

Agenda

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

Item #2 - 265 Linwell Road, Consent Application – B-48/16SC – 60.84.2067 and
1A Lora Street, Minor Variance Application – A -87/16 – 60.51.5130

A request has been received by the Agent and supported by staff requesting a
deferral to further re-assess options of development.

5. Adoption of the Minutes held September 14, 2016
6. Application:
 1. 1420 Fifth Street Louth, Minor Variance Application – A-103/16 – 60.81.5146
 3. 1128 Vansickle Rd. N, Consent Application – B-51/16SC – 60.84.2070
1136 Vansickle Rd. N, Consent Application – B-52/16SC – 60.84.2071
 4. 179 Rykert St., Consent Application – B-53/16SC – 60.84.2072
171 Rykert St., Consent Application – B-54/16SC – 60.84.2073
179 Rykert St., Minor Variance Application – A-98/16 – 60.81.5141
171 Rykert St., Minor Variance Application – A-99/16 – 60.81.5142
 5. 17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074
17A Clarendon Ave., Minor Variance Application – A-101/16 – 60.81.5144
17 Clarendon Ave., Minor Variance Application – A-102/16 – 60.81.5145
7. New Business:
8. Date of next Hearing: October 26, 2016
9. Adjournment

263 Linwell Road

Departmental &
Agency Comments

Munro, Elaine

To: Firanski, Carrie (6055673)
Subject: RE: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

From: Firanski, Carrie (6055673) [mailto:carrie.firanski@bell.ca]
Sent: Monday, September 26, 2016 9:01 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

Dear Elaine,

Details

- ☐ Consent Applications
- ☐ 1. 265 Linwell Road, Consent Application – B-48/16SC – 60.84.206
- ☐ 2. 1128 Vansickle Rd. N, Consent Application – B-51/16SC – 60.84.2070
 - ