

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) 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 requesting a further deferral granted by the Committee at the August 24, 2016 Hearing of 2-3 months as more time is needed to work on a concept plan that is more compatible with the neighbourhood.

5. Adoption of the Minutes held August 24, 2016
6. Application:
 1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
 - 57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
 - 7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
 2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
 - 15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
 3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
 - 1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
 4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
 - * 5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124
 6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
 - 491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
 - 491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
 7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
 8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
 - 153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
 - 197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
 9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
 - 5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
 10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
 11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
 12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137
7. New Business:
8. Date of next Hearing: October 5, 2016
9. Adjournment

Agenda & Comments posted on City's Website: September 9, 2016

* Planning Report will be available on Monday, September 12, 2016

59 Bloomfield Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

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

File: 60.84.2049
60.81.5101
60.81.5102

Subject: 59 Bloomfield Avenue

Recommendation

That Submission **B-29/16SC** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved, subject to the follow conditions:

That the owner:

- 1) Dedicate a road widening of approximately 1.4 metres along the frontage of both Bloomfield Avenue and Dundonald Street, to be conveyed gratuitously to the City of St. Catharines. The land is to be conveyed free and clear of any mortgages, liens or encumbrances.
- 2) Submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 3) Submit payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
- 4) Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Bloomfield Avenue and Dundonald Street to be dedicated to the City as Public Highway.
- 5) Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway.
- 6) 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 north face of the existing single detached dwelling on Part 2.

- 7) Remove the existing shed on Part 1. If any structure exceeds 10m² in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

And that variance 1 of Submission **A-57/16** by Bruce Greenlaw, as outlined in the Notice of Hearing, be denied.

And that variance 2 of Submission **A-57/16** by Bruce Greenlaw, as outlined in the Notice of Hearing, be approved.

And that Submission **A-58/16** by Bruce Greenlaw, be approved, as follows:

“A reduction of the minimum lot area per dwelling unit (Part 1) from 300m² to approximately 266m².

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consent is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance 2 of application A-57/16 and variance 1 of application A-58/16, as amended, 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 recommend that the previously noted applications be approved.

Staff recommend that variance 1 of application A-57/16 be denied, as it will not be required based on the related condition of consent regarding road widening.

Proposed Development

Application **B-29/16SC** is requesting a partial discharge of mortgage and consent to sever 284.1m² of land (Part 1 on the submitted sketch) to create a new lot known as 7 Dundonald Street for the purpose of constructing a detached dwelling. A 511m² remnant parcel with the existing detached dwelling would be retained for continued residential use.

Background

The Committee previously considered applications **B-29/16SC**, **A-57/16** and **A-58/16** at the August 3, 2016 hearing. Staff recommended that the applications be deferred to permit the applicant an opportunity to resubmit plans for the proposed development of 7 Dundonald Street that account for the road widening and to allow the applicant to reapply for accurate minor variances.

The road widenings requested by the City have not been shown on the submitted plan. Staff continue to recommend the road widenings and the Staff recommendation regarding the minor variances have been altered accordingly.

Staff note that the applications have been revised since the last submission. The original proposed lot for Part 1 required a reduction in the minimum required lot size from 300m² to 249.87m². The current application requests a minimum lot size of 284.1m² for Part 1. The remnant lot (Part 2) required an increase in lot area per dwelling unit from 465m² to 545.09m². The current application requests a lot area of 510 m². A reduction of the minimum required rear yard setback from 6.0 metres to 3.1 metres was also requested for Part 2, which is consistent with the current application.

Location and Site Description

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

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential as per Schedule E9 of the Garden City Plan. The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan. The proposed density is 25.1 units per hectare without the road widening requested by the City.

Zoning By-law (2013-283)

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

The consent application is requested to create a new lot for the purpose of constructing a detached dwelling.

When evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 b) and c) states that “consents to sever individual parcels of land will only be given where:

- b) They contribute to the infilling of areas that are already substantially developed.
- c) 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 consent. The proposed lots are desirable, as they would contribute to the infilling of a developed area, and are considered to be appropriate and compatible with the surrounding area.

The consent requires minor variances for both the proposed lot and remnant lot.

Application A-57/16 (Part 2)

Variance 1 requests an increase in lot area per dwelling unit. Staff is of the opinion that the increase is minor, and note that the variance will not be required should the road widening condition be granted by the Committee. Since Staff is recommending the road widening, Staff is also recommending Variance 1 be denied.

Variance 2 requests a reduction of the minimum rear yard setback from 6 metres to 3.1 metres. Staff note that the front yard setback to dwelling of 11.41 metres and the exterior side yard setback to dwelling of 9.07 metres well exceed the Zoning By-law requirements of 3 metres. Staff is of the opinion that adequate amenity space will be maintained and consider the variance to be minor in nature.

Application A-58/16 (Part 1)

Variance 1 requests a reduction in the minimum required lot area for a detached dwelling. Staff is the opinion that the lot is appropriate and will allow for a desirable amount of intensification for the area. No adverse impacts are expected as result of the variance.

Staff note that the minor variances the applicant has applied for do not take into account the road widening request by the City of St. Catharines. As such, if the road widening condition is granted by the Committee, the lot sizes of Part 1 and 2 would change. Part 1 would be 266m² instead of 284.1m², which would require a variance for a reduction in the minimum required lot size for a detached dwelling. Part 2 would be 450m² instead of 511m², and would no longer require a variance for an increase in lot area. After the road widening was taken, the density of the proposal would be approximately 28 units per hectare.

Road Widenings

City Staff note that the road widenings requested along Bloomfield Avenue and Dundonald Street are necessary. The existing pavement width along Bloomfield Avenue is 6.5 metres wide, while the standard width is 8.5 metres. If there are vehicles parked along both sides of the street, it is difficult for emergency vehicles to pass. There are currently no curbs, gutters or storm sewers along Bloomfield Avenue, and the road widening is required if these improvements are to be made. There are also currently no sidewalks on either side of Bloomfield Avenue and only one sidewalk on the east side of Dundonald Street. It is by Council's direction that the City is to provide sidewalks along both sides of streets, where possible. Finally, since Bloomfield Avenue connects to an unopened road allowance for Beatrice Street, there is potential that traffic volumes will increase on Bloomfield Avenue in the future.


Finally, GCP Section 5.2.1 D) states that for local roads, sidewalks should be provided on both sides of the road, where feasible.

Conclusion

Staff is satisfied that the consent requested through application B-29/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. It is Staff's recommendation that the requested consent be approved. Additionally, Staff is of the opinion that variance 2 of application A-57/16 and variance 1 of application A-58/16, as amended, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is Staff's recommendation that the requested consent and variances be approved subject to the conditions outlined in the recommendation.

Staff recommend that variance 1 of application A-57/16 be denied, as it will not be required based on the related condition of consent regarding road widenings.

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: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

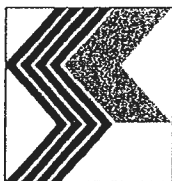
Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
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3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
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4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 7, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – September 14, 2016 hearing - File No.: 300-036

B-29/16SC – 59 Bloomfield Avenue

Comment:

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

Condition:

- The 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 north face of the existing single detached dwelling on Part 2.
- The existing shed on Part 1 is to be removed. If any of the structure exceeds 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-31/16SC – 15 Michigan Avenue

Comment:

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

Conditions:

- The existing structures on Parts 1, and 2 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-34/16SC – 439 Ontario Street

Comment: No Comment

Conditions:

- 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 northeast and southwest faces of the existing single detached dwelling on Part 1.

B-45/16SC – 491 Carlton Street

Comment:

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

Condition:

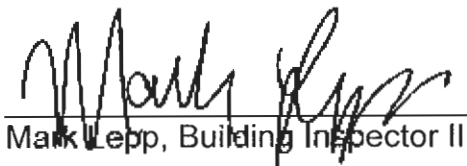
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the single detached dwelling on Part 1.

B-46/16SC – 197 Glendale Avenue

Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the semi detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

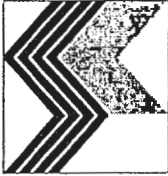
NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 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: September 1, 2016 (original: July 22, 2016)
Subject: Notice of Hearing: Consent to Sever
Address: 59 Bloomfield Ave.
File No: 60.84.2049

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

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

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

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

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

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing

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



September 1, 2016

ENGINEERING FILE 300-36

Hearing Date: September 14, 2016

Applicant: Bruce Greenlaw

Location: 59 Bloomfield Avenue / 7 Dundonald Street

MUNICIPAL SERVICES

	Bloomfield Avenue	Dundonald Street
Water:	150mm (6")	150mm (6")
Sanitary Sewer:	200mm (8")	None available along the frontage
Storm Sewer:	None	None
Sidewalks:	No	Yes
Road Allowance Width:	18.29m±	16.0m±

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

Comment(s): It is noted that the Applicant proposes to sever 284.1m² of land (Part 1) creating a new lot to be known as 7 Dundonald Street for the purposes of constructing a single detached dwelling. A 511.0m² remnant parcel (Part 2) will be retained for continued residential use.

Bloomfield Avenue is designated a Local road per the City's Official plan with a desired right-of-way width of 20.12m. Its current width along this section is deficient at 15.2m±. Dundonald Street is designated a Local road per the City's Official Plan with a desired right-of-width of 20.12m. Its current width along this section is also deficient at 15.2m±. The Applicant shall dedicate 1.40m road widenings along both frontages of Bloomfield Avenue and Dundonald Street to the City as Public Highway to attain 18.0m rights-of-way widths as previously requested.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, nor the City boulevard. Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Dundonald Street, sump pump flows shall be required to discharge to grade to the front yard.

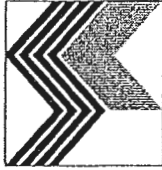
An individual sanitary service and water service is required to be provided to the proposed lot at 7 Dundonald Street. City crews shall install the portions of the services within the road allowance to the subject lot. The Applicant shall be required to pay for crews to provide these services at the time a building permit application has been made with the City.

