053

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 each of the new lots (Part 1 and Part 2) 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 lots (Part 1 and Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

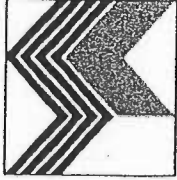
Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

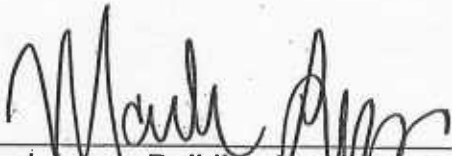
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

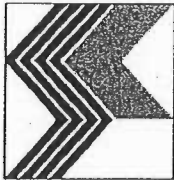
- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

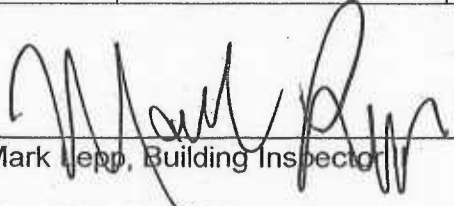
Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

Cc: Files, 300-010

g:\pbs-building & development\committee of adjustment\bldg memo 2016\21 bcoa memo-mv-Aug3, 2016.docx

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-32 & 33-16SC



July 19th, 2016th

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: Leo Di Fabio

Location: 77 Broadway

MUNICIPAL SERVICES

Water: **Broadway**
-150mm C.I. Watermain
- One existing 20mm copper water service from the watermain on Broadway to the front property line.
-Watermain Replacement and Road Reconstruction Scheduled for 2017/18.

Sanitary Sewer: **Broadway**
-300mm Sanitary Sewer
-One existing Sanitary Lateral (100mm PVC)

Storm Sewer: - None

Sidewalks: - A concrete sidewalk exists along the Broadway frontage.

Road Allowance Width: Broadway +/-20m

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

Comment(s):

It is noted that the Owner proposes to sever lands from 77 Broadway to create three new single family detached lots (Parts 1, 2, and 3 on the included Reference Plan) fronting Broadway.

Broadway is designated a Local road per the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is ± 20 m. Therefore a widening is not required.

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. A Master Grading Control Plan must be prepared by a qualified Professional Engineer or Surveyor to ensure that the drainage scheme of the future lots conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, or the City Boulevard. The Grading Control Plan must be submitted to the City for review and approval. In addition, an individual lot grading plan must be submitted for review and approval for each dwelling at the building permit stage. These individual lot grading plans must reflect the Master Grading Control Plan.

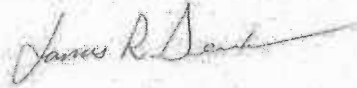
Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does not exist on Broadway, sump pump flows must be discharged to grade in the front or rear yards and "not" the side yards.

All three lots must have an individual sanitary lateral and an individual water service. As mentioned above there is an existing 100mm PVC sanitary lateral to this property. It could be used for one of the lots provided if it is in good condition and it does not cross one of the other lots. According to City records the sanitary sewer on the street is +/-5m deep. However, the existing lateral is only +/-1.8m deep at the front property line. The owner may wish to abandon the existing lateral and have the City install a new deeper lateral.

The existing 20mm copper water service could be reused for one of the new lots subject to confirmation of the capacity as it relates to the number of fixture units in the new dwelling. In addition two new water services will be required. Again, the size of these will be dictated by the number of fixture units in the new dwellings.

Upon application for a building permit the Owner will be required to pay for the City to install that portion of any new sanitary laterals or new water services within the road allowance.

Condition(s): Prior to finalizing the consent the Owner shall enter into a Servicing Agreement with the City. Among other things, the Agreement will cover the installation of the water services, sanitary laterals, and the Master Grading Control Plan.



Prepared By: _____
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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A-71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-32/16SC
B-33/16SC
A-60/16
A-61/16
A-62/16

File: 60.84.2052
60.84.5053
60.81.5104
60.81.5105
60.81.5106

Subject: 77 Broadway Avenue

Recommendation

That Submission **B-32/16SC** by Leo Di Fabio, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner 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.
- 2) That payment of 5% of the appraised value of the new lot to 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.
- 3) Prior to finalizing the consent the Owner shall enter into a Servicing Agreement with the City. Among other things, the Agreement will cover the installation of the water services, sanitary laterals, and the Master Grading Control Plan.

And that Submission **B-33/16SC** by Leo Di Fabio, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner 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.
- 2) That payment of 5% of the appraised value of the new lot to 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.

- 3) Prior to finalizing the consent the Owner shall enter into a Servicing Agreement with the City. Among other things, the Agreement will cover the installation of the water services, sanitary laterals, and the Master Grading Control Plan.
- 4) That the owner(s) obtains final approval of minor variance applications A-60/16 , A-61/16 and A-62/16.

And that Submission **A-60/16** by Leo Di Fabio, as outlined in the Notice of Hearing, be approved.

And that Submission **A-61/16** by Leo Di Fabio, as outlined in the Notice of Hearing, be approved.

And that Submission **A-62/16** by Leo Di Fabio, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consents are 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 consents and variances be approved.

Proposed Development

Application **B-32/16SC** is requesting a consent to sever 258m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 77C Broadway Avenue for the purpose of constructing a detached dwelling. A 551m² remnant parcel of land with an existing detached dwelling (Parts 2 & 3) would be retained for residential use.

Application **B-33/16SC** is requesting a consent to sever 268m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 77B Broadway Avenue for the purpose of constructing a detached dwelling. A 283m² remnant parcel of land with an existing detached dwelling (Part 3) would be retained for residential use.

Application **A-60/16** is requesting a reduction of the minimum required lot area per dwelling unit (Part 2) from 300m² to 268m² for a proposed detached dwelling.

Application **A-61/16** is requesting a reduction of the minimum required lot area per dwelling unit (Part 3) from 300m² to 283m² for a proposed detached dwelling.

Application **A-61/16** is requesting a reduction of the minimum required lot area per dwelling unit (Part 1) from 300m² to 258m² for a proposed detached dwelling.

Location and Site Description

The subject property is located on the west side of Broadway Avenue, north of Brigantine Court. The property is surrounded by detached dwellings in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received.

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 E2 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.

Applications B-32/16SC and B-33/16SC are made to allow the applicant to create two new lots for the purpose of constructing two detached dwellings. Applications A-60/16, A-61/16, and A-62-16 are made to facilitate the requested consents.

Consents

The lot fabric of the surrounding area is comprised of a diverse mix of lot shapes and sizes. The proposed lots are similar in size to the lots to the north of the subject lands, and will not negatively impact the streetscape. Staff is of the opinion that the proposal is desirable, as it allows for an appropriate amount of intensification for the area. No adverse impacts are anticipated as a result of the proposed consents.

Minor Variances

While the three proposed lots do not meet the R2 zoning requirements for lot area, no other variances are required for the construction of the proposed detached dwellings. Staff is of the opinion that the proposal is compatible with the surrounding area and that the variances are minor in nature. No adverse impacts are anticipated as a result of the minor variances.

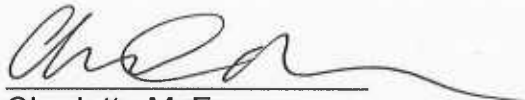
Conclusion

Staff is satisfied that the consents requested through applications B-32/16SC and B-33/16SC are 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 consents be approved. Staff is also of the opinion that variance applications A-60/16, A-61/16 and A-62/16 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:



Judy Pihach MCIP, RPP
Manager of Planning Services

25 Glencairn Drive

**Departmental &
Agency Comments**

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|---|--------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 | No issues or |
| concern | |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 | No issues or |
| concern | |
| 535 Geneva Street, Consent Application – B-26/16SC – | No issues or |
| concern 60.84.2046 | |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 | No issues or |
| concern | |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 | No issues or |
| concern | |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 | No issues or |
| concern | |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 | No issues or |
| concern | |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 | No issues or |
| concern | |

Email 2

| | |
|---|--------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 | No issues or |
| concern | |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 | No issues or |
| concern | |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 | No issues or |
| concern | |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 | No issues or |
| concern | |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 | No issues or |
| concern | |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 | No issues or |
| concern | |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 | No issues or |
| concern | |

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

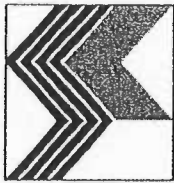
Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |



Mark Lepp, Building Inspector

Cc: Files, 300-010

g:\pbs-building & development\committee of adjustment\bldg memo 2016\21 bcoa memo-mv-Aug3, 2016.docx



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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16/SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16/SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): A-63/16

File: 60.81.5107

Subject: 25 Glencairn Drive

Recommendation

That Submission **A-63/16** by Jason Copeland, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-63/16 is not minor in nature nor desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

Staff recommends that the requested variance be denied.

