
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
 - i) Item # 4 - 189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061
113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062
113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

A request has been received by the Agent and supported by staff to defer the application to the September 14th Committee of Adjustment Hearing subject to future discussions with Planning staff.

- ii) Item # 6 - 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

A request has been received by Planning Staff to defer the application to the September 14th Committee of Adjustment Hearing in order to recirculate the Notice of Hearing as a result of additional information being required on the sketch resulting in requiring an additional minor variance.

5. Adoption of the Minutes held on August 3, 2016
6. Application:
 1. 15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115
 2. 129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059
129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060
 3. 20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116
 5. 10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063
10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118
10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125
 7. 279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121
 8. 1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122
1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097
 9. 22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

7. New Business:

- i) OACA Seminar, Town of Orangeville, September 22-23, 2016

8. Date of next Hearing: September 14, 2016

9. Adjournment

Posted on City's Website: Friday, August 19, 2016

189 Lockhart Drive
113 Marsdale Drive

Departmental & Agency
Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 17, 2016

Date of Meeting: August 24, 2016

Submission(s): B-42/16SC
B-43/16SC
A-73/16

File: 60.84.2061
60.84.2062
60.81.5117

Subject: 189 Lockhart Drive

Recommendation

That Submission **B-42/16SC** by Warren Bradshaw, as outlined in the Notice of Hearing, be deferred pending further discussions with the applicant.

And that Submission **B-43/16SC** by Warren Bradshaw, as outlined in the Notice of Hearing, be deferred pending further discussions with the applicant.

And that Submission **A-73/16** by Warren Bradshaw, as outlined in the Notice of Hearing, be deferred pending further discussions with the applicant.

Summary

The applicant has requested deferral of the subject applications.

Staff recommends that the requested consents be deferred pending further discussions with the applicant.

Proposed Development

The existing detached dwelling on the subject property is proposed to be demolished, and the purpose of the current consent applications is to create three new building lots for the construction of three new detached dwellings.

Application **B-42/16SC** is requesting a partial discharge of mortgage and consent to sever 490m² of land (Part 2 on the submitted sketch) to create a new lot known as 189 Lockhart Drive for the purpose of constructing a detached dwelling.

Application **B-43/16SC** is requesting a partial discharge of mortgage and consent to sever 490m² of land (Part 3 on the submitted sketch) to create a new lot known as 187 Lockhart Drive for the purpose of constructing a detached dwelling.

As a result of the above consent applications, a remnant 529m² lot (Part 1) is to be created, which will exceed the maximum lot area requirements of the Zoning By-law requirements.

Application **A-73/16** is requesting a variance to recognize the increase in the maximum lot area requirement for Part 1 from 490m² to 529m².

Location and Site Description

The subject property is located on the northeast corner of Lockhart Drive and Marsdale Drive, west of Glenridge Avenue. The property is surrounded by detached dwellings in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies.

Background

Previous Applications

Previous applications to sever the subject property were considered by the Committee of Adjustment in 2005 and 2006.

Application B-25/05SC was considered by the Committee of Adjustment at the June 22, 2005 hearing. The proposal was to sever a 464.5m² lot with 13.7 metres of frontage, both of which required variances to the Zoning By-law requirements in effect at that time. The retained parcel was 1045m² in size; no variances were required. Planning Staff recommended that the application be approved. The Committee of Adjustment denied the application.

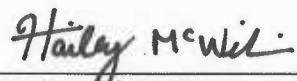
Application B-49/06SC was considered by the Committee of Adjustment at the August 2, 2006 hearing. The proposal was to sever a 633.6m² lot, with the remnant parcel being 876m² in size. Both parcels met lot area and frontage requirements of the Zoning By-law in effect at that time. Planning Staff recommended that the application be approved. The Committee of Adjustment denied the application. The owner appealed the Committee's decision to the Ontario Municipal Board (OMB) but withdrew the appeal before the OMB hearing.

Staff note that the previous applications were considered under different provincial, regional and local policies that have since been amended to reflect the Province's current planning direction, which encourages intensification.

Conclusion

Staff is aware that the applicant has requested deferral. In reviewing the application, Staff is of the opinion that further discussion with the applicant is warranted. Accordingly, Staff supports the request for deferral.

Prepared by:



Hailey McWilliam
Student Planner

Submitted by:



Bruce Bellows
Planner II

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines - 189 Lockhart Drive

From: Kilian, Martin (MNRF) [mailto:martin.kilian@ontario.ca]

Sent: Thursday, August 11, 2016 5:27 PM

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

Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines - 189 Lockhart Drive

Elaine:

The subject property involved in these three applications is designated "Urban Area" in the Niagara Escarpment Plan (NEP). Therefore, Niagara Escarpment Commission (NEC) staff has reviewed these applications which would transform the site into 3 residential building lots each for single units. Given the site conditions, the character of the surrounding built form, and the site's separation from natural heritage features associated with the Escarpment, NEC staff hereby concludes that the proposal will comfortably satisfy the relevant policies of this designation. However, the Committee should also be satisfied that the development will meet Part 2.2.4 of the NEP which states:

Any development permitted should be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area.

Martin Kilian, Planner

Niagara Escarpment Commission

232 Guelph St.

Georgetown Tel. 905-877-7524

St. Catharines Tel. 905-704-3917

www.escarpment.org

Follow the NEC on Twitter

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

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





August 16, 2016

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

Attention: Elaine Munro

File# 60.84.2061, 60.84.2062 & 60.81.5117

Re: 113 Marsdale Dr & 189 Lockhart Dr

In response to your correspondence(s) dated August 9, 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.

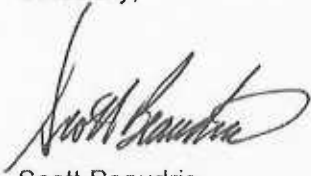
We would also like to stipulate the following:

- 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

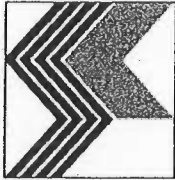
- C22.3 No. 7- 10 Underground Systems

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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 24, 2016 hearing - File No.: 300-036

B-40/16SC – 129 Moffat Street

Comment: No Comment

Condition: No Comment

B-41/16SC – 129 Moffat

Comment: No Comment

Conditions: No Comment

B-42/16SC – 189 Lockhart Drive

Comment:

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

Conditions:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to

be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-43/16SC – 113 Marsdale Drive

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 3.

Condition:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-44/16SC – 10 Spring Garden Boulevard

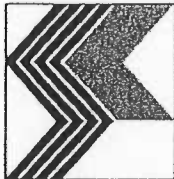
Comment:

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction 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 garage on Part 1.


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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx



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: August 12, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 189 Lockhart Dr.
File No: 60.84.2061

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) 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.

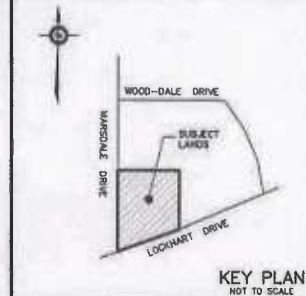
The applicant should be advised that Parks, Recreation and Culture Services is not supportive of the existing trees along the Lockhart Dr. and Marsdale Dr. being removed or damaged during construction of the proposed dwelling. As part of the building permit the applicant will be required to install tree protection fencing generally as shown on Attachment 1; these requirements may change depending on City policies and procedures at the time that the building permit is reviewed..