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

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Bloomfield Avenue and Dundonald Street to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway



Prepared By: _____
Brad Johnston, 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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive


Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

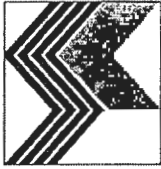
The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

15 Michigan Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

Submission(s): B-31/16SC
A-97/16

File: 60.84.2051
60.81.5140

Subject: 15 Michigan Avenue

Recommendation

That Submission **B-31/16SC** by Leo Di Fabio and Antonio Di Paola, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the existing structures on Parts 1 and 2 be removed. If any of the structures exceed 10m² 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.
- 2) That the applicant submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 3) That payment of 5% of the appraised value of the new lot (Part 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.
- 4) That the applicant pay to the City, the fees for City crews to inspect and trace the existing sanitary and water services in order to determine whether the services currently cross future lot lines.

And that Submission **A-97/16** by Leo Di Fabio and Antonio Di Paola, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is of the opinion that the consent is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-74/16 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 consent and variance, be approved.

Proposed Development

Application **B-31/16SC** is requesting a consent to sever 534m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 15A Michigan Avenue for the purpose of constructing a detached dwelling. A 371m² remnant parcel of land with an existing detached dwelling (Part 2) would be retained for residential use.

Location and Site Description

The subject property is located on the west side of Michigan Avenue, north of Lakeport Road. The subject property is surrounded by Port Dalhousie Harbour area lands to the northwest, and detached dwellings to the north, south and east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E1 of the GCP. 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 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 purpose of the consent application is to create two lots for the purpose of constructing two detached dwellings. A minor variance is required for Part 1, as it exceeds the maximum lot area permitted for a detached dwelling in the R2 zone.

Staff note that the lot line separating Part 1 and Part 2 was originally straight, but was altered at the request of the NPCA. The property is abutted to the northwest by a bank that separates the dwellings on the north side of Michigan Avenue from the Waterfront Trail and Lake Ontario. The NPCA requires a 15 metre setback from the physical top of

bank to prevent potentially unsafe development, minimize property damage and protect riverine flood plains and erosion susceptible shoreline areas.

The NPCA's request is supported by the following policy in Part D, Section 13.2.2.9 the GCP:

- "Where development, redevelopment or site alteration is approved in or adjacent to Natural Hazard Lands or Natural Heritage, new lots thus created shall not extend into either the area to be retained in a natural state or the required adjacent buffer zone identified through an EIS".

Prior to the alteration of the lot line to meet the required NPCA setback, no minor variance would have been required for an increase in the maximum lot area for a detached dwelling for Part 1. The requested variance will allow the subject property to be severed despite environmental constraints. Staff are of the opinion that the variance is minor in nature and that no adverse impacts will result from the requested variance.

When evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 b) and c) states that "consents to sever individual parcels of land will only be given where:


- b) They contribute to the infilling of areas that are already substantially developed.
- c) The size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area."

The established neighbourhood is comprised of a diverse mix of lot shapes and sizes. The subject lot is currently one of the larger lots in the area and also has one of the wider frontages. The proposed consent would create two new lots that would be closer to the average lot size in the area, and are appropriate for the proposed use. The new lots would have frontages that would be in line with some of the more narrow frontages in the area and will meet the Zoning-By Law requirements for frontage. Staff is of the opinion that the lots will be compatible with the surrounding area, that the consent meets the intent of the Official Plan and that there will be no negative impacts on adjacent properties as a result of the proposed consent.

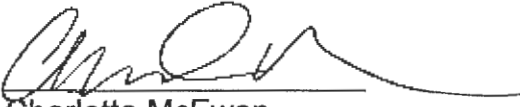
Conclusion

Staff is satisfied that the consent requested through application B-31/16SC 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 application A-97/16 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 consent and variance be approved subject to the conditions outlined in the recommendation.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach MCIP, RPP
Manager of Planning Services



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

September 8, 2016

File No. MPR 2.13

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

Attn: Elaine Munro, Secretary-Treasurer

Subject: B-31/16SC and A-97/16
15 Michigan Avenue, St. Catharines

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

The application has been made for consent to sever 534 m² of land (Part 1) creating a new lot to be known as 15A Michigan Avenue for the purpose of constructing a single detached dwelling. A 371 m² remnant parcel (Part 2) would be retained for the purpose of constructing a single detached dwelling.

There is a concurrent minor variance application (A-79/16) which has been made for an increase of the maximum lot area per dwelling unit from 465 m² to 534 m² (Part 1) for a proposed single detached dwelling.

Niagara Peninsula Conservation Authority Regulations:

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

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

In accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O.REG 155/06), the Authority regulates all development (including lot lines) within 15 metres of the physical top of bank. NPCA staff conducted a site visit on July 26, 2016 and determined the location of the NPCA Approved Physical Top of Bank (as shown on the plan submitted). In accordance with Policy 4.3, the Authority shall require that consent applications identify a suitable building envelope within the lot to be created and the lot that is retained, while maintaining the required setbacks from the valleyland.

The subject application proposes the creation of a new lot (Part 1) and the retention of a remnant parcel (Part 2) for the purpose of constructing a single detached dwelling on each lot. The proposed lot line (between Parts 1 and 2) is located more than 15 metres from the NPCA approved physical top of slope and ensures Part 2 is located entirely outside of the 15 metre setback associated with the valley slope. The plan submitted also shows a proposed building envelope more than 15 metres from the physical top of bank on both lots (Parts 1 and 2). As such, NPCA staff are satisfied that the subject application will not result in any fragmentation of the valley slope and a suitable building envelope has been identified on both the lot to be created and the lot to be retained.

Niagara Region Core Natural Heritage Comments:

In addition to commenting on proposals with respect to the Conservation Authority's regulations noted above, this agency has entered into a Memorandum of Understanding (MOU) with the Region of Niagara. In accordance with this MOU, the Conservation Authority has a responsibility to review and provide comments on planning applications as they relate to the Natural Environment on the Region's behalf. As such, the following comments pertain to the Core Natural Heritage System Policies within the Regional Official Plan.

The Region's Core Natural Heritage Mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline associated with Martindale Pond. Based on our review and the NPCA's site visit, NPCA staff are satisfied that the extent of the ECA feature is contained within 7.5 metres of the physical top of bank. In accordance with Policy 7.B.1.11, development and site alteration may be permitted within or adjacent to an ECA (within 50 metres) provided it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands over the long term. This can be accomplished through the completion of an Environmental Impact Study (EIS). If a proposed single residential lot is to be located entirely within lands adjacent to an ECA feature, the requirement for an EIS may be waived (Policy 7.B.1.29). The subject application shows all proposed development (lot lines, building envelopes) more than 15 metres from the physical top of bank, and as such, are satisfied the proposed development is located within the lands adjacent to the identified ECA feature, there will be no significant negative impact on the identified ECA feature and the EIS requirement can be waived.

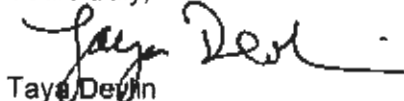
Conclusion:

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

Any future works proposed on the properties will require NPCA review and approvals prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer (i.e. within 15 metres of the NPCA Approved Physical Top of Bank) will require a work permit from this office, and possible further studies, in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

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

Yours truly,



Taya Devlin

Watershed Planner (ext. 262)

cc: Craig Rohe, Senior Development Planner, Niagara Region
Connie Mancuso, Program Assistant, Niagara Region



Legend

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

Notes

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIQ, 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: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



September 2, 2016

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

Attention: Elaine Munro

File# 60.84.2051 & 60.81.5140

Re: 15 & 15A Michigan Ave

In response to your correspondence(s) dated August 30, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

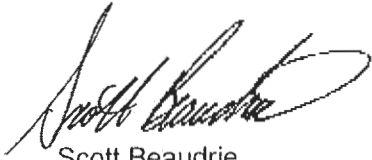
- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.horizonutilities.com.

We would also like to stipulate the following:

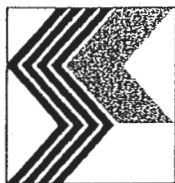
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7- 10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-521-4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", with a stylized flourish at the end.

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: September 7, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – September 14, 2016 hearing - File No.: 300-036

B-29/16SC – 59 Bloomfield Avenue

Comment:

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

Condition:

- The 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 north face of the existing single detached dwelling on Part 2.
- The existing shed on Part 1 is to be removed. If any of the structure exceeds 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-31/16SC – 15 Michigan Avenue

Comment:

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

Conditions:

- The existing structures on Parts 1, and 2 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-34/16SC – 439 Ontario Street

Comment: No Comment

Conditions:

- 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 northeast and southwest faces of the existing single detached dwelling on Part 1.

B-45/16SC – 491 Carlton Street

Comment:

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

Condition:

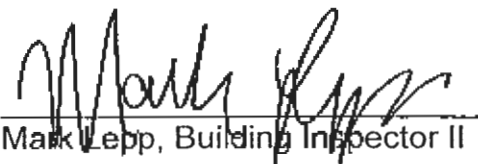
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the single detached dwelling on Part 1.

B-46/16SC – 197 Glendale Avenue

Comment: No Comment

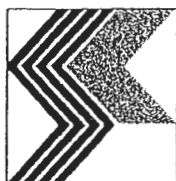
Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the semi detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bdg memo 2016\25 bcoa memo-mv-Sep14, 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 31, 2016 (Original: July 22, 2016)
Subject: Notice of Hearing: Consent to Sever
Address: 15 Michigan Ave.
File No: 60.84.2051

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

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

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

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing

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



September 1, 2016

ENGINEERING FILE 300-36

Hearing Date: September 14, 2016

Applicant: Leo Di Fabio & Antonio Di Paola

Location: 15 Michigan Avenue

MUNICIPAL SERVICES

Michigan Avenue

Water: 200mm (8")

Sanitary Sewer: 250mm Clay 2.50m(8') ± depth
450mm (18") Relief sewer

Storm Sewer: 375mm (15")

Sidewalks: Yes

Road Allowance Width: 20.12m±

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

Comment(s): It is noted that the Applicant proposes to sever 534m² of land (Part 1) creating a new lot to be known as 15A Michigan Avenue for the purposes of constructing a single detached dwelling. A 371m² remnant parcel (Part 2) will be retained for the purposes of constructing a single detached dwelling.