Proposed Development

Application **A-63/16** requests an increase in the maximum height of an accessory structure from 4.5 metres to 5.5 metres to allow the applicant to build a detached garage.

Location and Site Description

The subject land is located on the corner of Glencairn Drive and Clover Street. The property is surrounded by detached dwellings to the north, south and west, and a trail that is designated Green Space to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies: Planning and Urban Design object to the proposal it is not compatible with the surrounding area and does not represent good planning.

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 as per Schedule E2 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 lands are zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 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.

Application A-63/16 requests an increase in the maximum height of an accessory structure from 4.5 metres to 5.5 metres. The variance is requested for the proposed construction of a new detached garage.

Section 7.1 c) of the Garden City Plan requires development to be evaluated based on the building, site and streetscape context sensitive design to ensure integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties, and the surrounding neighbourhood.

The subject property is located in an area characterized by single-storey dwellings. The garages in the neighbourhood are typically attached one car garages, or detached garages that are small in scale and are set back from the street with minimal impact on the streetscape.

The garage is located within the rear yard of the dwelling. However, the lot is located on the corner, and the garage would be located near the street. Staff believe that the requested height increase combined with the siting of the garage is incompatible with the surrounding neighbourhood and will negatively impact the streetscape. In this instance, Staff is of the opinion that the requested height increase is not minor in nature and recommend that the variance be denied.

Conclusion

Staff is not satisfied that variance application A-63/16 is minor in nature, appropriate and desirable for the use of the land, or maintains the intent of the Official Plan and Zoning By-law. Staff recommend denial of the requested variance.

Prepared by:

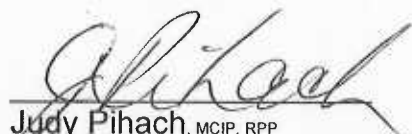
Hailey McWilliam
Student Planner

Submitted by:

A handwritten signature in dark ink, appearing to read 'Charlotte McEwan', written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in dark ink, appearing to read 'Judy Pihach', written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

439 Ontario Street

Departmental &
Agency Comments

VIA E-MAIL ONLY

July 29, 2016

**Elaine Munro ACST
Secretary-Treasurer, Committee of Adjustment
City of St. Catharines
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2**

Consent Application B-34/16SC

Proposal: B-34/16SC - To sever Part 1 (900 sq. m.), from the church, to be used for existing single detached dwelling to be known as 1 Royal Henley Boulevard

**Location: N/W corner Regional Road 42 (439 Ontario Street) at Royal Henley Boulevard
In the City of St. Catharines**

Our File: CS-16-067

Regional Planning and Development Services staff has completed a review of the above noted consent application. The subject property (439 Ontario Street) currently contains a church (Church of Christ) and a single detached dwelling. The purpose of the consent application is to sever a 900 square metre lot containing the existing dwelling, shown as Part 1 on the provided drawing (dated May 24, 2016) and retain the church on its own independent parcel.

Regional staff notes that a pre-consultation meeting does not appear have been held for this application. Regional staff provides the following comments to assist the City in considering the applications.

1) Regional Road Allowance

The subject property has frontage along Regional Road 42 (Ontario Street). Regional staff notes that the proposed lot (Part 1), if severed) will have frontage along Royal Henley Boulevard, which is a local road. Therefore, at this time a road widening along Regional Road 42 (Ontario Street) is not required.

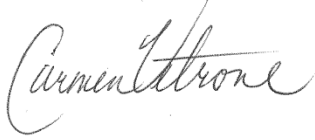
2) Protection of Survey Evidence

Survey Evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property.

Conclusion

Regional staff offers no objection to the consent application, subject to any local planning issues. If you have any questions or would like to discuss these comments, please contact me at extension 3268 or Craig Rohe, Senior Development Planner (T) at extension 3442. Please send notice of the Committee's decision on this application.

Sincerely,

A handwritten signature in cursive script that reads "Carmen Vetrone". The signature is written in dark ink and is positioned below the word "Sincerely,".

Carmen Vetrone, C. Tech.
Development Approvals Technician
Niagara Region Planning and Development Services

CV/

L:\D.21 Development Planning\work\pw_dev\Vetrone-Carmen\Misc. Correspondence\CS-16-064 439Ontario.docx

cc. Craig Rohe, Senior Development Planner (T), Development Services Division
N. Taurins, B.Sc., O.L.S., O.L.I.P., Manager, Regional Surveys & Property Info

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 20, 2016 8:48 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Hi Elaine

| | |
|--|--------------|
| 360 Martindale Road, Consent Application – B-16/16S – 60.84.2036 concern | No issues or |
| 360 Martindale Road, Consent Application – B-17/16SC – 60.84.2037 concern | No issues or |
| 535 Geneva Street, Consent Application – B-26/16SC – concern 60.84.2046 | No issues or |
| 2 St. Columba Drive, Minor Variance Application – A-50/16 – 60.81.5094 concern | No issues or |
| 535 Geneva Street, Minor Variance Application – A-51/16 – 60.81.5095 concern | No issues or |
| 59 Bloomfield Avenue, Consent Application – B-29/16SC – 60.84.2049 concern | No issues or |
| 57 Bloomfield Avenue, Minor Variance Application – A-57/16 – 60.81.5101 concern | No issues or |
| 7 Dundonald Street, Minor Variance Application – A-58/16 – 60.81.5102 concern | No issues or |

Email 2

| | |
|--|--------------|
| 77 Broadway, Consent Application – B-32/16SC – 60.84.2052 concern | No issues or |
| 77 Broadway, Consent Application – B-33/16SC – 60.84.2053 concern | No issues or |
| 77B Broadway, Minor Variance Application – A-60/16SC – 60.81.5104 concern | No issues or |
| 77 Broadway, Minor Variance Application – A-61/16SC – 60.81.5105 concern | No issues or |
| 77C Broadway, Minor Variance Application – A-62/16SC – 60.81.5106 concern | No issues or |
| 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051 concern | No issues or |
| 25 Glencairn Drive, Minor Variance Application – A-63/16 – 60.81.5107 concern | No issues or |

| | |
|--|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |
| <u>Email 3</u> | |
| 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055 concern | No issues or |
| 111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056 concern | No issues or |
| 113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109 concern | No issues or |
| 111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110 concern | No issues or |
| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |
| 1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 (To be circulated by July 22/16) | |
| 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057 concern | No issues or |
| 517D Scott Street, Consent Application – B-38/16SC – 60.84.2058 concern | No issues or |

Thanks and have a great week

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: 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 439 Ontario St.
File No: 60.84.2054

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 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of 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

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

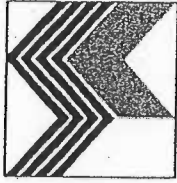
| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A-71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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
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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

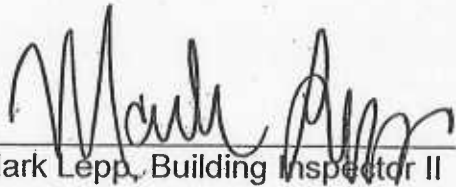
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

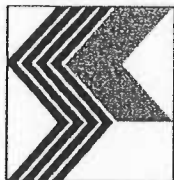
- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector II

Cc: Files, 300-010

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CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-34/16SC
A-64/16

File: 60.84.2054
60.81.5108

Subject: 439 Ontario Street

Recommendation

That Submission **B-34/16SC** by Church of Christ, as outlined in the Notice of Hearing, be denied.

And that Submission **A-64/16** by Church of Christ, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consent is not desirable or compatible with the surrounding area. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-64/16 is not minor in nature nor desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

Staff recommends that the requested consent and variance be denied.