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

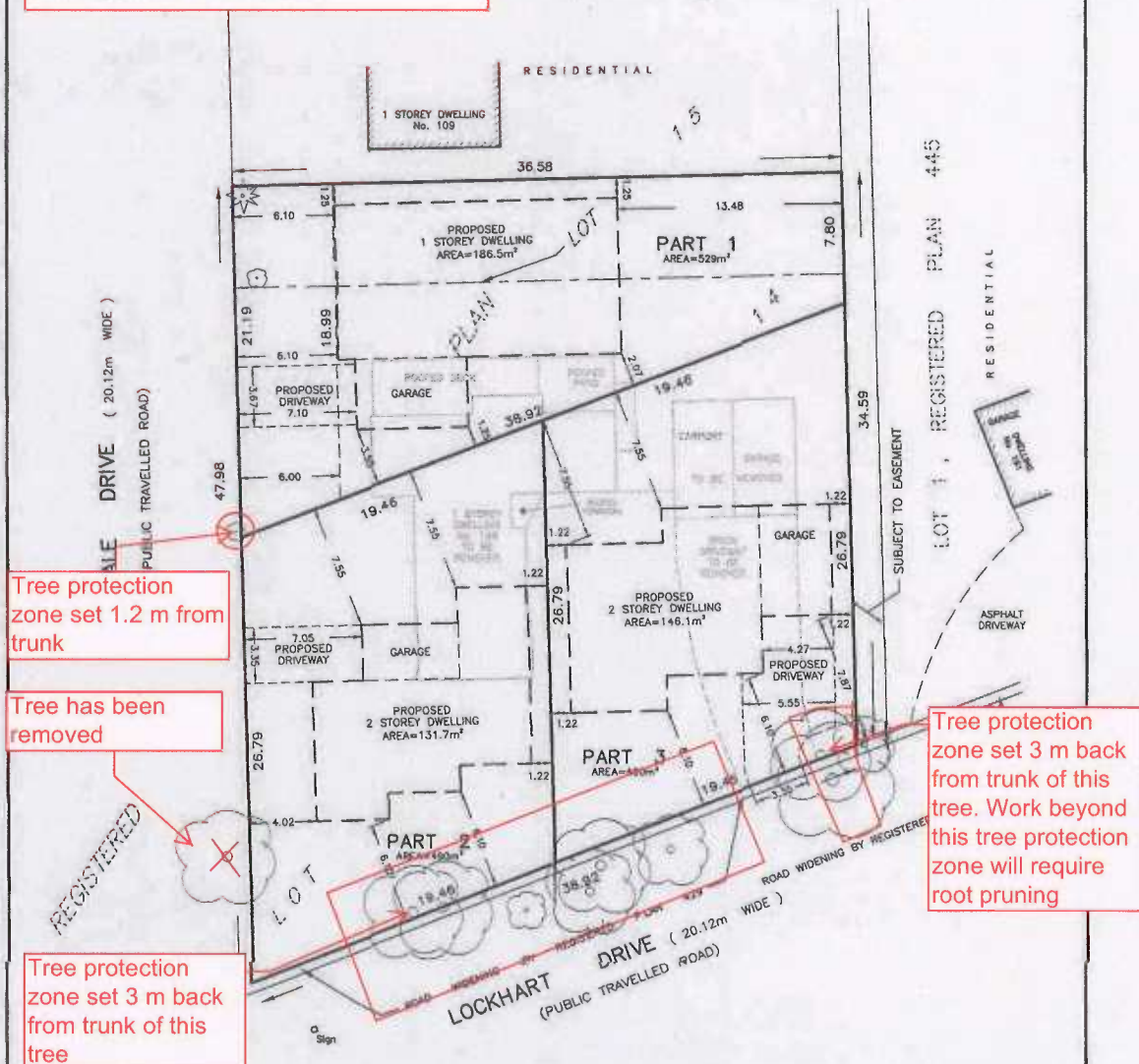
Kristen Sullivan
Project and Development Planner
Parks, Recreation and Culture Services

SKETCH TO SHOW
 PART OF LOTS 14 AND 15
 REGISTERED PLAN No. 429
 CITY OF ST. CATHARINES
 REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 250
 0 5 10 metres
 WILLIAM A. MASCOE
 ONTARIO LAND SURVEYOR



Minimum tree protection zones identified below. Size and location of tree protection zones may increase depending on the policies and procedures at the time the building permit is reviewed.



NOTE

THIS SKETCH IS INTENDED FOR USE OF THE COMMITTEE OF ADJUSTMENT ONLY MEASUREMENTS MAY VARY UPON FIELD SURVEY

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

JULY 29, 2016

DATE

William A. Mascoe
 WILLIAM A. MASCOE
 ONTARIO LAND SURVEYOR

GREEN SPACE AREA

PART 1 = 317 m² (59.9%)
 PART 2 = 334 m² (58.1%)
 PART 3 = 299 m² (61.0%)

KIRKUP MASCOE URE
 SURVEYING LTD.

49 EASTCHESTER AVENUE, ST. CATHARINES, ONTARIO L2P-2Y6
 TELEPHONE (905) 483-9301, FAX (905) 441-4824
 E-MAIL: info@kirkupmascoeure.com

JOB No. 16-7944

FILE: 16-7944-11ds



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: August 12, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 113 Marsdale Dr.
File No: 60.84.2062

Please be advised that we have reviewed the above-noted application. The construction of a dwelling on Part 1 may impact the health of mature trees in the rear yard of 109 Marsdale Dr. or boundary trees shared with 109 Marshale Dr. The applicant should be advised that it is an offence under the Ontario Forestry Act to injure or destroy a tree growing on the boundary between adjoining lands without the consent of the land owners. If the consent is approved PRCS requests 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 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 applicant should be advised that Parks, Recreation and Culture Services is not supportive of the existing trees along the Lockhart Dr. being removed or damaged during construction of the proposed dwelling. As part of the building permit the applicant will be required to install tree protection fencing generally as shown on Attachment 1; these requirements may change depending on City policies and procedures at the time that the building permit is reviewed.

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

SKETCH TO SHOW

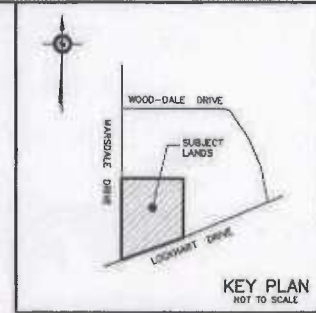
PART OF LOTS 14 AND 15
REGISTERED PLAN No. 429
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 250

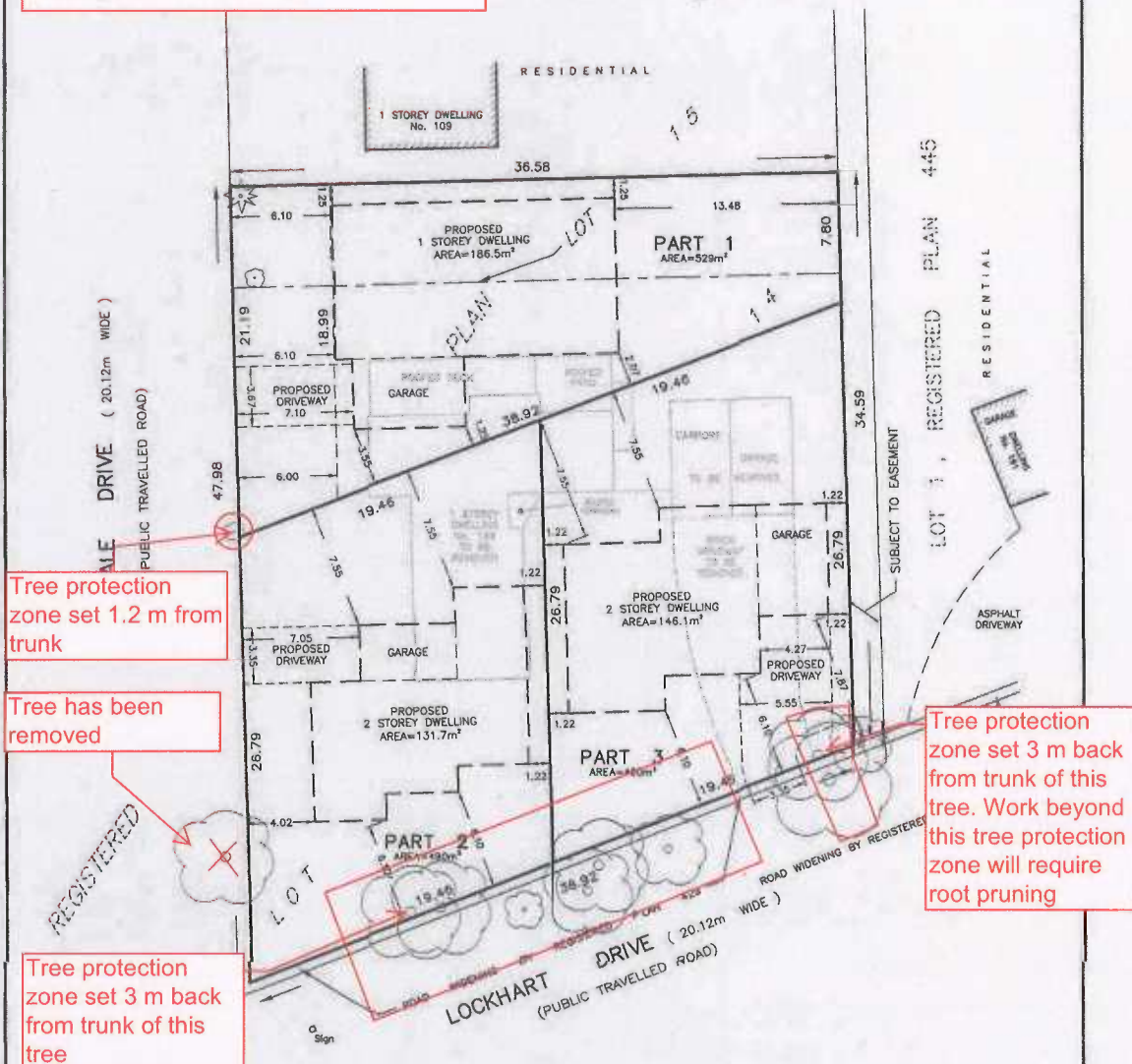
5 0 5 10 metres

WILLIAM A. MASCOE
ONTARIO LAND SURVEYOR

Minimum tree protection zones identified below. Size and location of tree protection zones may increase depending on the policies and procedures at the time the building permit is reviewed.



No person may copy, reproduce or alter this sketch in whole or in part without written permission from KIRKUP MASCOE URE SURVEYING LTD.