Michigan Avenue is designated a Local road per the City's Official plan with a desired right-of-way width of 20.12m. Its current width along this section is 20.12m±, therefore the City will not be requesting a road widening as part of this application.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lots conveys drainage flows to a suitable outlet and do not adversely affect abutting properties, nor the City boulevard. Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exists. Since a storm sewer exists on Michigan Avenue, sump pump flows shall be required to discharge via storm laterals to the existing storm sewer on Michigan Avenue.

Individual sanitary, storm service and water service laterals are required to be provided to each proposed lot. City crews shall install the portions of the services within the road allowance to the subject lots. The Applicant shall be required to pay for crews to provide these services at the time a building permit application has been made with the City.

A 100mm (4") sanitary lateral currently services the existing lot, which may be reused if verified through a TV and tracing inspection that is of sufficient condition and does not cross any future abutting lot line.

Subsequently, a 20mm (3/4") water service currently services the existing lot, which also may be reused for one of the proposed lots, conditional it does not cross any future abutting lot lines, and it is verified that the size is adequate to service the proposed dwelling based on the amount of proposed fixture units.

Condition(s):

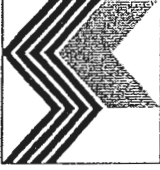
The Applicant shall:

- Pay to the City the fees for City crews to inspect and trace the existing sanitary and water services in order to determine whether the services currently cross future lot lines



Prepared By: _____

Brad Johnston, 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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Herley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive


Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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

439 Ontario Street

Departmental &
Agency Comments

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137

VIA E-MAIL ONLY

July 29, 2016

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

Consent Application B-34/16SC

Proposal: B-34/16SC - To sever Part 1 (900 sq. m.), from the church, to be used for existing single detached dwelling to be known as 1 Royal Henley Boulevard
Location: N/W corner Regional Road 42 (439 Ontario Street) at Royal Henley Boulevard
In the City of St. Catharines
Our File: CS-16-067

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

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

1) Regional Road Allowance

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

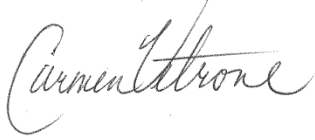
2) Protection of Survey Evidence

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

Conclusion

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

Sincerely,

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

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

CV/

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

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

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

File: 60.84.2054
60.81.5108

Subject: 439 Ontario Street

Recommendation

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

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

Summary

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

Staff recommends that the requested consent and variance be denied.

Background

The Committee previously considered applications **B-34/16SC** and **A-64/16** at the August 3, 2016 hearing. Staff recommended that the applications be denied. The Committee of Adjustment deferred the applications to allow the applicant to revise the applications to reflect Staff's comments.

Staff notes that the applications have been revised since the last hearing. Previously, the applicant applied to sever 900m² to create a new lot known as 1 Royal Henley Boulevard. A minor variance was requested to increase the maximum lot area per dwelling unit for a detached dwelling from 490m² to 900m² to facilitate the consent.

Proposed Development

Application **B-34/16SC** is requesting a consent to sever 675m² of land (Part 1 on the submitted sketch) to create a new lot to be known 1 Royal Henley Boulevard for the purpose of severing the existing detached dwelling from the church. A 7,584.2m² remnant parcel of land with the existing church and shed (Part 2) would be retained for institutional use.

Application **A-64/16** is requesting an increase in the maximum lot area per dwelling unit (Part 1) from 490m² to 675m² for the detached dwelling.

Location and Site Description

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

Circulation of Application

The application was circulated to all appropriate departments and agencies.

Planning 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, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan. The proposed density is 14.8 units per hectare.

Zoning By-law (2013-283)

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

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

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

Additionally, when evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 c) states that "consents to sever individual parcels of land will only be given where:


- The size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area."

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

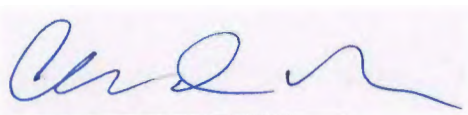
Conclusion

Staff does not believe that the consent requested through application B-34/16SC is desirable or compatible with the surrounding area. It is Staff's recommendation that the requested consent be denied. Staff is also of the opinion that variance application A-64/16 is not minor in nature, appropriate or desirable for the use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained. Therefore, Staff recommends that the requested variance be denied.

Prepared by:

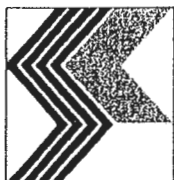

Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach MCIP, RPP
Manager of Planning Services



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: September 7, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – September 14, 2016 hearing - File No.: 300-036

B-29/16SC – 59 Bloomfield Avenue

Comment:

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

Condition:

- The 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 north face of the existing single detached dwelling on Part 2.
- The existing shed on Part 1 is to be removed. If any of the structure exceeds 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-31/16SC – 15 Michigan Avenue

Comment:

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

Conditions:

- The existing structures on Parts 1, and 2 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-34/16SC – 439 Ontario Street

Comment: No Comment

Conditions:

- 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 northeast and southwest faces of the existing single detached dwelling on Part 1.

B-45/16SC – 491 Carlton Street

Comment:

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

Condition:

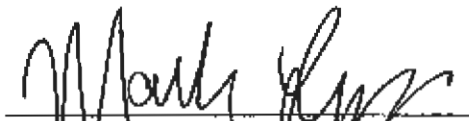
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the single detached dwelling on Part 1.

B-46/16SC – 197 Glendale Avenue

Comment: No Comment

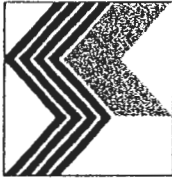
Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the semi detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

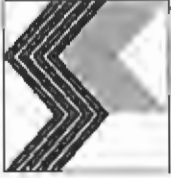
NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 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: September 1, 2016 (Original: July 22, 2016)
Subject: Notice of Hearing: Consent to Sever
Address: 439 Ontario St.
File No: 60.84.2054

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

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

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

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-34/16SC



September 1, 2016

ENGINEERING FILE 300-36

Hearing Date: September 14, 2016

Applicant: Church of Christ – Steve Smith

Location: 439 Ontario Street

MUNICIPAL SERVICES

	Ontario Street	Royal Henley Boulevard
Water:	300mm (12") C.I. 150mm (6") A.C.	200mm (8") D.I.
Sanitary Sewer:	250mm (10") A.C. 1650mm (65") Regional trunk	200mm (8") A.C.
Storm Sewer:	675mm (27")	300mm (12")
Sidewalks:	Yes	None
Road Allowance Width:	26.0m± (86') / 22.0m± (72')	20.12m± (66')

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

Comment(s): It is noted that the Applicant proposes to sever 675m² of land (Part 1) creating a new lot to be known as 1 Royal Henley Boulevard for the purposes of severing the existing single detached dwelling from the existing church. A 7,584.2m² remnant parcel (Part 2) will be retained for the purposes of continued institutional use for the existing church and shed.

Ontario Street is designated a Regional Arterial road per the City's Official plan with a desired right-of-way width of 26.2m. Its current width along this section varies and is the jurisdiction of the Regional Municipality of Niagara, therefore the City cannot comment on a requesting road widening along Ontario Street.

Royal Henley Boulevard is designated a Local road per the City's Official Plan with a desired right-of-way width of 20.12m. Its current width is 20.12m, sufficient for the City's needs, therefore the City shall not be requesting a road widening along the Royal Henley Boulevard frontage of the property as a part of this application.

It must be noted that individual properties must have their own individual services, therefore a condition of this consent application shall be that both the Church and the domestic dwelling inspect and trace the existing water and sanitary services for both buildings to ensure that they do not cross proposed future lot lines. If it is determined that existing service cross future property lines, then individual services shall be provided to each property at the cost of the Applicant, in accordance with the City's current Schedule of Rates and Fees.

Condition(s):

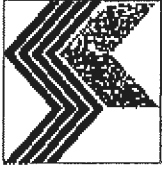
The Applicant shall:

- Pay to the City the fees for City crews to inspect and trace both sanitary and water services for both the Church and the single family dwelling, in order to determine whether individual services exist.
- If services are determined to cross future lot lines, the applicant pay to the City the fees for City crews to decommission and provide new services to the buildings that do not cross future lot lines



Prepared By: _____

Brad Johnston, 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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

206 Church Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

Submission(s): A-75/16

File: 60.81.5119

Subject: 206 Church Street

Recommendation

That application **A-75/16** by Deborah Conrad, as outlined in the Notice of Hearing, be approved, as follows:

“A reduction of the required parking spaces for a triplex dwelling from 3 spaces to 0 spaces”

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is satisfied that the variances requested by application A-75/16, as amended, 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.

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. The Traffic Department does not support a reduction in parking stall size from 3.5 metres to 3.0 metres.

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 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.

Part D, Section 12.1 of the GCP states that for lands currently designated mixed use, parking requirements may be minimized, and shared parking and access is encouraged in order to reduce street front parking areas and support transit friendly development.

Additionally, the GCP identifies that the parking strategy for the Downtown should be reviewed with the purpose of reducing or eliminating parking requirements for commercial and residential development, redevelopment and intensification, and supporting public parking programs and facilities.

Staff is not supportive of a reduction in the width of the parking stalls. However, considering the above noted policies of the GCP, Staff is prepared to support a reduction from three parking spaces to zero parking spaces. The driveway is existing, but there are no recognized parking spaces on the subject property. As such, the second variance requesting that the two parking spaces be permitted in tandem would no longer be required.

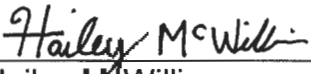
Staff is of the opinion that the reduction in parking is suitable for the subject property. The area is located within the Downtown Planning District and is well serviced by public transportation. Staff considers the variance to be minor and compatible with the surrounding area. No adverse impacts are expected as a result of the amended variance.