Proposed Development

Application **B-34/16SC** is requesting a consent to sever 900m² of land (Part 1 on the submitted sketch) to create a new lot to be known 1 Royal Henley Boulevard for the purpose of severing the existing detached dwelling from the church. A 7,359.1m² remnant parcel of land with the existing church and shed (Part 2) would be retained for institutional use.

Application **A-64/16** is requesting an increase in the maximum lot area per dwelling unit (Part 1) from 490m² to 900m² for the detached dwelling.

Location and Site Description

The subject property is located on the northwest corner of the Ontario Street and Royal Henley Boulevard. The property is surrounded by detached dwellings to the north, east and west, and detached dwellings and institutional uses to the south.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Planning staff do not support the proposed consent.

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 E1 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 Local Neighbourhood Institutional (I1). The I1 zone permits a variety of institutional uses including places of worship and uses permitted in the R1 zone, which includes detached dwellings.

The consent is requested to permit the applicant to sever the detached dwelling from the existing church lands. The minor variance application is requested to facilitate the consent, as the proposed lot area exceeds the maximum lot area per dwelling unit permitted by the Zoning By-law.

Staff is unsupportive of the consent and minor variance applications, as they do not conform to the general intent of the Official Plan. Section 7.1 of the Garden City Plan (GCP) provides guidance on development and redevelopment. Section 7.1 j) of the GCP states that land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.

Section 16.11 of the GCP provides guidance on lot creation. Specifically, Section 16.11.3 states that consent to sever individual parcels of land will only be given where: the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding areas.

The proposal is not an efficient use of the lands, as the proposed lot is oversized and could be reduced in area to allow for a larger remnant parcel to be retained. It is the opinion of Staff that the size of the proposed lot does not maximize redevelopment potential of the remnant parcel and does not allow for the optimum development of the

surrounding lands. Staff would consider a consent application to create a smaller residential lot that is more in keeping with the intent of the GCP.

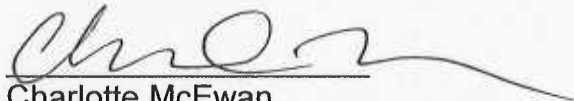
Conclusion

Staff does not believe that the consent requested through application B-34/16SC is desirable for the subject lands. The proposed lot size is oversized from the minimum requirements and may compromise future redevelopment opportunities for Part 2. It is Staff's recommendation that the requested consent be denied. A smaller lot may be considered in this location. Staff is also of the opinion that variance application A-64/16 is not minor in nature, appropriate or desirable for the use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained. Therefore, Staff recommends that the requested variance be denied.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach MCIP, RPP
Manager of Planning Services

113 Rykert Street

Departmental &
Agency Comments



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): B-35/16SC
B-36/16SC
A-65/16
A-66/16
A-67/16

File: 60.84.2055
60.84.2056
60.81.5109
60.81.5110
60.81.5111

Subject: 111 Rykert Street
113 Rykert Street
140 Louth Street

Recommendation

That Submission **B-35/16SC** by 1834570 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) 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; and
- 2) 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.
- 3) That the owner(s) obtains final approval of minor variance applications A-65/16, A-66/16 and A-67/16.

And that Submission **B-36/16SC** by Brian Callahan and Brad Williams, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) 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; and
- 2) That payment of 5% of the appraised value of the new lot (Part 4) 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.

- 3) That the owner(s) obtains final approval of minor variance applications A-65/16, A-66/16 and A-67/16.

And that Variance 1 in Submission **A-65/16** (Part 1 on the submitted sketch) by 1834570 Ontario Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the Owner remove the existing chainlink fence located in the Louth Street and Rykert Street right of ways; and
- 2) That the paved area (asphalt drive outlined on the submitted sketch) within Part 1 be limited to a maximum of 5.77 metres in width and a maximum of 20% lot coverage, and that the portion of asphalt drive within the exterior side yard be removed and be reinstated to sod to the satisfaction of the City, as illustrated on the red-line revision to the submitted plan attached hereto and to form part of the decision; and
- 3) That within the Louth Street boulevard, the paved area beyond the 5.77 maximum width recommended for the driveway be removed and reinstated to sod to the satisfaction of the City, as illustrated on the red-line revision to the submitted plan attached hereto and to form part of the decision.

And that Variances 2 and 3 in Submission **A-65/16** (Part 1 on the submitted sketch) by 1834570 Ontario Inc., as outlined in the Notice of Hearing, be denied.

And that Submission **A-66/16** (Part 2 on the submitted sketch) by Brian Callahan and Brad Williams, as outlined in the Notice of Hearing, be approved.

And that Variance 1 of Submission **A-67/16** (Part 3 on the submitted sketch) by Brian Callahan and Brad Williams, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the proposed dwelling be limited in height to a maximum of 2 storeys or 9.0 metres.

And that Variance 2 of Submission **A-67/16** (Part 3 on the submitted sketch) by Brian Callahan and Brad Williams, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the proposed consents are 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 Variance 1 of application A-65/16, Application A-66/16, and Variance 1 of application A-67/16 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 recommended that these variances and the proposed consents be approved.

Staff do not support Variances 2 and 3 of Application A-65/16, or Variance 2 of application A-67/16 as they are not considered minor in nature, appropriate or desirable for the use of the land, or in line with the intent of the Official Plan and Zoning By-law. Staff recommend that these variances be denied.

Proposed Development

Application **B-35/16SC** is requesting a consent for partial discharge of mortgage and for consent to sever 162.6m² of land (Part 2 on the submitted sketch) which will be added to the abutting easterly lot known as 111 Rykert Street (Part 4) to create a new lot to be known as 140 Louth Street for the proposed construction of a detached dwelling. A 400m² remnant parcel of land with the existing detached dwelling would be retained (Part 1) for continued residential use. The application would result in a boundary adjustment between the two parcels of land.

Application **B-36/16SC** is requesting a consent to sever 237.61m² of land (Part 4 on the submitted sketch) which will be added to the abutting westerly lot known as 113 Rykert Street (Part 2) to create a new lot to be known as 140 Louth Street for the proposed construction of a detached dwelling. A 334.46m² remnant parcel of land with the existing detached dwelling would be retained (Part 3) for continued residential use. The application would result in a boundary adjustment between the two parcels of land.

Application **A-65/16** (Part 1) requests a reduction of the minimum rear yard setback from 7.5 metres to 5.77 metres, an increase of the maximum driveway width from 7.5 metres to 13.2 metres for the existing asphalt driveway, and an increase of the maximum paved area from 20% to 24.4%.

Application **A-66/16** (Part 2) requests a reduction of lot area per dwelling unit (Part 3) from 400m² to 334.46m² for the existing detach dwelling.

Application **A-67/16** (Parts 3 and 4) requests a reduction of minimum lot frontage from 15.0 metres to 12.2 metres and a reduction of the minimum rear yard setback from 7.5 metres to 1.2 metres.

Location and Site Description

The subject lands are located on the southeast corner of the Louth Street and Rykert Street intersection. The property is surrounded by detached dwellings to the north, semi-detached dwellings to the west, a Montessori School to the south, and detached dwellings to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies: objections to some variances were received from Planning and have been reflected in the recommendation of this report.

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 as per Schedule E7 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. The proposal results in a density of 26.4 units per hectare, which is in keeping with the Official Plan.

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 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 consents are requested to create a new lot for the purpose of constructing a detached dwelling. A number of minor variances are required to facilitate the proposed consents.

Consents

Staff is supportive of the applications B-35/16SC and B-36/16SC, as the applications uphold the values of the Garden City Plan. Section 2.3.3.5 ii) of the GCP states that the GCP “emphasizes the provision of new housing through the efficient usability of vacant and occupied lands; higher density development; small lot infill; [and] intensification...”

Furthermore, Staff believe that the consents will make an efficient use of the lands, will not result in adverse impacts on the surrounding properties and that the proposal maintains the intent of Provincial legislation and the Official Plan.

The following variances are requested to facilitate the proposed consents.