NOTE

THIS SKETCH IS INTENDED FOR USE OF THE COMMITTEE OF ADJUSTMENT ONLY MEASUREMENTS MAY VARY UPON FIELD SURVEY

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

JULY 29, 2016

DATE

William A. Mascoe
WILLIAM A. MASCOE
ONTARIO LAND SURVEYOR

KIRKUP MASCOE URE

SURVEYING LTD.

#9 EASTCHESTER AVENUE, ST. CATHARINES, ONTARIO L2N 2Y6
TELEPHONE (905) 683-9931, FAX (905) 641-4424
E-MAIL: info@kirkupmascoeure.com

JOB No. 16-7944

FILE: 16-7944-11ds

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, August 15, 2016 12:17 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

PRCS has no comments on the following application:

- 113 Marsdale (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-42 &43/16SC



August 12, 2016

ENGINEERING FILE 300-36

Hearing Date: August 24th, 2016

Applicant: Lou Biagi

Location: 189 Lockhart Drive

MUNICIPAL SERVICES

Water: - 200mm PVC Watermain on **Lockhart Drive**
-200mm PVC watermain on **Marsdale Drive**

Sanitary Sewer: - 250mm Sanitary Sewer on **Lockhart Drive**
- 525mm Sanitary Sewer on **Marsdale Drive**

Storm Sewer: - 375mm Storm Sewer

Sidewalks: -No concrete sidewalk exist on either frontage

Road Allowance Width: **Lockhart +/-20m Marsdale +/-20m**

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

Comment(s):

It is noted that the Owner proposes to sever lands at 189 Lockhart Drive to create two new single detached lots. Two lots fronting Lockhart Drive and one lot fronting Marsdale Drive.

Lockhart Drive and Marsdale Drive are both designated as a Local road per the City's Official plan with a desired right-of-way width of 20m. Their current width along this section is $\pm 20m$. 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 Parts 1-3 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.

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 both Lockhart Drive and Marsdale Drive, individual storm laterals must be installed to each lot. Sump pump flows must be discharged to these storm laterals.

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. In addition two new sanitary laterals will be required.

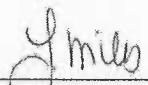
The existing 20mm copper water service could also be reused for one of the lots subject to

confirmation of the condition and capacity as it relates to the number of fixture units in the new dwelling. In addition two 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

Prepared By: _____


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

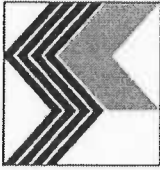
A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

206 Church Street

Departmental & Agency
Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2016

Date of Meeting: August 24, 2016

Submission(s): A-75/16

File: 60.81.5119

Subject: 206 Church Street

Recommendation

That submission **A-75/16** by Deborah Conrad, as outlined in the Notice of Hearing, be deferred to the September 14, 2016 Committee of Adjustment hearing.

Report

Proposed Development

The purpose of the Minor Variance application is to permit reduced parking requirements for the existing triplex dwelling.

Application **A-75/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the required parking spaces for a triplex dwelling unit from 3 spaces to 2 spaces.
- 2) For permission to allow the two parking spaces to be in tandem.

Location and Site Description

The subject property is located on the south side of Church Street, east of Niagara Street. The property is surrounded by institutional uses to the north, residential uses to the south and west, and commercial uses to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Staff recommends that the application be deferred to the September 14, 2016 hearing, to allow the revised public notice to be circulated.

Planning Analysis

Official Plan (Garden City Plan)

The property is designated Downtown as per schedule D1 of the Garden City Plan (GCP). The subject property is further designated as Mixed Medium High Density Residential/Commercial as per Schedule E10 of the Garden City Plan. This designation

permits, amongst other uses, detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 60 and 198 units per hectare of land.

Zoning By-law (2013-283)

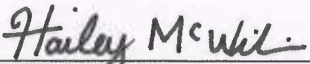
The subject land is zoned Medium Density Mixed Use (M1-107). The M1 zone permits a variety of residential, commercial and light industrial uses including triplex dwellings. Special Provision 107 limits the uses typically permitted in an M1 zone by prohibiting car washes, motor vehicle repair garages and motor vehicle gas stations.

Through Staff review, which involved a site visit, it has been noted that the adjacent building to the west abuts the existing driveway. The Zoning By-law outlines the parking space dimensions required based on the conditions surrounding the parking space. Staff note that different dimensions are required for spaces that are unobstructed, obstructed on one side, and for spaces obstructed on two sides. Since it has been confirmed that the driveway is obstructed on two sides, a further variance for a reduction in the width of the parking spaces from 3.5 metres to 3.05 metres is required, and further public notice must be issued accordingly.


Conclusion

Staff recommendations that the requested variance be deferred.

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, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

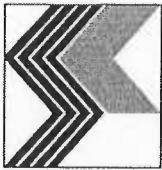
From: Sullivan, Kristen
Sent: Friday, August 12, 2016 4:17 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; McWilliam, Hailey <hmcwilliam@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

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

- 15 Canal (mv)
- 10 Spring Garden (ld)
- 10 Spring Garden (mv)
- 10A Spring Garden (mv)
- 206 Church (mv)
- 279 Grantham (mv)

Comments are forthcoming on 20 Nihan and 189 Lockhart/113 Marsdale.

Kristen Sullivan
Project & Development Planner
Email: ksullivan@stcatharines.ca
Tel: 905.688.5601 x3145



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016

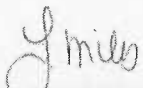
Subject: Engineering Comments to Committee of Adjustment Files

A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

15 Canal Street

**Departmental & Agency
Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2016

Date of Meeting: August 24, 2016

Submission(s): A-71/16

File: 60.81.5115

Subject: 15 Canal Street

Recommendation

That variances 1 – 4, 6 and 7 Submission **A-71/16** by Paul Langlois, as outlined in the Notice of Hearing, be approved. Subject to the following condition:

- 1) That the paved area forming the driveway be limited to a maximum of 7.5 metres in width, and that the portion of the paved area that is removed be reinstated as sod to the satisfaction of the City.

And that variances 5 and 8 Submission **A-71/16** by Paul Langlois, 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 satisfied that variances 1 – 4, 6 and 7 requested by Application A-71/16 are minor in nature, 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.

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is not satisfied that variances 5 and 8 requested by Application A-71/16 are minor in nature, desirable for the appropriate use of the land or that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Report

Proposed Development

The purpose of the minor variance application is to recognize the location of the accessory structure and pool pump, to permit the construction of the proposed 2 storey attached garage and addition, and to permit the construction of a proposed covered front porch.

Application **A-71/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the accessory structure setback from 0.6 metres to 0.15 metres from the rear lot line.
- 2) A reduction of the accessory structure setback from 0.6 metres to 0.10 metres from the side lot line.
- 3) A reduction of an operating apparatus (pool pump) from 0.6 metres to 0.15 metres from the rear lot line.
- 4) A reduction of an operating apparatus (pool pump) from 0.6 metres to 0.10 metres from the side lot line.
- 5) A reduction of the easterly interior side yard setback from 1.2 metres to 0.9 metres for the proposed attached 2 storey garage and addition.
- 6) A reduction of the minimum required setback from front lot line for proposed covered porch under 0.6 metres high from grade from 3 metres to 1.67 metres.
- 7) A reduction of the minimum setback from interior lot line for proposed covered porch under 0.6 metres high from grade from 1.2 metres to 0.7 metres.
- 8) An increase of the driveway width from 7.5 metres to 9.12 metres.

Location and Site Description

The subject property is located on the southeast side of Canal Street, west of Lock Street. The property is surrounded by detached dwellings to the north, east and west and commercial uses to the south.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Staff was not supportive of the proposed increase in driveway width or reduction in the westerly interior side yard.

Planning Analysis

Official Plan (Garden City Plan)

The property is designated Neighbourhood Residential as per schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential 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 –Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road developments.

Variance 1 through 4 are required to recognize the existing pool pump and accessory structure that are located in southwest corner of the lot. The accessory structure was constructed to screen the pool pump and mitigate noise. Staff considers the accessory structure and pool pump variances to be minor in nature, as they will not negatively impact the streetscape or the prevailing character of the neighbourhood. Staff note that the applicant requires a building permit for the existing structure. The structure will be required to meet the Building Code of Ontario; if it cannot, the structure will be required to be removed.

Variance 5 is requested to permit the construction of the proposed 2 storey addition and attached garage. Staff is not supportive of the reduction in the easterly interior side yard setback from 1.2 metres to 0.9 metres. There appears to be sufficient opportunity to reduce the size of the proposed attached garage to meet the required 1.2 metre minimum interior side yard. There has been no justification provided to support this variance. Staff considers a 1.2 metre interior side yard appropriate to enable access to the rear yard and provide more sensitivity to the abutting lot, in the event further building additions are contemplated.

When evaluating compatibility, Staff is guided by the principles outlined in Part C, Section 4.5 of the GCP. Section 4.5.1 a) and b) state that “as a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that ... maximizes compatibility with the surrounding area in terms of: building scale, height, gradation of height, and massing and the spacing of buildings.