Conclusion


Staff is of the opinion that application A-75/16 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, as amended.

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: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

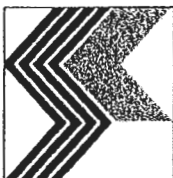
Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment


 Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

491 Carlton Street

Departmental &
Agency Comments



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 9, 2016

Date of Meeting: September 14, 2016

Submission(s): B-45/16SC
A-82/16
A-83/16

File: 60.84.2064
60.81.5125
60.81.5126

Subject: 491 Carlton Street

Recommendation

That Submission **B-45/16SC** by Miele Drywall Services Ltd., as outlined in the Notice of Hearing, be approved subject to the following conditions:

That the owner:

- 1) Submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) Submit payment of 5% of the appraised value of the new lot (Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
- 3) Prepare a Reference Plan for review and approval by the City identifying the road widening of up to 3.04 metres along Grantham Avenue to be dedicated to the City as Public Highway.
- 4) Submit and register the reference plan to dedicate a road widening of up to 3.04 metres along Grantham Avenue to the City of St. Catharines as Public Highway.
- 5) Pay to the City the fees for City crews to fill the existing southerly curb cut along the Grantham Avenue frontage of Part 1.
- 6) Satisfy the Chief Building Official for the City of St. Catharines that the spatial separation 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 east face of the single detached dwelling on Part 1.

That Application **A-82/16**, by Miele Drywall Services Ltd., as outlined in the Notice of Hearing, be denied.

That Application **A-83/16**, by Miele Drywall Services Ltd., 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 application 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 variance A-83/16, 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 that the requested consent and variance be approved.

Staff recommends that application A-82/16 be denied, as it will not be required based on the related condition of consent regarding road widening.

Report

Proposed Development

Application **B-45/16SC** is requesting a consent to sever 451.39m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 491A Carlton Street for the purpose of constructing a single detached dwelling. A 538m² remnant parcel with the existing detached dwelling (Part 1) would be retained for continued residential use.

Application **A-82/16** requests an increase of the maximum lot area per dwelling unit (Part 1) from 490m² to 538m².

Application **A-83/16** requests a reduction of the minimum lot frontage from 15 metres to 14.24 metres.

Location and Site Description

The subject lands are located on the northeast corner of Carlton Street and Grantham Street. 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 as

per Schedule E3 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple-attached dwellings at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan. The proposed density is 20.2 units per hectare.

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.

When evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 b) and c) states that “consents to sever individual parcels of land will only be given where:

- b) They contribute to the infilling of areas that are already substantially developed.
- c) 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 application for consent. The proposed lots are desirable, as they would contribute to the infilling of a developed area, and are considered to be appropriate and compatible with the surrounding area. There are nearby lots on Carlton Street and Grantham Avenue that are of a similar size and have similar frontages as the lots proposed.

Application A-82/16 requested a variance for an increase of the maximum lot area per detached dwelling (Part 1) from 490m² to 538m².

Staff note that the City is requesting a road widening of up to 3.04 metres along Grantham Avenue. The road widening would reduce the lot area of Part 1 by at least 90m², which would put the lot into compliance with the Zoning By-law's requirements for lot area for a detached dwelling. As such, no minor variance for an increase in maximum lot area will be required for Part 1. Staff recommend that the application be denied.

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.

The detached dwelling lawfully exists at 491 Carlton Street. Thus, no further variances would be required for Part 1 as a result of the road widening, should the condition be granted.

Staff note that the road widening condition does not affect Part 2.


Application A-83/16 requests a reduction in the required frontage from 15 metres to 14.24 metres for Part 2. Staff is of the opinion that the variance is minor in nature and that no adverse impacts will result from the requested variance. No other variances are required to facilitate the creation of Part 2. Staff note that the lot line is irregular in order to accommodate the sanitary lateral that is to service Part 1, as the lateral cannot cross lot lines.

Conclusion

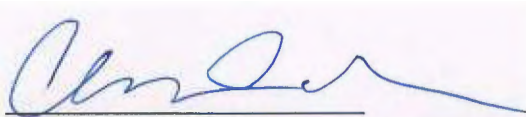
Staff is satisfied that the consent requested through application B-45/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that application A-83/16 is 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 consent and variance be approved.

Staff recommends that application A-82/16 be denied, as it will not be required based on the related condition of consent regarding road widening.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Via E-mail Only

September 6, 2016

File: D.06.08.CS-16-080

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

Dear Ms. Munro:

**Re: Regional and Provincial Comments
Consent Application
City File B-45/16SC
491 Carlton Street (Regional Road 83)
City of St. Catharines**

Niagara Region Planning and Development Services staff has reviewed the provided consent application for 491 Carlton Street (Regional Road 83) in the City of St. Catharines. The application and supporting materials were received with fees on September 1, 2016.

The application proposes to sever 451.3m² of land (Part 2 on the submitted sketch dated August 17, 2016) from a 0.09 hectare parcel of land to facilitate the development of a new single detached dwelling. A 538m² remnant parcel (Part 1) currently contains a new single detached dwelling that is under construction.

Regional staff notes that a pre-consultation meeting was not held for this application.

The following Provincial and Regional comments are provided to assist the City in considering this consent application.

Regional Road 83

The subject properties (Part 1 and Part 2) have frontage on Regional Road 83 (Carlton Street). Based on a review of the provided drawings, the road allowance width across the frontage of the subject property is 13.1 meters from the centerline of the road, and consistent with the requirements in the Regional Official Plan. Therefore, a road widening is not required at this time.

Regional Permit Requirements

There are two accesses proposed for this development; one from Part 1 onto Grantham Avenue (local), and one from Part 2 onto Carlton Street (Regional Road 83).

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

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

Conclusion

Regional staff has no objection to the consent subject to the discussion above, and the condition included in the Appendix.

If you have any questions or wish to discuss these comments, please contact me at extension 3177 or Craig Rohe, Senior Development Planner (T), at extension 3442.

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

Sincerely,



Adam Motchka
Development Approvals Technician

cc. Craig Rohe, Senior Development Planner (T), Niagara Region
Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region

APPENDIX

REGIONAL CONDITIONS OF SITE PLAN APPROVAL

491 CARLTON STREET

1. That prior to any construction taking place within the Carlton Street (Regional Road 83) road allowance, the owner shall obtain a Regional Construction Encroachment and Entrance Permit from the Permits section of the Niagara Region Transportation Services Division.

Munro, Elaine

From: Motchka, Adam <Adam.Motchka@niagararegion.ca>
Sent: Tuesday, September 06, 2016 2:36 PM
To: Munro, Elaine
Cc: Busnello, Pat; Rohe, Craig
Subject: Regional Response - 491 Carlton Street - Consent to Sever
Attachments: Regional Response -(CS-16-080)-491 Carlton Street.pdf

Hi Elaine,

Please find Regional comments attached pertaining to the application for a consent to sever on lands known municipally as 491 Carlton Street in the City of St. Catharines.

If you have any questions or would like to discuss these further please contact me at extension 3177.

Adam Motchka

Development Approvals Technician
Planning and Development -Development Planning, Niagara Region
1815 Sir Isaac Brock Way, PO Box 1042, Thorold L2V 4T7
Phone: 905-980-600 ext. 3177 Toll-free: 1-800-263-7215
www.niagararegion.ca

The Regional Municipality of Niagara Confidentiality Notice The information contained in this communication including any attachments may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, disclosure, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you.

Click [here](#) to report this email as spam.



September 2, 2016

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

Attention: Elaine Munro

File# 60.84.2064, 60.81.5126 & 60.81.5125

Re: 491 & 491A Carlton St

In response to your correspondence(s) dated August 30, 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", with a stylized flourish at the end.

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

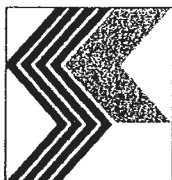
Hi Elaine

I have no issues or concerns with this 12 hearings

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57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
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11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 7, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – September 14, 2016 hearing - File No.: 300-036

B-29/16SC – 59 Bloomfield Avenue

Comment:

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

Condition:

- The 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 north face of the existing single detached dwelling on Part 2.
- The existing shed on Part 1 is to be removed. If any of the structure exceeds 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-31/16SC – 15 Michigan Avenue

Comment:

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

Conditions:

- The existing structures on Parts 1, and 2 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-34/16SC – 439 Ontario Street

Comment: No Comment

Conditions:

- 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 northeast and southwest faces of the existing single detached dwelling on Part 1.

B-45/16SC – 491 Carlton Street

Comment:

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

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 east face of the single detached dwelling on Part 1.

B-46/16SC – 197 Glendale Avenue

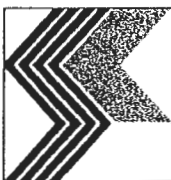
Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the semi detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.


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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment


 Mark Lepo, Building Inspector II

Cc: Files, 500-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 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: September 1, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 491 Carlton St.
File No: 60.84.2064

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

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

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

That payment of 5% of the appraised value of the new lot (Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine

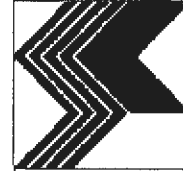
Sent: Tuesday, August 30, 2016 2:24 PM

To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina

Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra

Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-45/16SC



September 9, 2016

ENGINEERING FILE 300-36

Hearing Date: September 14, 2016

Applicant: Miele Drywall Services Ltd.

Location: 491 Carlton Street

MUNICIPAL SERVICES

	Carlton Street	Grantham Avenue
Water:	300mm (12") P.V.C.	300mm (12") P.V.C.
Sanitary Sewer:	200mm (8") 1050mm (42") 200mm (8")	None
Storm Sewer:	1650mm (65")	1650mm (65") 1200mm (47")
Sidewalks:	Yes	Yes
Road Allowance Width:	20.12m± (66')	20.12m± (66')

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

Comment(s): It is noted that the Applicant proposes to sever 451.3m² of land (Part 2) creating a new lot to be known as 491A Carlton Street for the purposes of constructing a single detached dwelling. A 538m² remnant parcel (Part 1) will be retained for continued residential use of the existing single detached dwelling.