Application A-65/16 (Part 1)

Variance 1 requests a reduction of the minimum rear yard setback from 7.5 metres to 5.77 metres. Staff note that there is ample amenity space in the front and the interior side yard, as they both exceed the Zoning By-law requirements. Staff is of the opinion that no adverse impacts will result from the reduction in rear yard setback, and that adequate amenity space will be maintained.

Variance 2 requests an increase of the maximum driveway width from 7.5 metres to 13.2 metres for the existing asphalt driveway. Variance 3 requests an increase of the maximum paved area from 20% to 24.4%.

Variances 2 and 3 are requested to recognize the existing driveway on Part 1. Staff is not supportive of the width of the existing driveway as it is neither desirable for the area nor in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend that a portion of the existing paved area be removed to comply with the Zoning By-law requirements, and that the area be reinstated with sod.

Staff recommend that Variance 1 be approved and that Variances 2 and 3 be denied.

Application A-66/16 (Part 2) requests a reduction of lot area per dwelling unit (Part 3) from 400m² to 334.46m² for the existing detached dwelling.

The lots areas in the surrounding neighbourhood range in size due to the mix of residential, commercial and institutional uses. There are numerous residential properties in close proximity to the subject lands that are undersized, including lots that have a lot area of 290.9m², 294.3m² and 300.1m². Staff is of the opinion that the proposed lot area of Part 3 is compatible with the prevailing character of the neighbourhood, will not adversely impact the streetscape, and that adequate amenity space will be maintained.

Application A-67/16 (Parts 3 and 4)

Variance 1 requests a reduction of minimum lot frontage from 15 metres to 12.2 metres. There is great variation in the lot frontages in the area surrounding the subject lands. Frontages range from 10.4 metres to 25.0 metres for residential properties, with commercial and institutional properties in the area having wider frontages. Staff is of the opinion that the reduction in frontage from 15.0 metres to 12.2 metres is compatible with the surrounding area and will not negatively impact the streetscape, provided that the proposed dwelling be limited in height to 9.0 metres.

Variance 2 requests a reduction of the minimum rear yard setback from 7.5 metres to 1.2 metres. This variance is not supported by staff. The rear yard setback should provide adequate distance between the dwelling and the rear property to maintain privacy and prevent adverse impacts on abutting properties. It is the opinion of staff that the proposed 1.2 metre setback is insufficient and does not meet the intent of the GCP or the Zoning By-law. Staff recommend denial of this variance.

Conclusion

Staff is satisfied that the consents requested through applications B-35/16SC and B-36/16SC are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. It is Staff's recommendation that the requested consents be approved. Staff is also of the opinion that Variance 1 of application A-65/16, Application A-66/16, and Variance 1 of application A-67/16 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.

Staff do not support Variances 2 and 3 of Application A-65/16, or Variance 2 of application A-67/16 as they are not considered minor in nature, appropriate or desirable for the use of the land, or in line with the intent of the Official Plan and Zoning By-law. Staff recommend that these variances be denied.

Prepared by:

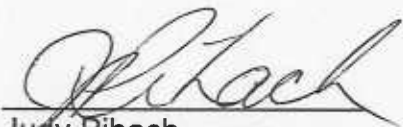
Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



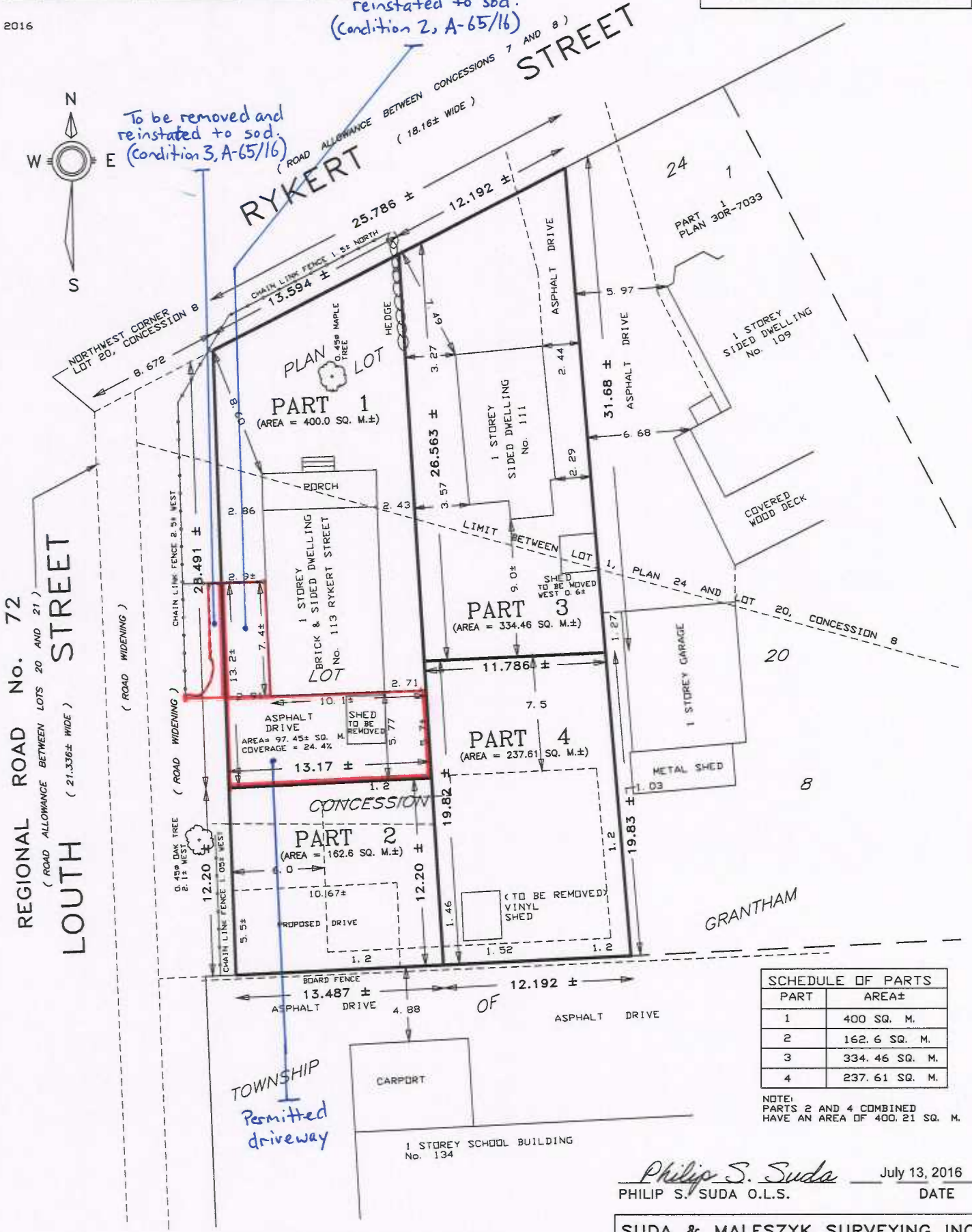
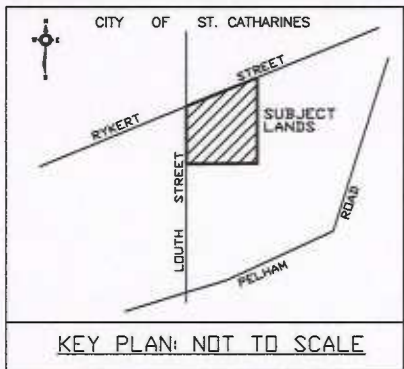
Judy Pihach, MCIP, RPP
Manager of Planning Services

PRELIMINARY SKETCH FOR LAND SEVERANCE OF
PART OF LOT 20, CONCESSION 8
GEOGRAPHIC TOWNSHIP OF GRANTHAM
AND
PART OF LOT 1, PLAN No. 24
IN THE
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE: 1 : 250



2016



| SCHEDULE OF PARTS | |
|-------------------|---------------|
| PART | AREA± |
| 1 | 400 SQ. M. |
| 2 | 162.6 SQ. M. |
| 3 | 334.46 SQ. M. |
| 4 | 237.61 SQ. M. |

NOTE:
PARTS 2 AND 4 COMBINED
HAVE AN AREA OF 400.21 SQ. M.

Philip S. Suda July 13, 2016
PHILIP S. SUDA O.L.S. DATE

SUDA & MALESZYK SURVEYING INC.
ONTARIO LAND SURVEYORS
26 EAST MAIN STREET, SUITE 2
WELLAND, ONTARIO L3B 3W3
TEL: (905) 732-7651 FAX: (905) 732-7660
FILE: 16-52 JOB No: 5160

THIS SKETCH IS NOT VALID UNLESS EMBOSSED BY A
SURVEYOR'S SEAL.
CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT
BE USED FOR ANY OTHER PURPOSE EXCEPT AS STATED IN THE
TITLE BLOCK

Via Email Only

July 29, 2016

Elaine Munro, ACST
Secretary-Treasurer, Committee of Adjustment
City of St. Catharines
50 Church Street
St. Catharines, ON L2R 7C2

Consent (B-35/16SC) and Minor Variance (A-67/16) Applications

Applicant: Brian Callahan & Brad Williams

Location: 113 Rykert Street (Consent), 140 Louth Street (Minor Variance)
City of St. Catharines

Our Files: CS-16-067
MV-16-031

The consent application proposes to sever a 162.6 sq. metre lot, shown as Part 2 on the sketch provided (dated July 13, 2016) from land known municipally as 113 Rykert Street in the City of St. Catharines. The severed parcel is intended to be merged with an adjacent parcel of land (Part 4) that is being severed from 111 Rykert Street through a separate application (City File 60.84.2056). The intent of these consent applications is that Part 2 and Part 4 will be severed as new parcels and then merged as a new lot (140 Louth Street) to be developed for a new single detached dwelling. To facilitate the development of the dwelling, a minor variance application has been submitted concurrently to address deficiencies in lot frontage and rear yard setback.

Regional staff notes that no pre-consultation meeting appears have been held for these applications. Regional staff provides the following comments to assist the City in considering the applications.

1) Regional Road Allowance

The proposed lot (Part 2, and ultimately 140 Louth Street) will have frontage along Regional Road 72 (Louth Street). There is sufficient road allowance at this section of the road and therefore, a road widening is not required.

2) Regional Road Access

A new vehicular access on Regional Road 72 (Louth Street) is proposed to serve 140 Louth Street. This access appears to be located as far south as possible away from the intersection with Rykert Street. However, it should be noted that there may be traffic impacts due to the proximity of the intersection to the driveway. In order to facilitate access to the property and to preclude the need for backing out onto the Regional road, it is recommended that a turnaround on private property be constructed.

Additionally, the retained parcel (Part 1, being 113 Rykert Street) currently has vehicular access onto Regional Road 72 (Louth Street) which will remain. However, the access will be altered in order to create the new parcel.

The applicant is advised that a Regional Entrance and/or Encroachment Permit will be required for any entrances and or alterations.

3) Regional Permit Requirements

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

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

4) Regional Bicycle Network

Regional staff notes that the proposed lot (140 Louth Street) will have frontage on a roadway designated as part of the Regional Niagara Bicycling Network. The bicycle route is currently not established on road (i.e. bicycle lanes) or identified with signage. It is the intent of the Region to make provisions for doing so when an appropriate opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc., if required on this street section.

5) Protection of Survey Evidence

Survey Evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property.

Conclusion

Regional Planning and Development Services staff offer no objection to the proposed applications subject to any local planning issues and the approval of the severance of Part 4 from 111 Rykert Street, as shown on the provided sketch dated July 13, 2016. If you have any questions or wish to discuss these comments, please contact me at extension 3268 or Craig Rohe, Senior Development Planner (T) at extension 3442. Please send notice of the Committee's decision on these applications.

Sincerely,



Carmen Vetrone, C. Tech.
Development Approvals Technician
Development Services Division
Niagara Region Planning and Development Services

L:\D.21 Development Planning\Inrfswrkgrp\PW_DEV\Vetrone-Carmen\Misc. Correspondence\113 Rykert and 140 Louth.docx

cc. Craig Rohe, Senior Development Planner (T), Development Services Division
P. Vujic, Supervisor, Corridor Safety, Transportation Division
N. Taurins, B.Sc., O.L.S., O.L.I.P., Manager, Regional Surveys & Property Info

| | |
|---|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |

Email 3

| | |
|--|--------------|
| 113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055 concern | No issues or |
| 111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056 concern | No issues or |
| 113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109 concern | No issues or |
| 111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110 concern | No issues or |
| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |
| 1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 (To be circulated by July 22/16) | |

| | |
|--|--------------|
| 517A Scott Street, Consent Application – B-37/16SC – 60.84.2057 concern | No issues or |
| 517D Scott Street, Consent Application – B-38/16SC – 60.84.2058 concern | No issues or |

Thanks and have a great week

| | |
|---|---|
| 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 |
|---|---|



The information in this message, including in all attachments, is confidential or privileged. In the event you have received this message in error and are not the intended recipient, you are hereby advised that any use, copying or reproduction of this document is strictly forbidden. Please notify immediately the sender of this error and destroy this message, including its attachments, as the case may be.



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 3, 2016 hearing - File No.: 300-036

B-16/16SC – 360 Martindale Road

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition: No Comment

B-17/16SC – 360 Martindale Road

Comment:

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

Conditions:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses Parts 1 & 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.

B-26/16SC – 535 Geneva Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Conditions:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-29/16SC – 59 Bloomfield Avenue

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the existing dwelling on Part 2.

B-31/16SC – 15 Michigan Avenue

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 2.

Condition:

- The existing shed on Part 1 and dwelling complete with porch and veranda are to be removed. A demolition permit shall be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-32/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-33/16SC – 77 Broadway

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 3.

Condition:

- The existing dwelling and shed are to be removed. A demolition permit shall be obtained from the City Building Section for the dwelling and completed to the satisfaction of the Chief Building Official. A separate demolition permit for the shed is required if it exceeds 10 square metres in building area.

B-34/16SC – 439 Ontario Street

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings on the dwelling and unprotected openings for the church meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east & north faces of the existing dwelling on Part 1 and west face of the church on Part 2.

B-35/16SC – 113 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed single detached dwelling on Part 2 and 4.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing shed on Part 1 is to be removed. If the shed exceeds 10 square metres in building area, a permit to demolish the shed is to be obtained from the

City Building Section and completed to the satisfaction of the Chief Building Official.

B-36/16SC – 111 Rykert Street

Comment: No Comment

Condition:

The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 3.

B-37/16SC – 517A Scott Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and 2.

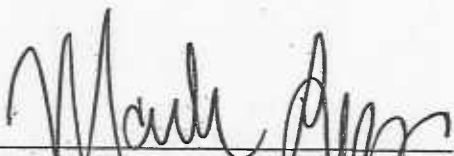
Condition: No Comment

B-38/16SC – 517D Scott Street

Comment:

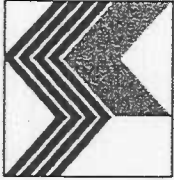
- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 3 and 4.

Condition: No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-036

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Memorandum

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

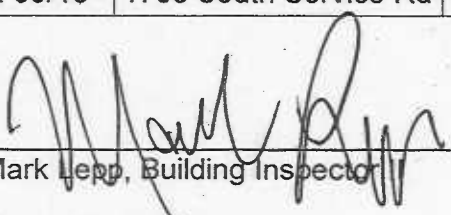
Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 27, 2016

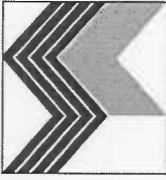
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 111 and 113 Rykert St.
File No: 60.84.2056 and 60.84.2057

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 lots (Part 2 and Part 4) 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



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 22, 2016
Subject: Notice of Hearing: Minor Variance
Address: 113 Rykert St.
File No: 60.81.5019

Please be advised that we have reviewed the above-noted application and do not support an increase in the maximum driveway width from 7.5 metres to 13.2 metres. Section 5.4.5 of the Garden City Plan is supportive of zoning that controls residential parking and minimizes expansive parking areas in favour of greening initiatives.

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

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



July 21st, 2016

ENGINEERING FILE 300-36

Hearing Date: August 3rd, 2016

Applicant: 1834570 Ontario Inc. (Brian Callahan & Brad Williams)

Location: 111 & 113 Rykert Street

MUNICIPAL SERVICES

Water: - Existing 150mm AC watermain on Louth Street

Sanitary Sewer: - Existing 200mm Clay Sanitary Sewer on Louth Street

Storm Sewer: - Existing 1050 Storm Sewer on Louth Street

Sidewalks: - Existing Sidewalk across Louth Street Frontage.

Road Allowance Width: - Louth Street – Existing ROW width is 22m+/-
- Louth Street is a Regional Road.

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

Comment(s):

It is noted that the Applicant proposes to sever lands (Part 2 and Part 4 on the plan submitted) off the rear of 111 Rykert Street and 113 Rykert Street, for a new residential lot to be known as 140 Louth Street.

Louth Street is designated as a Regional road as per the City's Official plan and as such has a desired right-of-way width of 26m. Its current width along this section is 22m±. Since Louth Street is a Regional road, they will determine if a widening is required.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established neighbourhoods 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, or 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. Since a storm sewer does exist on Louth Street, sump flows shall be required to discharge to a new storm lateral. The City will install the new storm lateral from the existing storm sewer to the front property line. The owner shall pay for this installation based on the City's Schedule of Rates & Fees at the time of the application for a building permit.

An individual sanitary lateral and water service will be required for the proposed new lot on Louth Street. The City will install the portion of the new services within the Louth Street road allowance. The applicant will be required to pay for the new services at the time of the

application for a building permit.

Condition(s): None



Prepared By: _____
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 18th, 2016
Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16/SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16/SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC – 25 Glencairn Drive and A-64/16SC – 1 Royal Henley Blvd were both denied, and A-71/16SC – 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist

13 Lisgar Street

Departmental &
Agency Comments

| | |
|--|--------------|
| 439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054 concern | No issues or |
| 1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108 concern | No issues or |
| <u>Email 3</u> | |
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| 140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111 concern | No issues or |
| 13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112 concern | No issues or |
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Thanks and have a great week

DOUG CROWN

Network Planning and Design

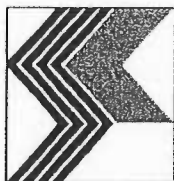
T 289-296-6266 | C 905-401-9967

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, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
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| A-57/16 | 59 Bloomfield Avenue | No Comment |
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| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

Cc: Files, 300-010

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Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

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- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

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Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

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|-------------------------------------|---------------------------------|
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| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

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

Regards,

Jim Denham P.Eng. Development Engineering Technologist



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): A-68/16

File: 60.81.5112

Subject: 13 Lisgar Street

Recommendation

That Submission **A-68/16** by Sean McFarland and Gabriele Guderjahn, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the style of the garage be as indicated in the plan submitted with the application and attached hereto and to form part of the decision to ensure that it is consistent with the characteristics of the single detached dwelling. This includes a gambrel roof, double-hung windows on all faces of the garage, and carriage style garage doors. The exterior finish materials are to be of colours and textures that are consistent with the single detached dwelling, subject to the approval of the Director of Planning and Building Services; and
2. That the existing garage be removed. A permit to demolish the garage shall be obtained from the City of St. Catharines Building Department and the demolition shall be completed to the satisfaction of the Chief Building Official.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-68/16 is 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 variance be approved, subject to the conditions outlined in the recommendation of the report.

Report

Proposed Development

Application **A-68/16** requests an increase in the maximum height of an accessory structure from 4.5 metres to 6.5 metres. The variance is requested for the proposed construction of a new detached garage.

Background

The Committee of Adjustment previously denied a minor variance application submitted by Sean McFarland and Gabriele Guderjahn at a hearing on August 26, 2009. The minor variance application requested an increase in the maximum height of an accessory structure from 4.5 metres to 6.5 metres and a reduction in minimum side yard setback from 10 feet to 3 feet. The Staff recommendation of 2009 was for approval, subject to the following conditions:

1. That the style of the garage be as indicated in the plan submitted with the application to ensure that it is consistent with the characteristics of the single detached dwelling. This includes a gambrel roof, double-hung windows on all faces of the garage, and carriage style garage doors. The exterior finish materials are to be of colours and textures that are consistent with the single detached dwelling.
2. That the existing garage be removed to the satisfaction of the City Engineer.

The applicants appealed the Committee's decision to the Ontario Municipal Board (OMB). At the December 15, 2009 OMB hearing, the Board member considered the application and approved the appeal with the conditions recommended by City Staff.

The applicants are re-applying for the same height minor variance considered by the Committee in 2009, as the Board's decision allowed them vary By-law 64-270, which was rescinded when City Council approved the City of St. Catharines' new Comprehensive Zoning By-law 2013-283 on December 16, 2013. The reduction in side setback is no longer required under the new by-law.

Location and Site Description

The subject land is located on the east side of Lisgar Street, east of Pelham Road. The property is surrounded by detached dwellings in all directions. A laneway abuts the property to the south.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received.

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 as per Schedule E7 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 lands are 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 variance is requested to allow the construction of a 6.5 metre detached garage. The proposed garage is to be located to the rear of the existing detached dwelling, directly beside the garage of the abutting property to the north. The garage will be accessed from the laneway located to the south of the dwelling.

The neighbourhood is primarily comprised of 1 ½ storey and 2 storey detached dwellings. Garages in the area are typically located to the rear of the dwelling, are large in scale and height, and have windows and architectural details that contribute to the prevailing character of the neighbourhood.

Staff is of the opinion that the design of the proposed garage is compatible with the surrounding area, and would complement the existing detached dwelling. Given the context of the neighbourhood, Staff is satisfied that the proposed garage will not negatively impact the streetscape. Staff is of the opinion that the height and scale of the garage is appropriate, compatible with the surrounding neighbourhood, and will not result in adverse impacts on surrounding properties.


Conclusion

Staff is satisfied that variance application A-68/16 is minor in nature, appropriate and desirable for the use of the land, and maintains the intent of the Official Plan and Zoning By-law. Therefore, Staff recommends approval of the requested variance, subject to the conditions outlined in the recommendation.

Prepared by:

Hailey McWilliam
Student Planner

Submitted by:

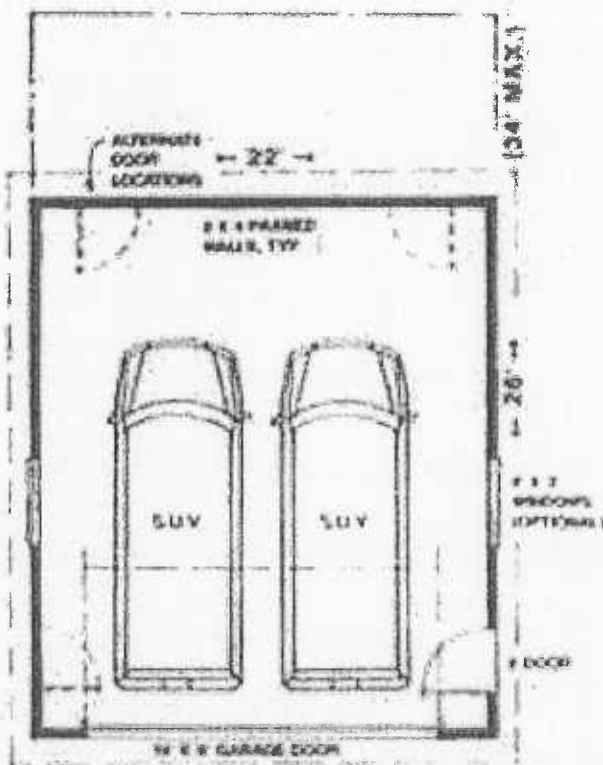


Charlotte McEwan
Planner I

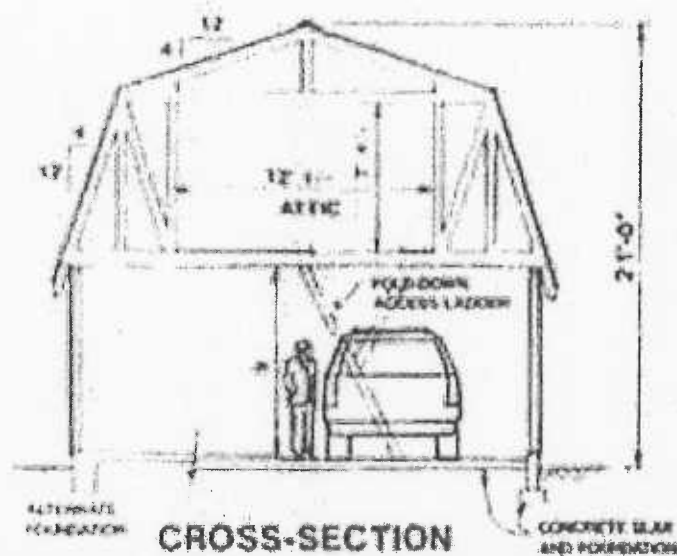
Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



FLOOR PLAN



CROSS-SECTION

Gambrel-roof design offers spacious attic and lots of style. A fold-down ladder accessed attic offers great storage space. Extra tall walls and garage door allow use with tall vehicles.

Build it with greater depth for additional shop or storage space, or build with lesser depth for compact footprint, if required.



WIDTH: 22'

DEPTH: 26' (34' MAX.)

RIDGE HEIGHT: 21'-0"

(740 MAX.) FLOOR AREA: 572 SF

PLAN No.

572-4

1703 South Service
Road

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 29, 2016

Date of Meeting: August 3, 2016

Submission(s): A-69/16

File: 60.81.5113

Subject: 1703 South Service Road

Recommendation

That Submission **A-69/16** by 1469550 Ontario Limited, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That an NPCA work permit be obtained for the enclosure of the watercourse.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-69/16 is 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 variance be approved, subject to the condition outlined in the recommendation.

Proposed Development

Application **A-69/16** requests an increase in the maximum size of agriculture farm related commercial or industrial building (new addition and existing building 3) from 930m² glfa to 1,829m² glfa and for permission to allow loading spaces to be located in the exterior side yard which is closer to the road than the building (Building 3) as shown on the attached sketch. The variances are requested to permit the construction of an addition to the existing agricultural warehouse building (Building 3) and a new loading dock.

Location and Site Description

The subject land is located on the north side of the South Service Road, south of the Queen Elizabeth Way and east of Seventh Street. The property is surrounded by agricultural uses to the east and west, a residential dwelling to the south, and the Queen Elizabeth Way to the north.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Agriculture as per Schedule D1 of the Garden City Plan. The subject property is further designated Agriculture as per Schedule E11 of the Garden City Plan. The Agriculture designation permits a full range of agricultural uses and secondary uses provided they are incidental and subordinate to the main agriculture operation, and agriculture farm related small scale commercial and farm related small scale industrial uses intended to primarily serve the agricultural community.

Zoning By-law (2013-283)

The subject lands are zoned Agriculture Commercial/Industrial (A3). The A3 zone permits agriculture farm related commercial or industrial buildings with a maximum 930m² glfa, and buildings and structures accessory to the permitted uses.

Variance 1 requests an increase in the maximum size of agriculture farm related commercial or industrial building (new addition and existing Building 3) from 930m² glfa to 1,829m² glfa. Staff recognizes that the existing building currently exceeds the glfa permitted by the Zoning By-law, as does another building located on the same lot.

Section 14.2.4.1 of the Garden City Plan (GCP) outlines various criteria for the establishment of Agriculture Farm Related Commercial and Farm Related Industrial Uses. The current application is for a variance in the glfa of an existing use as opposed to the establishment of a new use. However, the considerations outlined in the GCP can help evaluate of the proposed addition.

Section 14.2.4.1 d) states that the use may be considered where negative impacts on surrounding uses and agricultural operations are minimized and shall be compatible with existing and future uses on adjacent lands. The proposed addition does not significantly change the impact of the current use as it generally maintains the setback of the existing building to the adjacent property. No agricultural uses are compromised and no adverse impacts are expected as a result of the addition.

Section 14.2.4.1 e) requires that the use not cause or generate off-site negative impacts related to infrastructure, noise or traffic. The current building has a loading space along the adjacent property line. The addition will result in the removal of this space and the relocation of the loading area further from the adjacent residential use. The proposed addition is not anticipated to generate any greater off-site impacts than the existing use. To further mitigate potential impacts, the applicant is required to provide a 6 metre landscape buffer along the south property line

Section 14.2.4.1 f) requires that the use not negatively impact natural areas, features and functions. There is an existing watercourse on-site that the applicant intends to enclose. The NPCA has conducted a site visit and notes that this work may be considered, subject to review through an NPCA work permit.

Section 14.2.4.1 g) requires that the lot size be appropriate for the intended use. Staff is of the opinion that the lot is adequately sized to permit the proposed addition given the large lot area and the established building footprints.

Staff views the expansion as an appropriate use of the lands and the increased gfla as a minor and appropriate variance that will facilitate the continued operation of the existing use. The

Variance 2 requests permission to allow loading spaces to be located in the exterior side yard which is closer to the road than the building (Building 3) as shown on the attached sketch. The Zoning By-law does not permit loading spaces to be located closer to the road than the building they serve. Staff recognizes that it is difficult for the business located on this parcel to meet this provision, as the lot is surrounded by roads on 3 sides. Staff recommends approval of the application to allow loading spaces to be located closer to the road than Building 3.

Staff notes that there is an existing Site Plan Agreement registered on the subject lands. The owner must receive approval to amend the existing agreement to include the proposed building and loading spaces before a building permit will be issued. Should the proposed variances be approved, the detailed design and layout of the site, including the proposed loading spaces, will be further refined through the site plan process. It is further noted that these details will include the requirement of a landscape strip buffer along the South Service Road frontage and the south property line, east of the proposed addition to screen views.

Conclusion

Staff is satisfied that variance application A-69/16 is minor in nature, appropriate and desirable for the use of the land, and maintains the intent of the Official Plan and Zoning By-law. Therefore, Staff recommend approval of the requested variance.

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: MV Application - 1703 South Service Road, Notice of Hearing - August 3, 2016
Committee of Adjustment, City of St. Catharines

From: Glofcheskie, Christopher (MTO) [mailto:Christopher.Glofcheskie@ontario.ca]
Sent: Wednesday, July 27, 2016 12:30 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: MV Application - 1703 South Service Road, Notice of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines

Ms. Elaine Munro,

Re: Northland Floral at 1703 South Service Road, St. Catharines.

The Ministry has reviewed the following files in accordance with the requirements of the Highway Access Management Guidelines and the Public Transportation and Highway Improvement Act and offer the following comments for your information.

- The Ministry in principle does not have any comments regarding the variance requested
- The subject site is within the Ministry's Permit Control Area and will require the following permits:
 - o Building and Land Use Permit (prior to the start of any construction on site)
 - o Sign Permits (if new signs are erected)
- Please circulate the Ministry on all applications for this site.

Information with respect to the Ministry's Permit Application process can be found at the following link:
<http://www.mto.gov.on.ca/english/engineering/management/corridor/building.shtml>

Please do not hesitate to contact me if you have any questions.

Chris Glofcheskie C. Tech
Corridor Management Officer
Niagara Region
Ministry of Transportation
159 Sir William Hearst Avenue, 7th Floor,
Toronto, Ontario M3M 0B7
Tel: (416) 235-5560
Email: christopher.glofcheskie@ontario.ca



July 27, 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-69/16
1703 South Service Road, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject application which has been made to permit:

1. An increase of the maximum size of agriculture farm related commercial or industrial building from 930 m² glfa to 1,829 m² glfa.
2. Loading spaces to be located in the exterior side yard which is closer to the road than the building (Building 3) as shown on the attached sketch.

Niagara Peninsula Conservation Authority Regulations:

NPCA mapping identifies that the subject property is traversed by a Tributary of Lake Ontario 14. This section of the tributary has been identified as Type 2 (Important) Fish Habitat. As such, the property is subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06). Typically, the NPCA requires a minimum 15 metre buffer from the bankfull edge of the watercourse to all development and site alterations. The proposed variances are requested to permit the construction of an addition to the existing agricultural warehouse building (Building 3) and a new loading dock. The proposed loading dock is shown to be located within 15 metres of the identified watercourse. The NPCA notes that at pre-consultation (June 23, 2016) the applicant expressed intention to enclose a portion of the watercourse to facilitate the proposed development. NPCA staff conducted a site visit on June 22, 2016 and determined that portions of the watercourse are currently enclosed north of the subject lands and the site is currently developed surrounding the watercourse. As such, the NPCA can entertain enclosing this section of the watercourse. The details and design of the proposed enclosure will need to be reviewed through an NPCA work permit.

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 mapping also identifies this section of the Creek as Type 2 (Important) Fish Habitat.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made to permit an addition to the existing warehouse building and new loading dock, subject to the following condition:

1. That an NPCA work permit be obtained for the enclosure of the watercourse prior to the issuance of a building permit from the Municipality and commencement of works on site.

Lastly, please note, the NPCA will need to be circulated any subsequent applications for the proposed development (i.e. Site Plan).

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: Craig Rohe, Planner, Niagara Region
Connie Mancuso, Niagara Region



Legend

-  Campsites
-  Corporate Watershed Divide N
-  NPCA APPROXIMATE REGU
- Regulated Floodplain Extent**
 -  Advisory (CWR)
 -  Regulated
-  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 Hydrography
-  AIRPORTS
- SWOOP_2015**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

Notes

101.5 0 50.77 101.5 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

439 Ontario Street, Consent Application – B-34/16SC – 60.84.2054
concern
1 Royal Henley Boulevard, Minor Variance – A-64/16 – 60.81.5108
concern

No issues or

No issues or

Email 3

113 Rykert Street, Consent Application – B-35/16SC – 60.84.2055
concern

No issues or

111 Rykert Street, Consent Application – B-36/16SC – 60.84.2056
concern

No issues or

113 Rykert Street, Minor Variance Application – A-65/16 – 60.81.5109
concern

No issues or

111 Rykert Street, Minor Variance Application – A-66/16 – 60.81.5110
concern

No issues or

140 Louth Street, Minor variance Application – A-67/16 – 60.81.5111
concern

No issues or

13 Lisgar Street, Minor Variance Application – A-68/16 – 60.81.5112
concern

No issues or

1703 South Service Road, Minor Variance Application – A-69/16 – 60.81.5113 **(To be
circulated by July 22/16)**

517A Scott Street, Consent Application – B-37/16SC – 60.84.2057
concern

No issues or

517D Scott Street, Consent Application – B-38/16SC – 60.84.2058
concern

No issues or

Thanks and have a great week

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

From: Pridham, Cindy (6085557) <cindy.pridham@bell.ca>
Sent: Friday, July 22, 2016 2:37 PM
To: Munro, Elaine
Subject: RE: Last Application & Corrected NOH FW: Notices of Hearing - August 3, 2016
Committee of Adjustment, City of St. Catharines (Part 3 of 3)

Good Afternoon Elaine

Bell Canada has no concerns over these minor variances.

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: July-22-16 11:56 AM
To: ROWCC
Subject: Last Application & Corrected NOH FW: Notices of Hearing - August 3, 2016 Committee of Adjustment, City of St. Catharines (Part 3 of 3)

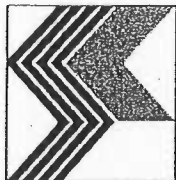
Hi:

Attached please find the last minor variance that was noted below for 1703 South Service Road.
As attached is a corrected NOH for the MV for 59 Bloomfield which just corrected the maximum lot area to be varied from 300m² to 465m².

Any questions, please don't hesitate to contact me.

Thanks, Elaine

Elaine Munro ACST
Committee Secretary & Planning Clerk
Email: emunro@stcatharines.ca **Visit:** www.stcatharines.ca
Phone: 905.688.5601 x1715 **TTY:** 905.688.4TTY (4889)
Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2



Memorandum

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

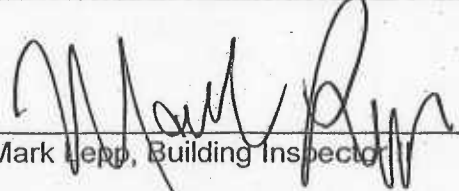
Cc: B. Thiessen, Charlotte McEwan, Hailey McWilliam, Judy Pihach
Planning and Building Services

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

Date: July 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 3, 2016 hearing - File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|-----------------------|--|
| A-50/16 | 2 St. Columba Drive | Note that spatial separations will be addressed during building permit review. |
| A-51/16 | 535 Geneva Street | No Comment |
| A-57/16 | 59 Bloomfield Avenue | No Comment |
| A-58/16 | 7 Dundonald Street | No Comment |
| A-60/16 | 77B Broadway Avenue | No Comment |
| A-61/16 | 77 Broadway Avenue | No Comment |
| A-62/16 | 77C Broadway Avenue | No Comment |
| A-63/16 | 25 Glencairn Drive | No Comment |
| A-64/16 | 1 Royal Henley Blvd. | No Comment |
| A-65/16 | 113 Rykert Street | No Comment |
| A-66/16 | 111 Rykert Street | No Comment |
| A-68/16 | 13 Lisgar Street | Please be advised that a building permit is required for the proposed new detached garage. Note that spatial separations will be addressed during building permit review. |
| A-69/16 | 1703 South Service Rd | No Comment |


Mark Lepp, Building Inspector

Cc: Files, 300-010

g:\pbs-building & development\committee of adjustment\bldg memo 2016\21 bcoa memo-mv-Aug3, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, July 22, 2016 4:02 PM
To: McEwan, Charlotte; McWilliam, Hailey
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing
Attachments: Bloomfield_49_84.2049.doc; Broadway_77_84.2052.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Rykert_113_81.5109.doc; Scott_517A_84.2057.doc; Scott_517D_84.2058.doc; SouthService_1703_81.5113.doc; Geneva_535_84.2046.doc; Martindale_360_84.2036_2037.doc

Charlotte and Hailey,

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

- 535 Geneva (mv)
- 2 St. Columba (ms)
- 59 Bloomfield (mv)
- 7 Dundonald (mv)
- 77 Broadway (mv)
- 77B Broadway (mv)
- 77C Broadway (mv)
- 25 Glencairn (mv)
- 1 Royal Henley (mv)
- 111 Rykert (mv)
- 140 Louth (mv)
- 13 Lisgar (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, July 19, 2016 3:59 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; Denham, James; McEwan, Charlotte; McWilliam, Hailey
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the August 3/16 CofA Hearing

Good Afternoon:

For the August 3, 2016 Committee of Adjustment Hearing, please find on the Amanda System, the following:



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 18th, 2016

Hearing Date: August 13th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

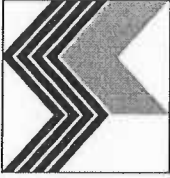
| | |
|-------------------------------------|---------------------------------|
| A-50/16SC - 535 Geneva Street | A-63/16SC - 25 Glencairn Drive |
| A-51/16SC - 2 St. Columba Drive | A-64/16SC - 1 Royal Henley Blvd |
| A-57/16SC - 57 Bloomfield Avenue | A-65/16/SC - 113 Rykert Street |
| A-58/16SC - 7 Dundonald Street | A-66/16/SC - 111 Rykert Street |
| A-60/16SC - 77B Broadway | A-67/16SC - 140 Louth Street |
| A-61/16SC - 77 Broadway | A-68/16SC - 13 Lisgar Street |
| A-62/16SC - 77C Broadway | A-71/16SC - 15 Canal Street |
| A-69/16SC - 1703 South Service Road | |

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. It is noted that A-63/16SC - 25 Glencairn Drive and A-64/16SC - 1 Royal Henley Blvd were both denied, and A71/16SC - 15 Canal Street was deferred. We have no comments or objections to the approval of any of the other variance applications noted above.

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: 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 22, 2016
Subject: Notice of Hearing: Minor Variance
Address: 1703 South Service Rd.
File No: 60.81.5113

Please be advised that we have reviewed the above-noted application and have no concern with the loading spaces being located in the exterior side yard subject to the following condition:

That adequate screening of the loading spaces, using landscaping, berms, or other methods, be required through a site plan agreement.

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