Staff is of the opinion that the variance is not desirable or compatible with the surrounding area, and that the variance cannot be considered minor in nature.

Variances 6 and 7 request a reduction of the minimum setback from front lot line to covered porch from 3 metres to 1.67 metres and from interior lot line to proposed porch from 1.2 metres to 0.7 metres, respectively. The variances are requested to permit the construction of a covered porch. There is an existing porch on the property, but the applicant wishes to construct a roof over it. Since the location of the porch represents a longstanding situation, Staff is supportive of the reduction in interior side yard.

When evaluating the proposal, Staff referred to Section 4.5 of the GCP, which states that “compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area”.

There are many covered porches in the surrounding area, including the dwelling directly to the east of the property. Staff is satisfied that the proposal is compatible with the

prevailing character of the neighbourhood and that no adverse impacts are expected as a result of the variances. Staff believes that variances 6 and 7, in this instance, are minor in nature.

Variance 8 requests an increase in the maximum permitted driveway width from 7.5 metres to 9.12 metres.

In the immediate area, the neighbourhood is generally characterized by narrow streets and modest driveways. Staff is of the opinion that the driveway width is not appropriate or compatible with the prevailing character of the neighbourhood. The variance is not considered minor in nature, nor in keeping with the intent of the GCP or Zoning By-law.

Conclusion

Staff is of the opinion that variances 1 – 4, 6 and 7 of Application A-71/16 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 variances be approved.

Staff is not satisfied that variances 5 and 8 of Application A-71/16 are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, or are appropriate and desirable for the use of the land. It is Staff's recommendation that the requested 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

Munro, Elaine

Subject: RE: 15 Canal Street - Minor Variance?

From: Taya Devlin [mailto:tdevlin@npca.ca]
Sent: Wednesday, July 06, 2016 9:22 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Darren MacKenzie <DMacKenzie@npca.ca>; Carmen D'Angelo <cdangelo@npca.ca>
Subject: RE: 15 Canal Street - Minor Variance?

Good Morning Elaine,

Upon further review, NPCA staff have determined that the property is not impacted by any NPCA or Core Natural Heritage features.

As such, NPCA fees will not be required.

NPCA mapping identifies a steep slope to the south of the property. NPCA staff are satisfied that due to the existing structures located at the toe of the slope, the subject property is not impacted by a natural valley system or hazard slope.

Regional mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline, associated with Martindale Pond, adjacent to (within 50 metres) the subject property. NPCA staff are satisfied that due to existing development surrounding the pond, the ECA feature does not extend as far from the pond as shown in the mapping. As such, the subject property is located more than 50 metres from the ECA feature.















Please contact me if you have any questions.

Thank you,

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



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

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 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

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113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

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22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

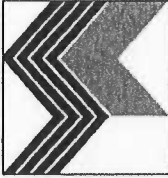
DOUG CROWN

Network Planning and Design

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7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
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Memorandum

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

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

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

Date: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
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A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
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Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, August 12, 2016 4:17 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

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

- 15 Canal (mv)
- 10 Spring Garden (ld)
- 10 Spring Garden (mv)
- 10A Spring Garden (mv)
- 206 Church (mv)
- 279 Grantham (mv)

Comments are forthcoming on 20 Nihan and 189 Lockhart/113 Marsdale.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016


Subject: Engineering Comments to Committee of Adjustment Files

A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
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A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

129 Moffatt Street

Departmental & Agency
Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2016

Date of Meeting: August 24, 2016

Submission(s): B-40/16SC
B-41/16SC

File: 60.84.2059
60.84.2060

Subject: 129 Moffatt Street

Recommendation

That Submission **B-40/16SC** by 1473941 Ontario Limited, 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.
- 2) The Owner shall dedicate to the City of St. Catharines a road widening of varying width on Moffatt Street which shall be up to 10m from the existing centreline of the road allowance and pay all associated costs.

And that Submission **B-41/16SC** by 1473941 Ontario Limited, 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.
- 2) The Owner shall dedicate to the City of St. Catharines a road widening of varying width on Moffatt Street which shall be up to 10m from the existing centreline of the road allowance and pay all associated costs.

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-40/16SC** is requesting a consent to sever 280.03m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 129A Moffatt Street for an existing semi-detached dwelling. A 1,877.76m² remnant parcel (Parts 2 & 3) would be retained.

Application **B-41/16SC** is requesting a consent to sever 284.5m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 129B Moffatt Street for an existing semi-detached dwelling. A 1,593.61m² remnant parcel (Part 3) would be retained for future residential development.

Location and Site Description

The subject property is located on the west side of Moffatt Street, north of Disher Street. The subject lands are surrounded by a detached dwelling and townhouses to the north, a detached dwelling to the south, a triplex and Green Space to the east, and Highway 406 to the west.

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 (GCP). The subject property is further designated Low Density Residential 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 generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan. The density of Parts 2 and 3 is 35 units per hectare, which is generally in keeping with the GCP.

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 consents are requested to allow each dwelling unit in the existing semi-detached dwellings located on Part 1 and Part 2 to be sold separately.

Staff note that the City is requesting a road widening of up to 10 metres from the centerline of Moffatt Street. The road widening may reduce the front yard setback. No minor variances will be required as a result of the road widening, as Section 2.15.2 of the Zoning By-law 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.

Regarding Part 3, the owner of the subject lands intends to eventually extend the residential development and Glory Hill Road from the north into Part 3, which will be subject to future planning approvals. There is no immediate intent to develop Part 3. Section 2.6 of the Zoning By-law states that no person shall develop or construct a building or structure or otherwise use any lot unless the lot fronts on a public road. Part 3 does not have frontage on a public road due to an existing 0.3 metre reserve that separates the proposed parcel from Glory Hill Road. The Committee should be aware that Part 3 may be created, but any use or development of Part 3 will only be permitted when the 0.3 metres reserve is lifted thereby creating a lot with frontage on a public road (Glory Hill Road).

Part F, Section 16.11 of the Garden City Plan provides guidance on lot creation. Subsections b) and c) of Section 16.11.3 state that consents to sever individual parcels of land will only be given where: they contribute to the infilling of areas that are already substantially developed and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.


Staff is supportive of the proposed consents. The proposal allows for a more efficient use of the lands than could be achieved by severing the lot in two, which would create two oversized and underutilized lots. By creating Part 3, the owner retains the development potential for the parcel. This upholds the values of Section 16.11.3 c) of the Garden City Plan.

The proposed lots do not require any variances because they meet the provisions of the Zoning By-law. The proposed lots are of a similar size and have similar frontages to many of lots in the neighbourhood and are considered compatible with the surrounding area. Staff is satisfied that the consents are desirable and allow for an appropriate amount of intensification for the area. No adverse impacts are anticipated as a result of the consents.

Conclusion

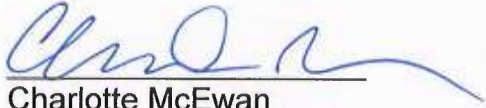
Staff is satisfied that the consents requested through applications B-40/16SC and B-41/16SC are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. It is Staff's recommendation that the requested consents be approved.

Prepared by:


Hailey McWilliam

Student Planner

Submitted by:

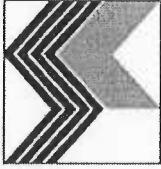
A handwritten signature in blue ink, appearing to read 'Charlotte McEwan', written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

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

Judy Pihach MCIP, RPP
Manager of Planning Services



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-40 & 41-16SC



August 12, 2016

ENGINEERING FILE 300-36

Hearing Date: August 24, 2016

Applicant: 1473941 Ontario Limited

Location: 1473941 Ontario Limited

MUNICIPAL SERVICES

Moffatt Street

Water: 200mm (8") PVC

Sanitary Sewer: 300mm (12") & 250mm Conc.

Storm Sewer: None Available

Sidewalks: Yes (Curb faced)

Road Allowance Width: Varies 9.144m & 16m+/-

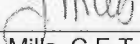
**GENERAL COMMENTS AND ENGINEERING CONDITIONS TO BE IMPOSED IF
CONSENT GRANTED:**

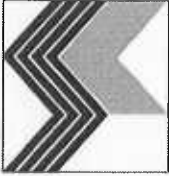
Comment(s):

It is noted that the Applicant proposes to sever Part 2 and Part 3 creating a new lot to be known as 129A Moffatt Street and create an additional lot at the rear of the semi-detached building for future development. A remnant parcel (Part 1) would be retained for continued residential use. The application would allow each unit of the semi-detached dwelling currently under construction to be owned and/or sold separately.

Moffatt Street 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 varies from 9.144m+/- to 16m+/- . Therefore a widening on Moffatt Street which varies in width will be required to be dedicated to the City.

Condition(s): The Owner shall dedicate to the City of St. Catharines a road widening of varying width on Moffatt Street which shall be up to 10m from the existing centreline of the road allowance and pay all associated costs.