Carlton Street is designated a Regional Arterial road per the City's Official plan with a desired right-of-way width of 26.2m. Its current width along this section is 20.12m± (66') and under the jurisdiction of the Regional Municipality of Niagara, therefore the City cannot comment on a requesting road widening along Carlton Street at this time.

Grantham Avenue is designated an Arterial road per the City's Official Plan with a desired right-of-way width of 26.2m (86'). Its current width is 20.12m, deficient for the City's needs, therefore the City shall be requesting a road widening of *up to* 3.04m (10') along the Grantham Avenue frontage of the property as a condition of severance.

The Applicant will also require an additional water service be provided, since the lot's original water service has been reused for the existing dwelling currently under construction on Part 1.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, nor the City boulevard. Sump pump flows are typically discharged to grade, when no

opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Carlton Street, sump pump flows may be discharged to the roadside catchbasin, at the discretion of the Regional Municipality of Niagara, otherwise, it shall discharge to grade away from abutting properties and to the front/rear of the dwelling.

A pre-existing curb cut for the original lot remains along the Grantham Avenue frontage, which currently acts as a second driveway entrance. The Applicant shall pay to the City the fees for City crews to fill the existing southerly curb cut along Part 1 of the Grantham Avenue frontage.

Condition(s):

The Applicant shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Carlton Street to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway
- Pay to the City the fees for City crews to fill the existing southerly curb cut along the Grantham Avenue frontage of Part 1.

Prepared By:



for Brad Johnston, 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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

68 Newport Street

Departmental &
Agency Comments

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 5, 2016

Date of Meeting: September 14, 2016

Submission(s): A-84/16

File: 60.81.5127

Subject: 68 Newport Street

Recommendation

That Submission **A-84/16** by Dorothy Johnston, 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 satisfied that variance A-84/16 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 that the requested variance be approved.

Report

Proposed Development

The purpose of this minor variance application is to allow for a larger building footprint to be built in the future.

Application **A-84/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the required minimum exterior side yard setback from 3.0 metres to 1.2 metres.

Location and Site Description

The subject property is located on the east side of Newport Street. The property is surrounded by detached dwellings to the north and west, vacant land that is zoned Medium Density Residential to the south, and general employment uses 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 (GCP). The subject property is further designated Low Density Residential as per Schedule E2 of the GCP. 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 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 applicant has requested a reduction in the exterior side yard setback from 3.0 metres to 1.2 metres, which is the required interior yard setback. No development is currently proposed for the site. The reduction in the side yard is requested to permit a larger building footprint, should the land be developed in the future.


The 3.0 metre setback is required because the property's southerly property line is abutted by an unopened road allowance. The unopened road allowance is currently zoned Minor Green Space and functions as a Waterfront Trail connection.

If utilized, the road allowance would connect the established, low density residential area to an industrial park. The current lack of vehicular connection between the low density residential uses and industrial uses provides some buffering, which is considered desirable. Staff is satisfied that due to the nature of the area, the road allowance will remain unopened for the foreseeable future. It is the opinion of Staff that the interior side yard setback is appropriate given that the property is abutted by the Waterfront Trail. Staff considers the variance to be minor in nature and no adverse impacts are expected as a result of the requested variance.

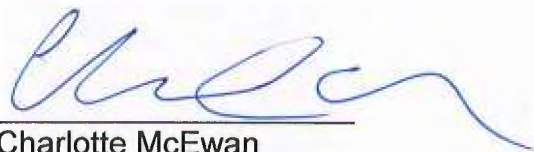
Conclusion

Staff is satisfied that the variance requested through application A-84/16 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.

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 Pilhach', written over a horizontal line.

Judy Pilhach, MCIP, RPP
Manager of Planning Services



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

September 9, 2016

File No. MPR 3.13
PLMV201600070

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

BY EMAIL ONLY

Attn: Elaine Munro, Secretary-Treasurer

Subject: A-84/16
68 Newport Street, St. Catharines

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

- 1) A reduction of the minimum exterior side yard setback from 3 metres to 1.2 metres.

The variance is requested to allow an increase of the building footprint on the vacant lot.

Niagara Peninsula Conservation Authority Regulations:

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

Niagara Region Core Natural Heritage Comments:

In addition to commenting on proposals with respect to the Conservation Authority's regulations noted above, this agency has entered into a Memorandum of Understanding (MOU) with the Region of Niagara. In accordance with this MOU, the Conservation Authority has a responsibility to review and provide comments on planning applications as they relate to the Natural Environment on the Region's behalf. As such, the following comments pertain to the Core Natural Heritage System Policies within the Regional Official Plan.

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for Significant Woodland at the rear (east) of the subject property. In accordance with Regional Policy 7.B.1.11, development and site alterations may be permitted within an ECA, or on lands adjacent to (i.e. within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. The subject proposal is for a reduction of the side yard setback to facilitate an increase of the building footprint. NPCA staff are satisfied that the proposed area of development is shown in the adjacent lands to the ECA feature and the variance is to permit an increased width in the building footprint and would not result in development taking place any closer to the ECA Significant Woodland than what currently exists.

NPCA staff would note that there are 3-5 trees, separate from the ECA feature, currently on the property that may need to be removed to accommodate the development. These trees should be identified before removal to ensure they are not Species at Risk. If they are confirmed to be Species at Risk, the MNRF should be contacted (Michelle Karam, MNRF Management Biologist, michelle.karam@ontario.ca, 905-562-0041), as should the NPCA.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application.

Lastly, please note that due to the identified features on the property, any future works proposed will require NPCA review prior to the commencement of the works on site and may require further studies and a work permit from this office in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (**O. Reg. 155/06**)".

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

Yours truly,


















Tava Devlin
Watershed Planner (ext. 262)

Cc: Carmen Vetrone, Development Approvals Technician, Niagara Region
Connie Mancuso, Program Assistant, Niagara Region



Legend

-  Campsites
-  Contours 2010 (1m)
-  Corporate Watershed Divide N
-  NPCA APPROXIMATE REGULATORY
-  ECA: Significant Woodlands
- Ontario Road Network**
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
-  Assessment Parcels
-  2K HydroPoly
-  2K Hydrography
-  AIRPORTS
- SWOOP_2015**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

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

1: 1,000 

Notes

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

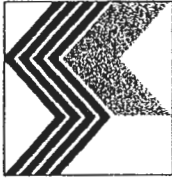
Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment


 Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

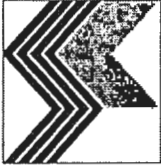
Please see the attached comments. PRCS has no comments on the following applications:

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- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

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

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

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A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

197 Glendale Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 9, 2016

Date of Meeting: September 14, 2016

Submission(s): B-46/16SC
A-85/16
A-86/16

File: 60.84.2065
60.81.5128
60.81.5129

Subject: 197 Glendale Avenue

Recommendation

That application **B-46/16SC** Loreanne Marie D'Orazio & Mark Andrew Groves, as outlined in the Notice of Hearing, be approved subject to the following conditions:

That the owner:

- 1) Submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) Satisfy the Chief Building Official for the City of St. Catharines that the spatial separation 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 north face of the semi-detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.

And that variances 1 and 2 of application **A-85/16**, by Loreanne Marie D'Orazio & Mark Andrew Groves, as outlined in the Notice of Hearing, be approved.

And that variance 3 of application **A-85/16**, by Loreanne Marie D'Orazio & Mark Andrew Groves, be approved as follows:

"3) An increase of driveway width from 50% of front lot line to 75%".

And that variance 4 of application **A-85/16**, by Loreanne Marie D'Orazio & Mark Andrew Groves, as outlined in the Notice of Hearing, be denied.

And that application **A-86/16**, by Loreanne Marie D'Orazio & Mark Andrew Groves, 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-46/16SC 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 1 and 2 of applications A-85/16 and A-86/16, and variance 3 of A-85/16, as amended, 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-46/16SC** is requesting a consent to sever 522.61m² of land (Parts 1 & 2 on the submitted sketch) creating a new lot to be known as 153 Village Road, subject to the right-of-way over 102.25m² of land (Part 2) for vehicular and pedestrian access purposes to benefit Part 3. A 317.55m² remnant parcel (Part 3) would be retained for residential use. The application would allow each unit of the semi-detached dwelling currently under construction to be owned and sold separately.

Application **A-85/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) An increase of the maximum lot area per dwelling unit from 465m² to 522.61m² (Parts 1 & 2).
- 2) A reduction of minimum lot frontage from 11 metres per unit to 5.81 metres per unit.
- 3) An increase of driveway width from 50% of front lot line to 100%.
- 4) An increase of driveway coverage from 20% of total lot area to 25.5%.

Application **A-86/16** 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 lot area per dwelling unit (Part 3) from 370m² to 317.55 m².
- 2) A reduction of the minimum rear yard setback from 7.5 metres to 0 metres.

Location and Site Description

The subject lands are located on the northeast corner of Glendale Avenue and Village Road. The lands are surrounded by detached dwellings to the north, east and west and Green Space to the south.

Circulation of Application

The application was circulated to all appropriate departments and agencies.

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 E8 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.

When evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 b) and c) states that “consents to sever individual parcels of land will only be given where:

- b) They contribute to the infilling of areas that are already substantially developed.
- c) 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 application for consent. The proposed lots are desirable. They reflect each half of the semi-detached dwelling under construction. The lots are considered to be appropriate and compatible with the surrounding area.

Application A-85/16

Variance 1 requests an increase in the maximum lot area per dwelling unit for Parts 1 and 2. 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. Staff is of the opinion that the consent is appropriate, as it will bring the lot size closer into compliance with the Zoning By-law and will not result in any adverse impacts. Staff is supportive of the variance.

Variance 2 requests a reduction of the minimum lot frontage. Together Part 1 and 2 have frontage on both Village Road and Glendale Avenue. Frontage is calculated based on the shortest lot line abutting a public road. Although technically the lots' frontage is on Village Road, the dwelling is oriented towards Glendale Avenue. The frontage on Glendale Avenue is approximately 22.5 metres. Since only one driveway is required to service the two units, Staff is of the opinion that the proposal is a benefit to the streetscape. Staff is satisfied that the variance is minor in nature. No adverse impacts are anticipated.

Variance 3 requests an increase in the driveway width from 50% of the front lot line (Village Road frontage) to 100%.

Part C, Section 4.5 of the GCP provides guidance on matters related to built form. Section 4.5.2 a) states that “development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area and the environment by: a) consolidating and minimizing the width of driveways and curb cuts”.

Staff is of the opinion that the proposed driveway should be altered to eliminate the layby thereby creating a driveway that is approximately 4.3 metres at the front lot line and at the end of the driveway. The layby is not considered necessary due to the current traffic volumes on Village Road. If the proposed layby is removed, the driveway width is just under 75% of the front lot line. Staff is of the opinion that an increase in maximum driveway width to 75% is supportable. Staff recommends that the proposed variance requesting an increase in width to 100% of the front lot line be amended to 75%, as a 100% increase does not uphold the intent of the GCP.

Variance 4 requests an increase of driveway coverage from 20% of total lot area to 25.5%. Staff is not supportive of the proposed increase. Without the layby, the proposed coverage would amount to approximately 18%, which meets the provision of the Zoning By-law. Staff recommends that the proposed variance be denied as it does not uphold the intent of the GCP.

Application A-86/16

Variance 1 requests a reduction in the minimum lot area per dwelling unit. Staff note that Part 3 does not contain a driveway, as it will have an easement over Part 2 to permit the owner to use the shared driveway. As such, the 317.55m² is entirely dedicated to the dwelling and amenity space. Staff is supportive of the proposed variance. No adverse impacts are anticipated as a result of the variance.

Variance 2 requests a reduction of the minimum rear yard setback from 7.5 metres to 0 metres. Staff note that this variance is required because the Part 3 rear lot line is located along the common wall between the semi-detached dwelling units. Staff recommends that the variance be approved.

Conclusion

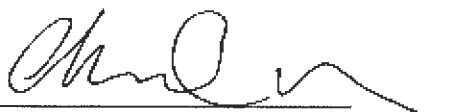
Staff is satisfied that the consent requested through application B-46/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that variances 1 and 2 of application A-85/16 and variance 3 of application A-85/16, as amended, and application A-86/16 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.

It is the opinion of Staff that variance 4 of application A-85/16 is not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, or appropriate and desirable for the use of the land. It is Staff's recommendation that variance 4 be denied.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Via E-mail Only

September 9, 2016

File: D.06.08.CS-16-079

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

Dear Ms. Munro:

**Re: Regional and Provincial Comments
Consent Application
City File B-46/16SC
197 Glendale Avenue (Regional Road 89)
City of St. Catharines**

Regional Planning and Development Services staff has reviewed the provided consent application for land known municipally as 197 Glendale Avenue (Regional Road 89) in the City of St. Catharines. The application and supporting materials were received with fees on September 1, 2016.

Two concurrent Minor Variances, related to reduced lot sizing, driveway size, and frontage have been circulated to the Region. Regional staff notes that these applications are not related to matters of Regional interest. Therefore, Regional staff has no comment.

Regional staff notes that a pre-consultation meeting was not held for this application.

As shown on the submitted sketch (dated August 8, 2016), the application proposes to sever 522.61m² of land (Part 1) from an existing 0.08 hectare parcel of land (197 Glendale Avenue). The result of the severance will be the creation of a new lot to be known municipally as 153 Village Road.

Regional staff notes that the subject lands previously contained a single detached dwelling, which was destroyed by fire. In its place, a new semi-detached dwelling is currently being constructed. The proposed lot line between Parts 1 and 3 corresponds with the centre wall of the semi-detached dwelling units and will allow each unit/lot to be owned and /or sold separately.

Vehicular access to the severed parcel (Part 1) will be provided off of Village Road, through a right-of-way easement over 102.25m² of land (Part 2) to the benefit of Part 3.

The following comments are provided to assist the City in considering this consent application.

Regional Road 89

The subject properties (Part 1 and Part 3) have frontage on Glendale Avenue (Regional Road 89). Based on a review of the provided drawings, the road allowance width across the frontage of Part 1 is approximately 15.4 meters from the centerline of the road, and exceeds the requirements in the Regional Official Plan. Therefore, a road widening is not required.

Regional staff notes that access to the lots will be provided off of Village Road. Accordingly, no Regional Entrance permits will be required.

Visibility Triangle

To mitigate any potential visibility issues at the corner of Glendale Avenue and Village Road, Regional staff recommends that the owner dedicate a 4.5m x 4.5m metre daylighting triangle at the corner of Regional Road 89 and Village Road.

Based on discussions with City staff, it has been noted that the City's Zoning By-law requires a 6m x 6m triangle be kept clear of obstructions. Accordingly, City staff has indicated that as this provision meets the intent of Regional staff's request, the dedication of the visibility triangle to the Region is not required.

Conclusion

Regional staff offers have objection to the consent application subject to the discussion above.

If you have any questions or wish to discuss these comments, please contact me at extension 3177 or Craig Rohe, Senior Development Planner (T), at extension 3442.

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

Sincerely,



Adam Motchka
Development Approvals Technician

cc. Craig Rohe, Senior Development Planner (T), Niagara Region
Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Charlotte McEwan, Planner I, City of St. Catharines



September 2, 2016

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

Attention: Elaine Munro

File# 60.84.2065, 60.81.5129 & 60.81.5128

Re: 197 Glendale Ave & 153 Village Rd

In response to your correspondence(s) dated August 30, 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", with a stylized, flowing script.

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

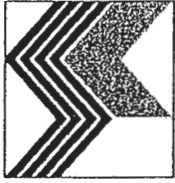
Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 7, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – September 14, 2016 hearing - File No.: 300-036

B-29/16SC – 59 Bloomfield Avenue

Comment:

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

Condition:

- The 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 north face of the existing single detached dwelling on Part 2.
- The existing shed on Part 1 is to be removed. If any of the structure exceeds 10 square metres in building area, a permit to demolish is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.

B-31/16SC – 15 Michigan Avenue

Comment:

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

Conditions:

- The existing structures on Parts 1, and 2 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-34/16SC – 439 Ontario Street

Comment: No Comment

Conditions:

- 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 northeast and southwest faces of the existing single detached dwelling on Part 1.

B-45/16SC – 491 Carlton Street

Comment:

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

Condition:

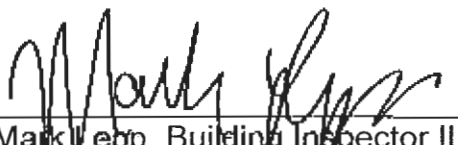
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the single detached dwelling on Part 1.

B-46/16SC – 197 Glendale Avenue

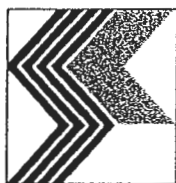
Comment: No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separations requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north face of the semi detached dwelling on Part 3. A Spatial Separation Agreement may be required to satisfy this condition.


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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 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: September 1, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 197 Glendale Ave.
File No: 60.84.2065

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: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

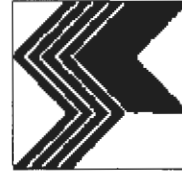
Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-46/16SC



September 1, 2016

ENGINEERING FILE 300-36

Hearing Date: September 14, 2016

Applicant: Loreanne Marie D'Orazio & Mark Andrew Groves

Location: 197 Glendale Avenue

MUNICIPAL SERVICES

	Glendale Avenue	Village Road
Water:	300mm (12") C.I.	200mm (8") C.I.
Sanitary Sewer:	None	250mm (10")
Storm Sewer:	300mm (12")	None
Sidewalks:	Yes	None
Road Allowance Width:	30.00m± (100')	20.12m± (66')

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

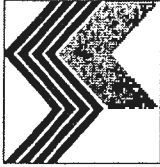
Comment(s): It is noted that the Applicant proposes to sever 522.61m² of land (Parts 1 & 2) creating a new lot to be known as 153 Village Road, subject to a right-of-way over 102.25 m² of land (Part 2) for the purposes of vehicular and pedestrian access to the benefit of Part 3. A 317.55m² remnant parcel (Part 3) will 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.

Village Road is designated a Local road as per the City's Official Plan with a desired width of 20.12m (66'). Its current width is 20.12m, therefore the City will not be requiring a road widening from the applicant at this time.

Glendale Avenue is designated a Regional Arterial road per the City's Official Plan, with a desired width of 26.2m (86'). Its jurisdiction is that of the Regional Municipality of Niagara's, therefore the City cannot comment on road widening requirements of Glendale Road.

Condition(s): Development Engineering Services have no comments or conditions to impose at this time with respect to this application.

Prepared By: 
Brad Johnston, 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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

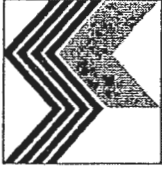
The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

5B & 5C Wilholme Drive

Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

Submission(s): A-88/16
A-96/16

File: 60.81.5131
60.81.5139

Subject: 5B & 5C Wilholme Drive

Recommendation

That Application **A-88/16** (Parts 1 & 2, 30R-14269), by Grant McArthur, as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That the dwelling located on Part 1 be limited in height to 3.5 metres.

And that Application **A-96/16** (Parts 3 & 4, 30R-14269), by Grant McArthur, 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 A-88/16 and A-96/16 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 variances be approved, subject to the condition outlined in the recommendation.

Report

Proposed Development

Application **A-88/16** 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 rear yard setback from 7.5 metres to 6.0 metres.
- 2) A reduction of the minimum setback from the rear lot line for a covered deck over 1.2 metres high from grade from 4.5 metres to 3.75 metres.

Application **A-96/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) An increase in driveway width from 50% of the front lot line to 100%.

Background

Applications B-04/13SC, B-05/13SC, and B-06/13SC and associated minor variances A-04/13, A-05/13 and A-06/13 were considered by the Committee of Adjustment at a hearing on January 30, 2013. The purpose of the applications was to create lots 5A (Parts 5 & 6, 30R-14269), 5B (Parts 3 & 4, 30R-14269), and 5C (Parts 1 & 2, 30R-14269) Wilholme Drive for the purposes of building 3 detached dwellings. Staff recommended that the applications be approved. The Committee of Adjustment approved the applications subject to a number of conditions.

Staff note that the applications were applied for and approved under the previous Zoning By-law that has since been repealed. As such, the variances are no longer in effect and the applicant has applied for new variances under the current Zoning By-law.

Location and Site Description

The subject lands are located on the north side of Wilholme Drive. The lands are surrounded by detached dwellings to the north and east, detached dwellings and institutional uses to the south, and institutional uses to the west.

Circulation of Application

The application was circulated to all appropriate departments and agencies.

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 E6 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.

5C Wilholme Drive (Parts 1 & 2, 30R-14269)

Application A-88/16 requests a reduction in the minimum rear yard setback and setback from the rear lot line for a covered deck. The variances are requested for the proposed construction of a 2 storey dwelling with a covered deck.

Part D, Section 7.1 of the GCP provides guidance on matters related to development and redevelopment. Section 7.1 c) ii) states that “development and redevelopment within the Urban Area shall be evaluated having regard for building, site and streetscape context sensitive design to ensure adverse impacts on adjacent properties

are minimized in regard to ... transition in height, privacy, views, [and] vistas ...”.

5B (Parts 3 & 4, 30R-14269) and 5C Wilholme Drive are flag lots and are abutted by raised bungalows both to the north and south. Due to the unconventional lot configuration, Staff is of the opinion that special consideration needs to be given to ensure that the proposed development upholds the principles associated with context sensitive design.

Staff is supportive of the proposed setback reductions, provided that the height of the dwelling be limited to 3.5 metres, which would permit the construction of a raised bungalow. Staff has requested that the height limitation be a condition of the minor variance approval in order to reduce potential privacy and overlook concerns from the subject dwelling on the abutting properties. With the recommended height limitation, Staff is satisfied that the proposal maintains the intent of the GCP and that no adverse impacts will result from the requested variance.

5B Wilholme Drive (Parts 3 & 4, 30R-14269)

Application A-96/16 requests an increase in the maximum driveway width permitted for 5B Wilholme Drive. According to the submitted sketch, 5A, (Parts 5 & 6, 30R-14269) 5B and 5C Wilholme Drive have frontages of 3.55 metres, 3.57 metres and 3.55 metres, respectively. The three properties are to share a single driveway access off Wilholme Drive. The variance is requested because the driveway is to be centred among the three properties and will therefore cover the entire 3.77 metre frontage of 5B Wilholme Drive.

Staff is supportive of the proposed increase in driveway width, as the variance is considered minor in nature. The proposal is not expected to negatively impact the streetscape and is considered necessary to provide adequate access. No adverse impacts are expected as a result of the proposed variance.

Conclusion

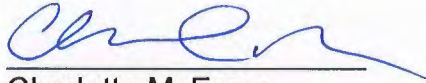
Staff is satisfied that applications A-88/16 and A-96/16 are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is Staff's recommendation that the requested variances be approved, subject to the condition outlined in the recommendation.

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: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



September 2, 2016

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

Attention: Elaine Munro

File# 60.81.5131 & 60.81.5139

Re: 5B & 5C Wilholme Dr

In response to your correspondence(s) dated August 30, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.horizonutilities.com.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7- 10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-521-4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", with a stylized flourish at the end.

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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
- 491A Carlton (mv)
- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

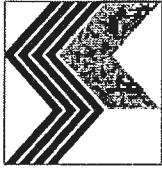
From: Munro, Elaine

Sent: Tuesday, August 30, 2016 2:24 PM

To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina

Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra

Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
A 64/16SC – 1 Royal Henley Blvd A	A 91/16 – 14 Francesco Cres
73/16SC – 113 Marsdale Drive	A 87/16 – 263 Linwell Road
A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
A 82/16SC - 491 Carlton Street	A 96/16 – 5B Wilholme Drive
A 83/16SC – 491A Carlton Street	A 92/16 – 300 Fourth Ave
A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

300 Fourth Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 8, 2016

Date of Meeting: September 14, 2016

Submission(s): A-92/16

File: 60.81.5135

Subject: 300 Fourth Avenue

Recommendation

That Submission **A-92/16** by 2109075 Ontario Limited, be approved as follows:

“An increase of the maximum percentage of total GLFA for Non-Commercial Uses from 30% to 63%”

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is satisfied that variance A-92/16, as amended, 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 that the requested variance be approved, as amended.

Report

Proposed Development

The purpose of this minor variance application is to eliminate the limitation on office space.

Application **A-84/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) An increase in the maximum percentage of total GLFA for Non-Commercial Uses from 30% to 100%.

Location and Site Description

The subject property is located on the southeast corner of Fourth Avenue and First Street Louth. The property is surrounded by commercial uses to the north and east, the St. Catharines Transit Commission to the south, and St. Catharines General Hospital to the west.

Circulation of Application

The application was circulated to all appropriate departments and agencies.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Commercial as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Major Commercial as per Schedule E6 of the GCP. The Commercial designation permits a range of commercial and non-commercial uses including institutional, civic, cultural, indoor recreation, entertainment, and residential apartment dwelling units.

Zoning By-law (2013-283)

The subject land is zoned Major Commercial (C4-30). The C4 zone permits a variety of commercial and non-commercial uses including offices, restaurants, retail stores, and service commercial uses. Special Provision 30 sets out site specific requirements related to parking, landscaped open space, landscape buffer widths, minimum and maximum yards, distances between buildings on the same lot, maximum building height, ground level facades and drive-thrus.

Part D, Section 9.2.1 of the GCP explains the intent of the Major Commercial designation and elaborates on the uses permitted within the designation. Section 9.2.1 c) ii) states that “non-retail uses should be limited in size and scale to protect the primary function of the Centre for shopping purposes”.

Staff is not supportive of an increase of the total GLFA for Non-Commercial Uses to 100%. The proposed increase would not allow the Centre’s primary function for shopping purposes to be maintained and would not uphold the policies of the GCP.

Staff note that the subject lands are in close proximity to the St. Catharines General Hospital. In this instance, Staff is prepared to support an increase in the amount of Non-Commercial GLFA to permit the inclusion of medical offices.

Based on the approved site plan and in discussion with the applicant, it was identified that the areas intended to be medical offices have a combined GLFA of approximately 63%.

It is the opinion of Staff that there is a sufficient amount of commercial uses in the surrounding area such that an increase to 63% in Non-Commercial Uses GLFA on this site will not compromise the commercial focus of the area or the intent of the GCP. The subject property is part of a Major Commercial Centre that extends roughly from First Street Louth to Louth Street and from Highway 406 to Benfield Drive comprising over 20 properties of varying sizes. The total GLFA dedicated to Non-Commercial Uses within the large commercial area is significantly lower than the 30% permitted by the Zoning By-law. The proposed increase of Non-Commercial Uses to 63% on the subject property will not compromise the intended function of the area as a commercial node. Additionally, Staff is of the opinion that the inclusion of medical offices is desirable given the proximity

of the site to the St. Catharines General Hospital and that the proposal is compatible with the surrounding area. No adverse impacts are expected as a result in the increase in total GLFA for Non-Commercial Uses.


Conclusion

Staff is satisfied that the variance, requested through application A-92/16, as amended, 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, 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: Glofcheskie, Christopher (MTO) <Christopher.Glofcheskie@ontario.ca>
Sent: Wednesday, August 31, 2016 2:52 PM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines

Ms. Elaine Munro,

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 above request.
- The subject site is within the Ministry's Permit Control Area and will require the following permits:
 - o Building and Land Use Permit (prior to the start of any construction of the remaining buildings)
 - o Sign Permits (if new signs are erected)

The Applicant should be aware that any changes to any of the previously approved documents or drawings would require a Ministry review.

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/index.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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: August-30-16 5:04 PM
To: Glofcheskie, Christopher (MTO)
Subject: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines

Good Afternoon:

Attached please find the Notices of Hearing for the September 14, 2016 Committee of Adjustment Hearing:

1. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135

Have a great evening. Thanks, Elaine

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

Hi Elaine

I have no issues or concerns with this 12 hearings

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4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
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5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
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11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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

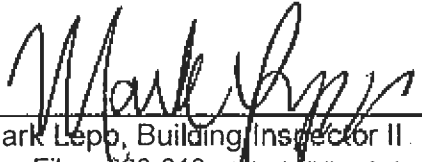
From: Mark Lepp, Building Inspector II
Planning and Building Services

Date: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

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A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine

Sent: Tuesday, August 30, 2016 2:24 PM

To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina

Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra

Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

A 57/16SC – 59 Bloomfield Ave	A 86/16 – 197 Glendale Ave
A 58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
A 97/16SC – 15 Michigan Ave	A 90/16 – 16 Francesco Cres
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A 75/16SC – 206 Church Street	A 95/16 – 265 Linwell Road
A 80/16SC – 421 Linwell Road	A 88/16 – 5C Wilholme Drive
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A 84/16SC – 68 Newport Street	A 93/16 – 363 Queenston Street
A 85/16 – 153 Village Road	A 94/16 – 40 Prince Charles Drive

Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

363 Queenston
Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 9, 2016

Date of Meeting: September 14, 2016

Submission(s): A-93/16

File: 60.81.5136

Subject: 363 Queenston Street

Recommendation

That Submission **A-93/16** by Pierre-Marc Burton and Erica Burton, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That glazing be prohibited on the westerly exterior wall (ground floor only).
- 2) That a second storey meet the 1.2 metre required interior side yard setback.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is satisfied that variance A-93/16 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 that the requested variance be approved subject to the condition outlined in the recommendation.

Report

Proposed Development

The purpose of this minor variance application is to allow the applicant to build an addition to the rear of the dwelling that is in line with the existing dwelling.

Application **A-93/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the required minimum interior side yard setback from 1.2 metres to 0.48 metres.

Location and Site Description

The subject property is located on the north side of Queenston Street. The property is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Medium Density Residential as per Schedule E9 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density between 25 and 99 units per hectare, subject to the policies of the GCP.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits a variety of medium density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, and quadruplex dwellings, townhouses, apartments and private road developments and long-term care facilities.

The applicant has requested a reduction in the interior side yard setback from 1.2 metres to 0.48 metres. The existing dwelling has an interior side yard of 0.48 metres. The applicant is applying to vary the side yard for the proposed addition in order to enable the applicant to build in line with the existing detached dwelling.

Privacy and overlook concerns are the primary concerns of Staff related to the proposed reduction in the interior side yard setback.

The subject lot and the lots abutting the subject lot to the east and west are approximately 100 metres in depth. In addition to large front yard setbacks of approximately 17 metres, the surrounding properties have generous rear yards that provide substantial amenity space. Staff is satisfied that the construction of the proposed addition will not adversely impact the abutting properties, as ample amenity space free of privacy and overlook concerns will be maintained.

To further prevent privacy and overlook concerns, Staff is recommending that the variance be approved with a condition that prohibits windows on the westerly façade, which is the side of the dwelling the variance is requested for. Additionally, the westerly side of the proposed addition is to be one storey in height, as indicated on the submitted sketch, which is in keeping with the current roofline on the existing dwelling and will help to eliminate overlook concerns. Staff recommends that as a condition of variance approval, if a second storey is built, it must meet the minimum 1.2 metre interior sideyard setback as required by the Zoning By-law.

The majority of the dwellings surrounding the subject property to the east and west extend further into their rear yards than the subject dwelling. Staff is supportive of the

requested variance as the proposal is considered compatible with the prevailing character of the neighbourhood. No adverse impacts are anticipated as a result of the proposed variance.

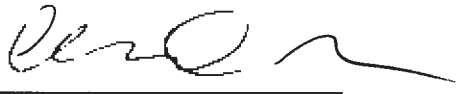
Conclusion

Staff is satisfied that the variance requested through application A-93/16 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 Pinach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

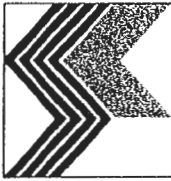
Hi Elaine

I have no issues or concerns with this 12 hearings

1. 59 Bloomfield Ave, Consent Application – B- 29/16SC – 60.84.2049
57 Bloomfield Ave, Minor Variance Application - A-57/16 – 60.81.5101
7 Dundonald, Minor Variance Application – A-58/16 – 60.81.5102
(Deferred from August 3, 2016 Hearing)
2. 15 Michigan Avenue, Consent Application – B-31/16SC – 60.84.2051
15 Michigan Avenue, Minor Variance Application – A-97/16 – 60.81.5140
(Deferred from August 3, 2016 Hearing)
3. 439 Ontario St., Consent Application – B – 34/16SC – 60.84.2054
1 Royal Henley Blvd, Minor Variance Application – A64/16 – 60.81.5108
(Deferred from August 3, 2016 Hearing)
4. 206 Church Street, Minor Variance Application – A-75/16 – 60.81.5119
(Deferred from August 24, 2016 Hearing)
5. 421 Linwell Road, Minor Variance Application – A-80/16 – 60.81.5124

Email 2

6. 491 Carlton St, Consent Application – B-45/16SC – 60.84.2064
491 Carlton St, Minor Variance Application – A-82/16 – 60.81.5125
491A Carlton St, Minor Variance Application – A-83/16 – 60.81.5126
7. 68 Newport St, Minor Variance Application - A – 84/16 – 60.81.5127
8. 197 Glendale Ave, Consent Application – B-46/16SC – 60.84.2065
153 Village Road, Minor Variance Application – A-85/16 – 60.81.5128
197 Glendale Avenue, Minor Variance Application – A-86/16 – 60.81.5129
9. 5C Wilholme Drive, Minor Variance – A-88/16 – 60.81.5131
5B Wilholme Drive, Minor Variance – A-96/16 – 60.81.5139
10. 300 Fourth Ave, Minor Variance – A-92/16 – 60.81.5135
11. 363 Queenston Street, Minor Variance – A-93/16 – 60.81.5136
12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-57/16	59 Bloomfield Avenue	No Comment
A-58/16	7 Dundonald Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-64/16	1 Royal Henley Blvd	No Comment
A-75/16	206 Church Street	No Comment
A-80/16	421 Linwell Road	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-82/16	491 Carlton Street	No Comment
A-83/16	491A Carlton Street	Please be advised that a building permit is required for the proposed single detached dwelling.
A-84/16	68 Newport Street	No Comment
A-85/16	153 Village Road	No Comment
A-86/16	197 Glendale Avenue	No Comment
A-88/16	5C Wilholme Drive	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.
A-92/16	300 Fourth Avenue	No Comment
A-93/16	363 Queentson St.	Please be advised that a building permit is required for the proposed addition and that spatial separation requirements will be addressed during building permit review.

NO.	ADDRESS	COMMENTS
A-94/16	40 Prince Charles Dr.	Please be advised that a demolition permit is required for the removal of the existing detached garage and a building permit is required for the proposed detached garage.
A-96/16	5B Wilholme Drive	No Comment
A-97/16	15 Michigan Avenue	No Comment



Mark Lepo, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bldg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

Charlotte and Hailey,

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

- 7 Dundonald (mv)
- 57 Bloomfield (mv)
- 15A Michigan (mv)
- 1 Royal Henley (mv)
- 206 Church (mv)
- 421 Linwell (mv)
- 491 Carlton (mv)
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- 153 Village (mv)
- 68 Newport (mv)
- 197 Glendale (mv)
- 5B Wilholme (mv)
- 5C Wilholme (mv)
- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, August 30, 2016 2:24 PM
To: Bittner, Steve; Ritchie, Scott; Pihach, Judy; Sullivan, Kristen; Johnston, Brad; Melin, Nathan; Lepp, Mark; McEwan, Charlotte; McWilliam, Hailey; Mills, Sabrina
Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

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Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

A-080/16 – 421 Linwell Road

It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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
Transportation Technologist
SB/

40 Prince Charles
Drive

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 9, 2016

Date of Meeting: September 14, 2016

Submission(s): A-94/16

File: 60.81.5137

Subject: 40 Prince Charles Drive

Recommendation

That Submission **A-94/16** by Andrew Steele, 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 variance A-94/16 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 that the requested variance be approved.

Proposed Development

Application **A-94/16** requests an increase in the accessory structure coverage from 10% of the total lot area to 16.2% to allow the applicant to build a detached garage.

Location and Site Description

The subject land is located on the southeast side of Prince Charles Drive. The property is surrounded by detached dwellings to the north, south and east, and an elementary school and detached dwelling to the west.

Circulation of Application

The application was circulated to all appropriate departments and agencies.

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, triplex, quadruplex, fourplex, and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, and quadruplex dwellings, townhouses and private road developments.

Application A-94/16 requests an increase in the maximum coverage of an accessory structure. The variance is requested for the proposed construction of a new detached garage. Staff note that an existing shed on the property is included in the coverage calculation. The current accessory structure coverage on the subject property is approximately 10%, which is the maximum permitted by the Zoning By-law.

The proposed garage is to be larger in scale than the existing garage, however it meets the setback and height requirements for accessory structures, as set out in the Zoning By-law. Staff is satisfied that any impacts resulting from the increase in coverage will be limited to the applicant, as the increase in footprint is proposed to be on the two sides of the garage that are closest to the detached dwelling. Additionally, the proposed garage is located to the rear of the property and will be partially concealed by the existing dwelling. There are no anticipated adverse impacts on the streetscape. Staff is of the opinion that the increase in coverage is minor in nature.

Staff note that home based businesses related to automotive uses are not permitted in accessory structures.

Conclusion

Staff is satisfied that variance application A-94/16 is minor in nature, is appropriate and desirable for the use of the land, and maintains the intent of the Official Plan and Zoning By-law. Therefore, Staff recommends that the requested variance be approved.

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: Thursday, September 01, 2016 9:13 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - September 14, 2016 Committee of Adjustment, City of St. Catharines (Part 1 of 2)

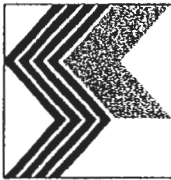
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12. 40 Prince Charles Drive, Minor Variance – A-94/16 – 60.81.5137



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: September 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – September 14, 2016 hearing- File No.: 300-010

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 Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\bs-building & development\committee of adjustment\bdg memo 2016\25 bcoa memo-mv-Sep14, 2016.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Thursday, September 01, 2016 4:02 PM
To: McWilliam, Hailey; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing
Attachments: Bloomfield_59_84.2049.doc; Michigan_15_84.2051.doc; Ontario_439_84.2054.doc; Carlton_491_84.2064.doc; Glendale_197_84.2065.doc

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- 300 Fourth (mv)
- 363 Queenston (mv)
- 40 Prince Charles (mv)

Let me know if you have any questions. Thank you,

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

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Sent: Tuesday, August 30, 2016 2:24 PM
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Cc: Bellows, Bruce; Stewart, Dave; Kowalski, Emma; Thiessen, Brian; Burrows, Sandra
Subject: Committee of Adjustment Notices and Applications for the September 14/16 CofA Hearing



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 31th, 2016
Hearing Date: September 14, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

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A-58/16SC – 7 Dundonald Ave	A 89/16 – 18 Francesco Cres
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The Applicant of 421 Linwell Road is advised that they may be required to pay the fee to the City for a water service upgrade based on the proposed water fixture needs for the entire development as a result of the addition to the 2-storey dwelling.

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 31, 2016

Subject: Committee of Adjustment
Public Hearings – September 14, 2016
File No. 305-17-01

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

A-075/16 – 306 Church Street

We are not supportive of reducing the minimum parking stall sizes, as such, we are prepared to support a reduction in parking from three spaces to zero spaces.

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It is our opinion that the parking issue has yet to be resolved and that the current parking arrangements with the neighbouring church and apartment complex are not satisfactory.

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Steve Bittner
Transportation Technologist
SB/