Prepared By: 
Sabrina Mills, C.E.T.
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: August 12, 2016

Subject: Notice of Hearing: Consent to Sever
Address: 129 Moffatt St.
File No: 60.84.2059 and 60.84.2060

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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



Munro, Elaine

Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines - 129 Moffatt Street

From: Glofcheskie, Christopher (MTO) [mailto:Christopher.Glofcheskie@ontario.ca]

Sent: Wednesday, August 10, 2016 8:41 AM

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

Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines - 129 Moffatt Street

Ms. Elaine Munro,

Re: 129 Moffatt Street, 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 severance requested.
- The Applicants should be made aware that the subject sites are within the Ministry's Permit Control Area and permits may be required prior to any construction of buildings or signs.
- The Applicant should be made aware that if the severance is completed, access to Hwy QEW for Part 3 will not be granted due to the following:
 - o The section of Hwy QEW in question is classified as a 1A – Freeway. As per the MTO's Highway Access Management Guidelines (December 2013), freeway corridors have full control of access connections, with access provided via grade-separated interchanges only.
- Please circulate the Ministry on all applications for these sites.

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

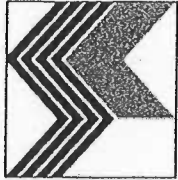
Ministry of Transportation

159 Sir William Hearst Avenue, 7th Floor,

Toronto, Ontario M3M 0B7

Tel: (416) 235-5560

Email: christopher.glofcheskie@ontario.ca



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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 24, 2016 hearing - File No.: 300-036

B-40/16SC – 129 Moffat Street

Comment: No Comment

Condition: No Comment

B-41/16SC – 129 Moffat

Comment: No Comment

Conditions: No Comment

B-42/16SC – 189 Lockhart Drive

Comment:

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

Conditions:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to

be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-43/16SC – 113 Marsdale Drive

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 3.

Condition:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-44/16SC – 10 Spring Garden Boulevard

Comment:

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction 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 garage on Part 1.


Mark Lepp, Building Inspector II

Cc: Files, 300-036

20 Nihan Drive

**Departmental & Agency
Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2016

Date of Meeting: August 24, 2016

Submission(s): A-72/16

File: 60.81.5116

Subject: 20 Nihan Drive

Recommendation

That variance 1 of submission **A-72/16** by 1736167 Ontario Ltd., as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That a deeming by-law be approved merging Lot 30 Plan 205 with Lots 6,7,8,9,10,31 & 32, Plan 205.

And that variance 2 of submission **A-72/16** by 1736167 Ontario Ltd., as outlined in the Notice of Hearing, be approved as follows:

"A reduction of minimum width of landscape buffer along street frontage (Secord Drive) from 6.0 metres to 3.0 metres along the northerly 42 metres of lot frontage, as illustrated on the attached red-lined sketch.

Subject to the following condition:

- 1) That the existing parking spaces within the City's right of way along Secord Drive be removed and reinstated with sod to the satisfaction of the City.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is satisfied that variances 1 and 2, as amended, of application A-72/16 are minor in nature, 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 1 be approved, and that variance 2 be approved, as amended.

Report Proposed Development

The purpose of the minor variance application is to allow the construction of a proposed new addition to the warehouse building replacing 3 smaller service/warehouse buildings.

Application **A-72/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the minimum front yard setback from 12 metres to 6.98 metres on Secord Drive.
- 2) A reduction of the minimum width of landscape buffer along street frontage (Secord Drive) from 6 metres to 0 metres.
- 3) For permission to allow a loading space to be located closer to the road (Nihan Drive) than the building as shown on the attached sketch.

Location and Site Description

The subject property has frontage on both Nihan Drive and Secord Drive, and is located east of Lake Street. The property is surrounded by business commercial employment lands in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Staff recommends that variance 2 be approved as amended.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated as Business Commercial Employment as per Schedule E1 of the Garden City Plan. This designation permits a variety of commercial and industrial uses including the proposed addition to the existing service/light industrial use. The existing use and proposed expansion is permitted.

Zoning By-law (2013-283)

The subject land is zoned Business Commercial Employment (E1). The E1 zone permits a variety of commercial and light industrial uses, including offices, retail stores, and service commercial and light industrial uses.

Variance 1 requests a reduction of the minimum front yard setback from 12 metres to 6.98 metres on Secord Drive. Both Nihan Drive and Secord Drive are streets dominated by commercial and light industrial uses. Like the subject property, there are other buildings in close proximity to the subject lands that have frontage on both Nihan Drive and Secord Drive. As a result, there is great variation in the frontages and setbacks along both streets as buildings can be orientated towards either road. Staff is of the opinion that the variance is supportable due to the character of the commercial street. No adverse impacts are anticipated as a result of the variance.

Variance 2 requests a reduction of the minimum width of landscape buffer along street frontage (Secord Drive) from 6 metres to 0 metres.

The Urban Design policies in Section 4.5 of the GCP direct that new development not only respect the existing character of the area, but also “enhance” it. New development should set the standard for future development. The noticeable absence of landscaping along Secord Drive properties makes the provision of landscaping as part of this project an opportunity to enhance and improve the character of Secord Drive. An earlier development of this property achieved a desirable impact on Nihan Drive where landscaping had a major impact on enhancing the character of that street. Staff is seeking a similar landscaping improvement along the Secord Drive frontage and accordingly is not prepared to reduce the 6.0 metre landscaping requirement.

Staff is prepared to recommend a reduction of 6.0 metres to 3.0 metres for only a portion of the Secord Drive frontage, as outlined in the recommendation. The applicant needs to be aware that the existing angled parking will have to be removed in order to meet the recommended 3.0 metre minimum landscaping buffer. In addition, a portion of the existing angled parking is located within the current Secord Drive road allowance and that portion will have to be reinstated with sod. Staff note that the removal of the existing angled parking along Secord Drive does not create a non-compliance with the parking requirements set out in the Zoning By-law.

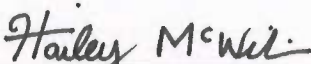
Upon further review by Staff and in discussion with the applicant, it has been determined that there are no loading spaces on the subject property that are located closer to the road than the building. Therefore, Variance 3 is no longer required.

Staff note that the applicant has applied for a deeming by-law (60.46.5 Vol 17) to merge Lot 30 Plan 205 with the remainder of the site (Lots 6,7,8,9,10,31,32, Plan 205). Currently they are two lots and the approval of a deeming by-law will merge the two lots into one. The approval of the deeming by-law is required as a condition to this approval. The approval of these variances are only relevant if the site is one lot.

Conclusion

Staff is satisfied that the variances 1 and 2, as amended, requested through application A-72/16 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 variances 1 and 2, as amended, be approved, as the application represents good planning.

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, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

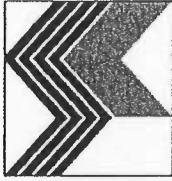
DOUG CROWN

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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx



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: August 15, 2016
Subject: Notice of Hearing: Minor Variance
Address: 20 Nihan Dr.
File No: 60.81.5116

Please be advised that we have reviewed the above-noted application and have no comments to provide on the proposed minor variance 1. PRCS is not supportive of proposed minor variance 2 as a landscape buffer reduction to 0 metres does not provide an opportunity to ensure that parking and loading areas are visually buffered from the public road; a reduction, instead of an elimination of the landscape buffer, that still provides space for landscaping would be more appropriate. Permissions to allow a loading space to be closer to the road than the building (minor variance 3) are typically accompanied with proposals to buffer of the loading space to reduce its visual impact. This application has not provided such a proposal and a landscape buffer reduction to 0 metres does not provide an opportunity to provide this on site.

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 & Building Services

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016


Subject: Engineering Comments to Committee of Adjustment Files

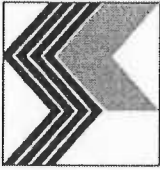
A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

10 Spring Garden Blvd.
10A Spring Garden Blvd.

Departmental & Agency
Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 17, 2016

Date of Meeting: August 24, 2016

Submission(s): B-44/16SC
A-74/16
A-81/16

File: 60.84.2063
60.81.5118
60.81.5125

Subject: 10 Spring Garden Boulevard

Recommendation

That Submission **B-44/16SC** by Vincenzo Torelli and Marco Torelli, as outlined in the Notice of Hearing, be approved.

That Application **A-74/16**, by Vincenzo Torelli and Marco Torelli, as outlined in the Notice of Hearing, be approved.

That Application **A-81/16**, by Vincenzo Torelli and Marco Torelli, 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 satisfied that consent B-44/16SC 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 is of the opinion that variances A-74/16 and A-81/16, 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.

Report

Proposed Development

Application **B-44/16SC** is requesting a consent to sever 263.9m² of land (Part 2 on the submitted sketch) which will be added to the abutting southerly lot known as 10A Spring Garden (Part 3). A 745.8m² remnant parcel with the existing detached dwelling (Part 1) would be retained. The application would result in a boundary adjustment between the two properties.

Application **A-74/16** requests an increase of the maximum lot area per dwelling unit from 490m² to 1,160m² (Parts 2 & 3).

Application **A-81/16** requests a reduction of the minimum required interior side yard setback from 1.20 metres to 1.15 metres on the southerly property line.

Location and Site Description

The subject lands are located on the southeast side of Spring Garden Boulevard. The lands are surrounded by detached dwellings to the north, south, and west, and Green Space 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 E1 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple-attached dwellings 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). 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.

Background

Applications B-03/16SC, A-03/16 and A-04/16 were previously heard by the Committee of Adjustment at the January 6, 2016 hearing. The purpose of the former consent application was to sever the subject lot known as 10 Spring Garden Boulevard (Part 2) in two, to create a new lot to be known as 10A Spring Garden Boulevard (Part 3) for the purpose of constructing a detached dwelling. Minor variances were required to facilitate the requested consent, as both lots would remain oversized. Staff recommended that the applications be approved. The Committee of Adjustment approved the application.

Staff was supportive of the previous application to sever 10 Spring Garden Boulevard (Part 2) in two, to create 10A Spring Garden Boulevard (Part 3), as it brought the oversized lot closer into conformity with the maximum lot area requirements of the Zoning By-law. Although the density of the proposal was below the target density identified in the Garden City Plan, Staff was of the opinion that the density was suitable for the established suburban residential neighbourhood and that the proposal

maintained the character of the surrounding area.

Application **B-44/16SC**, the current application, would result in a boundary adjustment between the subject lots. The boundary adjustment would be facilitated by severing Part 2 from Part 1 and adding it to Part 3. As a result of the consent application, Application **A-74/16** is required to facilitate the requested consent since Parts 2 and 3, as proposed, exceed the maximum lot size requirement for a detached dwelling unit as set out in the Zoning By-law.


The surrounding neighbourhood is characterized by detached dwellings that are located on large lots that typically exceed the Zoning By-law requirements for the maximum lot area per detached dwelling unit. The subject parcels are no exception, as currently both lots are oversized. Staff are of the opinion that the boundary adjustment will not result in any adverse impacts. Both lots will remain oversized, which is compatible with the prevailing character of the neighbourhood. Staff are supportive of the requested consent and minor variance application.

Application **A-81/16** requests a reduction of the minimum required interior side yard setback from 1.20 metres to 1.15 metres on the southerly property line. The variance is required to recognize the location of the existing detached dwelling, which extends into the required interior side yard as a result of a measurement error during construction. Staff is of the opinion that the variance is minor in nature, that adequate access space will be maintained, and that no adverse impacts are expected as a result of the variance.

Conclusion

Staff is satisfied that the consent requested through application B-44/16SC 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 is of the opinion that applications A-74/16 and A-81/16 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.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:

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

Charlotte McEwan
Planner I

Approved by:

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

Judy Pihach, MCIP, RPP
Manager of Planning Services



August 19, 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: A-74/16, A-81/16 and B-44/16SC
10 Spring Garden Boulevard, St. Catharines

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

The consent application (B44/16SC) has been made to sever 263 m² of land (Part 2) which will be added to the abutting southerly lot known as 10A Spring Garden Boulevard (Part 3). A 745.8 m² remnant parcel with the existing single detached dwelling (Part 1) would be retained for continued residential use. The variance application A-74/16 has been made for an increase of maximum lot area per dwelling unit from 490 m² to 1,160.5 m² (Parts 2 & 3). Application A-81/16 has been made for a reduction of the minimum southerly interior side yard setback from 1.2 metres to 1.15 metres.

Niagara Peninsula Conservation Authority Regulations:

The subject property is located adjacent to Spring Garden Creek and impacted by the associated floodplain. It is the Conservation Authority's mandate to ensure protection to life and property for development in or adjacent to flood prone areas and erosion hazards. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06). In accordance with policy 4.2, no new development, including lot creation, is permitted within the limit of the Regulatory Floodplain. The Regulatory Floodplain elevation for this section of the Creek is 83.48 metres.

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

NPCA mapping identifies that the property is impacted by a valley slope associated with the Creek. NPCA staff conducted a site visit on October 8, 2015 and determined that the property is not impacted by a valley slope.

The subject application has been made to facilitate a boundary adjustment between the two parcels of land and ensures the lands impacted by the floodplain and fish habitat setback (Part 2) are maintained under one owner. The remnant parcel (Part 1) is shown to be located outside of the Regulatory Floodplain (above 83.48 metres) and more than 15 metres from the edge of the watercourse.

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. 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 not considered a regulated valley, and since the proposed development is located no closer to the feature than the existing development, there will be no significant negative impact on the ECA feature.

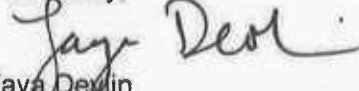
Conclusion:

Based on the above, the NPCA offers no objections to the proposed severance and increase of maximum lot area and reduction of the minimum side yard setback.

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

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

Yours truly,



Taya Dewlin
Watershed Planner (ext. 262)

Cc: Connie Mancuso, Niagara Region
Carmen Vetrone, Development Approvals Technician, Niagara Region
Craig Rohe, Planner, Niagara Region



1: 1,128

Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- Regulated Floodplain Extent**
 - Advisory (CWR)
 - Regulated
- Top of Slope Features**
 - Stable
 - Unstable
- Ontario Road Network**
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels**
 - 2K HydroPoly
 - 2K Hydrography
- AIRPORTS
- NPCA Extended Context Area

Notes

Property Inquiry

57.3 0 28.65 57.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere

© 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

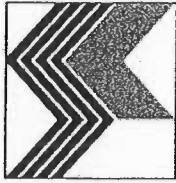
DOUG CROWN

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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 24, 2016 hearing - File No.: 300-036

B-40/16SC – 129 Moffat Street

Comment: No Comment

Condition: No Comment

B-41/16SC – 129 Moffat

Comment: No Comment

Conditions: No Comment

B-42/16SC – 189 Lockhart Drive

Comment:

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

Conditions:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to

be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-43/16SC – 113 Marsdale Drive

Comment:

- Please be advised that permits are required for the proposed single detached dwellings on Part 1 and Part 3.

Condition:

- The existing structures on Parts 1, 2, and 3 are to be removed. If any of the structures exceed 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

B-44/16SC – 10 Spring Garden Boulevard

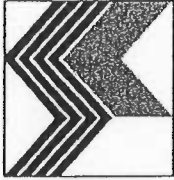
Comment:

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction 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 garage on Part 1.


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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, August 12, 2016 4:17 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

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

- 15 Canal (mv)
- 10 Spring Garden (ld)
- 10 Spring Garden (mv)
- 10A Spring Garden (mv)
- 206 Church (mv)
- 279 Grantham (mv)

Comments are forthcoming on 20 Nihan and 189 Lockhart/113 Marsdale.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

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



August 12, 2016

ENGINEERING FILE 300-36

Hearing Date: August 24, 2016

Applicant: Vince & Marco Torelli

Location: 10 Spring Garden Boulevard

MUNICIPAL SERVICES **Spring Garden Boulevard**

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

Sanitary Sewer: 200mm (8") 3.0m+ deep

Storm Sewer: None Available

Sidewalks: None

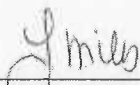
Road Allowance Width: 20.0m±

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

Comment(s):

It is noted that the Owner proposes adjust the boundary lands between 10 & 10A Spring Garden Blvd Part 2 is to be added to Part 3 being 10A Spring Garden. There are concurrent minor variance applications A-074/16SC & A-81/16SC.

Condition(s): None

Prepared By: 
Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

279 Grantham Ave

**Departmental & Agency
Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 17, 2016

Date of Meeting: August 24, 2016

Submission: A-77/16

File: 60.81.5121

Subject: 279 Grantham Avenue

Recommendation

That Submission **A-77/16** by William Fife, as outlined in the Notice of Hearing, be approved.

Summary

The purpose of this application is to permit the construction of a detached garage.

Having regard for the matters under and subsection 45 (1) of the Planning Act, Staff is satisfied that the requested variance is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends granting the requested variance.

Report

Proposed Development

Application **A-77/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) An increase of the total accessory structure coverage from 10% to 11.9%.

Location and Site Description

The subject property is located on the west side of Grantham Avenue. The property is abutted 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

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). Schedule E3 of the Garden City Plan (GCP) further designates the land as Low Density Residential, which permits a variety of residential dwelling types including detached, semi-detached, duplex, and ground oriented multiple-attached dwellings at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan. Accessory structures, including detached garages are a typical accessory use within the Low Density Residential designation.

Zoning By-law

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2) pursuant to By-law 2013-283, which permits a variety of residential dwelling types and structures accessory to this use, including detached garages. Accessory structures are defined as being incidental and secondary to the principal use on the same lot.


The requested variance is to permit an increase in the total accessory structure coverage of the proposed detached garage. Staff note that no other variances are required to permit the construction of the proposed detached garage.

The garage is located at the rear of the subject property, partially behind the existing dwelling and at the end of a long driveway. This configuration is typical of the surrounding traditional neighborhood. Staff is of the opinion that adequate amenity space will be maintained and that the proposal is compatible with the prevailing character of the neighbourhood. The proposed increase in accessory structure coverage is considered minor. No adverse impacts are anticipated as a result of the proposed variance.

Conclusion

Staff is of the opinion that variance application A-77/16 is minor in nature, is appropriate and desirable for the use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Therefore, Staff recommends that the requested variance be approved.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:

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

Charlotte McEwan
Planner I

Approved by:

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

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

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129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

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 & Building Services

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016

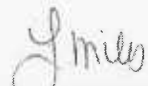
Subject: Engineering Comments to Committee of Adjustment Files

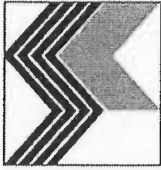
A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

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We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, August 12, 2016 4:17 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 24/16 CofA Hearing

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

- 15 Canal (mv)
- 10 Spring Garden (ld)
- 10 Spring Garden (mv)
- 10A Spring Garden (mv)
- 206 Church (mv)
- 279 Grantham (mv)

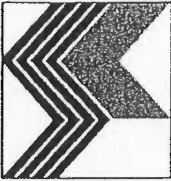
Comments are forthcoming on 20 Nihan and 189 Lockhart/113 Marsdale.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx

1136 Vansickle Road

1128 Vansickle Road

Departmental & Agency
Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 17, 2016

Date of Meeting: August 24, 2016

Submission(s): A-53/16
A-78/16

File: 60.81.5097
60.81.5122

Subject: 1128 & 1136 Vansickle Road North

Recommendation

That variances 2 – 4 of Submission **A-53/16** by 60 Plus (St. Catharines) Residence Inc., as outlined in the Notice of Hearing, be approved.

And that variance 5 of Submission **A-53/16** by 60 Plus (St. Catharines) Residence Inc., be approved as follows:

- 5) An increase of the maximum GLFA for Residential Convenience Use from 3% to 11%.

And that variance 1 of Submission **A-53/16** by 60 Plus (St. Catharines) Residence Inc., as outlined in the Notice of Hearing, be denied.

And that Submission **A-78/16** by First Reformed Church, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variances 2 – 4, and 5, as amended, of Application A-53/16 and variances 1 and 2 of Application A-78/16 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 requested variances 2 – 4, as outlined in the notice of hearing, and 5, as amended by Staff, of Application A-53/16 and variances 1 and 2 of Application A-78/16, be approved.

Proposed Development

Application **A-53/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the minimum number of required parking spaces from 200 spaces to 148 spaces.
- 2) A reduction of the landscaping within the parking area from 10% to 3%.
- 3) A reduction of the landscape strip buffer along Vansickle Road North from 6 metres to 2.9 metres.
- 4) A reduction of the landscape strip buffer abutting a Residential/Institutional/Green Space Zone along the south property line from 4 metres to 0 metres.
- 5) An increase of the maximum glfa for Residential Convenience Use from 3% to 30%.

Application **A-78/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the landscape strip buffer along interior northerly side lot line abutting a Residential/Institutional/Green Space Zone from 3 metres to 0 metres.
- 2) A reduction of the landscape strip buffer along Vansickle Road North from 3 metres to 2.9 metres.

Location and Site Description

The subject lands are located on the west side of Vansickle Road North. The property is surrounded by detached dwellings to the north, east and west, and townhouses to the south. 1128 Vansickle Road North contains an existing apartment building with 90 units and 8 townhouse units. 1136 Vansickle Road North contains a church.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Staff is not supportive of the requested parking reduction. Planning has also received Site Plan Amendment applications for both properties.

Planning Analysis

Official Plan (Garden City Plan)

1128 and 1136 Vansickle Road North are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). 1128 Vansickle Road North is further designated Medium Density Residential as per Schedule E6 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 to 99 units per hectare, subject to the policies of the GCP. 1136 Vansickle Road North is further designated Low Density Residential and as per Schedule E6 of the GCP. 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 GCP.

Zoning By-law (2013-283)

1128 Vansickle Road North is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, private road developments, apartment buildings, and long-term care facilities. 1136 Vansickle Road North 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 include detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

Application A-53/16 (1128 Vansickle Road North)

Variance 1 requests a reduction in the minimum required parking spaces that will serve the proposed 6 storey addition and the existing residential community from 200 to 148.

According to the information provided to Staff, all but two of the existing parking spaces for the residential community located at 1128 Vansickle Road North are currently assigned for use by residents, visitors and staff. City Staff recognizes that many of the spaces are not actually being used (i.e., many spaces are rented by residents who do not drive) and there appears to be excess capacity. However, evidence of this situation has not been provided by the applicant at this time. The applicant is currently working on completing a parking utilization count. The results of the count will be made available prior to the Committee of Adjustment hearing with comments from Staff, as well as a revised recommendation, if needed.

At this time, Staff is not satisfied that the reduction from 200 to 148 parking spaces will adequately serve the proposed new development. The reduction is not considered minor in nature. Staff is concerned that adverse impacts may result from the proposed reduction in parking.

Variances 2 - 4 concern the proposed parking area that is to be primarily located on 1128 Vansickle Road North, but will extend onto the 1136 Vansickle Road North property to connect with the existing church parking lot.

Section 3.13 of the Zoning By-law outlines the required landscape provisions for parking areas. There are different provisions for parking areas with 5-20 spaces, parking areas with more than 20 spaces but fewer than 100 spaces, and for parking areas with 100 or greater parking spaces. Staff note that the requested variances 2-4 are required because, in total, there will be over 100 parking spaces provided for the development. However, the proposed parking area along the easterly portion of the property only includes 12 standard parking spaces and 6 accessible parking spaces and is segregated from the existing parking area. As such, it does not have the same visual impact as a parking area with greater than 100 spaces and Staff believes that the provisions required for parking areas with 5 to 20 parking spaces are more appropriate.

Variance 2 requests a reduction of the landscaping within the parking area from 10% to 3%. Parking areas with fewer than 100 spaces do not require that a minimum of 10% of the parking area be landscaped open space. Since Staff is of the opinion that the landscape provisions for parking areas with 5-20 spots are appropriate for the subject parking area, Staff is supportive of the proposed reduction in landscaped open space and believe that proposed 3% is adequate. The variance is considered minor in nature.

Variance 3 requests a reduction of the landscape strip buffer along Vansickle Road North from 6 metres to 2.9 metres. Parking areas with 5 to 20 spaces require a 3 metre landscape buffer along a lot line that is abutting a public road or a Residential/Institutional/Green Space zone. Since Staff is of the opinion that the landscape provisions for parking areas with 5-20 spots are appropriate for the subject parking area, Staff is supportive of the proposed reduction of the landscape buffer. The variance is considered appropriate for the area and minor in nature. No adverse impacts are expected as a result of the variance.

Variance 4 requests a reduction of the landscape buffer required along a lot line that is abutting a Residential/Institutional/Green Space zone from 4 metres to 0 metres. Staff note that this variance is required because the proposed parking area that is to be located along the easterly side of the site will cross the lot line between 1128 and 1136 Vansickle Road North. There will be a shared driveway between the two properties that also necessitates this variance.

Variance 5 relates to the GLFA of Residential Convenience Use on the site. The applicant has applied for an increase in the maximum GLFA for Residential Convenience Use from 3% to 30%.

The Zoning By-law recently underwent a housekeeping amendment, which altered the definition of Residential Convenience Use. Under the original definition, common dining facilities were included in the calculation of Residential Convenience Use. However, common dining facilities were removed from the definition of Residential Convenience Use, as a result of the housekeeping amendment. Staff is supportive of the proposed increase to 11%, as it is considered appropriate given the style of the residential community. No adverse impacts are expected as a result of the minor variance. The actual GLFA of Residential Convenience Use will be checked at the site plan stage prior to final approval. It is expected to be less than the 11% being recommended.

Application A-78/16 (1136 Vansickle Road North)

Variance 1 requests a reduction of the landscape buffer required along a lot line that is abutting a Residential/Institutional/Green Space zone from 3 metres to 0 metres. Staff note that this variance is required because the proposed parking area and driveway along the easterly side of the site will cross the lot line between 1128 and 1136 Vansickle Road North. Staff is satisfied that the variance is minor in nature.

Variance 2 requests a reduction of the landscape strip buffer from 3 metres to 2.9 metres. Staff is satisfied that this variance is minor in nature and that adequate

separation distance will be maintained. No adverse impacts are anticipated as a result of this variance.

Conclusion

Staff is of the opinion that variances 2- 4 and 5, as amended by Staff, of Application A-53/16 and variances 1 and 2 of Application A-78/16, are minor in nature, are appropriate and desirable for the use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Therefore, Staff recommends that the requested variances be approved.

Staff is not satisfied that variance 1 of Application A-53/16 is minor in nature, appropriate or desirable for the use of the land or that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be denied.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Aaron Butler, M.C.I.P., R.P.P.
Planner I

Approved by:


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



August 16, 2016

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

Attention: Elaine Munro

File# 60.81.5097

Re: 1128 Vansickle Rd N

In response to your correspondence(s) dated August 9, 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

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

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

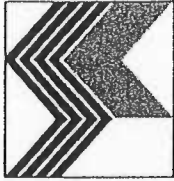
Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner



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

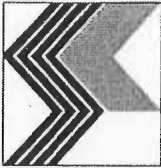
Date: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\23 bcoa memo-mv-Aug24, 2016.docx



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016


Subject: Engineering Comments to Committee of Adjustment Files

A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
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: August 12, 2016
Subject: Notice of Hearing: Minor Variance
Address: 1128 Vansickle Rd. North
File No: 60.81.5097

Please be advised that we have reviewed the above-noted application and have no comments to provide on proposed minor variances 1, 4 and 5. PRCS has no concerns with proposed minor variance 2 as the proposed parking area does not have the same visual or environmental impacts as a parking area with 100 or greater spaces. PRCS has no concerns with proposed minor variance 3 as the drawings submitted through the site plan process illustrate that the proposed landscape strip buffer along Vansickle Road North is sufficient to provide appropriate visually screening of the parking area.

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: August 12, 2016
Subject: Notice of Hearing: Minor Variance
Address: 1136 Vansickle Rd. North
File No: 60.81.5122

Please be advised that we have reviewed the above-noted application and have no comments to provide on proposed minor variances 1. PRCS has no concerns with proposed minor variance 2 as the drawings submitted through the site plan process illustrate that the proposed landscape strip buffer along Vansickle Road North is sufficient to provide appropriate visually screening of the parking area.

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

22 Cartier Drive

**Departmental & Agency
Comments**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2016

Date of Meeting: August 24, 2016

Submission(s): A-79/16

File: 60.81.5123

Subject: 22 Cartier Drive

Recommendation

That application **A-79/16**, by Matthew Froese and Elise Froese, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the attached garage be clad in brick or stone and feature a minimum of two windows facing Cabot Drive.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-79/16 is minor in nature, is desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variance be approved, subject to the conditions outlined in the recommendation.

Report

Proposed Development

Application **A-79/16** requests a reduction of the minimum required exterior side yard setback to the dwelling from 4 metres to 0.15 metres at the northwest corner.

Location and Site Description

The subject lands are located on the southeast corner of the Cartier Drive and Cabot Drive intersection. The lands are 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 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).

The variance is requested to permit the construction of a proposed attached garage. The proposed attached garage is to be built on the north side of the existing dwelling, which abuts Cabot Drive. A large boulevard separates the north property line from Cabot Drive.

Staff note that there are no other variances required to permit the construction of the garage.

The subject area is an established suburban residential neighbourhood that is characterized by relatively large lots. Many of the homes in the area feature attached garages. The proposed garage is to be located in place of the existing shed, which is to be removed, and part of the existing driveway. The proposal is in keeping with the character of the neighbourhood. The proposal will not negatively impact driver sightlines and no adverse impacts are anticipated as a result of the requested variance.

Part C, Section 4.5 of the GCP provides guidance on matters related to built form. Section 4.5 states that “compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area”.

Further, Section 4.5 outlines that “as a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that ... maximizes compatibility with the surrounding area in terms of the following matters: the placement, number, type and proportion of doors and windows, use of materials, textures and colours, and the overall scale of development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding large unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish material; roofline articulation”.

To uphold the values of Section 4.5 of the GCP and ensure that the construction of the attached garage will be compatible with the surrounding area, Staff recommend that the

attached garage be clad in brick or stone with a minimum of two windows to ensure that the proposal complements the existing.

Conclusion

Staff is satisfied that application A-79/16 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is Staff's recommendation that the requested variance be approved, subject to the condition 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, August 10, 2016 1:42 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - August 24, 2016 Committee of Adjustment, City of St. Catharines (Part 2 of 2)

Hi Elaine

I have no issues or concerns with this

15 Canal Street, Minor Variance Application – A-71/16 – 60.81.5115

129 Moffatt Street, Consent Application – B-40/16SC – 60.84.2059

129 Moffatt Street, Consent Application – B-41/16SC – 60.84.2060

20 Nihan Drive, Minor Variance Application – A-72/16 – 60.81.5116

189 Lockhart Drive, Consent Application – B-42/16SC – 60.84.2061

113 Marsdale Drive, Consent Application – B-43/16SC – 60.54.2062

113 Marsdale Drive, Minor Variance Application – A-73/16 – 60.81.5117

10 Spring Garden Blvd, Consent Application – B-44/16SC – 60.84.2063

10 Spring Garden Blvd, Minor Variance Application – A-74/16 – 60.81.5118

10A Spring Garden Blvd, Minor Variance Application – A-81/16 – 60.81.5125

206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119

279 Grantham Ave, Minor Variance Application – A – 77/16 – 60.81.5121

1136 Vansickle Road, Minor Variance Application – A-78/16 – 60.81.5122

1128 Vansickle Road, Minor Variance Application – A-53/16 – 60.81.5097

22 Cartier Drive, Minor Variance Application - A-79/16 – 60.81.5123

Thanks

Try to stay cool today

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: Firanski, Carrie (6055673) <carrie.firanski@bell.ca>
Sent: Wednesday, August 10, 2016 9:11 AM
To: Munro, Elaine
Subject: A-79/16 - 22 Cartier Drive, Minor Variance Application
Attachments: Cartier Drive_22_A_79_16.pdf

Good morning Elaine,

Upon review of the proposed severance application, Bell Canada confirms that we have existing installations over the subject lands noted above, which are protected by an existing easement registered as Instrument # 144793.

Therefore Bell Canada confirms that our existing easement rights must be maintained, and that we will not require any additional easement protection.

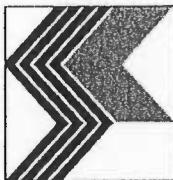
Thank you,

Carrie Firanski
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2244
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1-800-289-3657
carrie.firanski@bell.ca

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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: August 15, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 24, 2016 hearing - File No.: 300-010

NO.	ADDRESS	COMMENTS
A-53/16	1128 Vansickle Road	No Comment
A-71/16	15 Canal Street	Please be advised that a building permit is required for the proposed roof over the deck. Additionally, a permit is required for the accessory structure if it exceeds 10 square metres in building area (note that the calculation shall include area covered by a roof). Also be advised that a minor variance approval does not ensure that the applicant will be able to obtain a building permit for the existing structure constructed without a permit.
A-72/16	20 Nihan Drive	Please be advised that a building permit is required for each building to be removed and for the new addition.
A-73/16	113 Marsdale Drive	No Comment
A-74/16	10 Spring Garden Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-77/16	279 Grantham Avenue	Please be advised that a demolition permit is required for the existing garage and a building permit is required for the new garage.
A-79/16	22 Cartier Drive	Please be advised that a building permit is required for the proposed garage addition and that spatial separation requirements will be addressed during building permit review.
A-81/16	10 Spring Garden Blvd	Please be advised that the variance will change the spatial separation requirements for the construction of the existing wall and remedial work may be required.


Mark Lepp, Building Inspector II



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: August 12, 2016
Subject: Notice of Hearing: Minor Variance
Address: 22 Cartier Dr.
File No: 60.81.5123

Please be advised that we have reviewed the above-noted application and have no comments to provide on the proposed minor variance. The applicant should be advised that as part of the building permit they will be required to install tree protection fencing along the north property line during construction to protect the existing tree on the road allowance.

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 & Building Services

Cc: Charlotte McEwan, Hailey McWilliam

From: Sabrina Mills C.E.T., Development Engineering Technologist
Planning and Building Services

Date: August 12th, 2016
Hearing Date: August 24th, 2016

Subject: Engineering Comments to Committee of Adjustment Files

A 53/16SC – 1128 Vansickle Road N
A-71/16SC – 15 Canal Street
A 72/16SC – 20 Nihan Drive
A 73/16SC – 113 Marsdale Drive
A 74/16SC – 10A Spring Garden Blvd
A 75/16SC – 206 Church Street
A 77/16SC – 279 Grantham Ave
A 78/16SC -1136 Vansickle Road N
A 79/16SC – 22 Cartier Drive
A 81/16SC – 10 Spring Garden Blvd

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. For application A-79/16 for 22 Cartier Drive, the applicant should be made aware that no portion of the building eaves or gutters are permitted within the City's road allowance. We have no comments or objections to the approval of all the other variance applications noted above.

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

Regards,


Sabrina Mills, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 17, 2016

Subject: Committee of Adjustment
Public Hearings – August 24, 2016
File No. 305-17-01

Upon review of the applications, we offer the following comments:

A-053/16 – 1128 Vansickle Road

Based on additional information regarding parking assignment/utilization, we question whether there will be sufficient parking for the new development. It appears that under the current scenario, parking is assigned to each unit. If a space isn't utilized doesn't necessarily mean it will be available for another resident to use it. According to the information that was provided, these unoccupied spaces are only available to the friends and family of the owner of the space. Some of the unoccupied spaces are "rented" by other residents, which also implies ownership of the space.

Given this, whether these spaces are occupied doesn't change the parking supply. They are not available for everyone to use. If this is correct, 90 spaces plus 9 accessible spaces are committed to the existing residents. This leaves 49 spaces available for visitors, staff and the 60 new residential units. This raises the question on how parking will be allocated for the new residential units while still maintaining adequate staff and visitor parking.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner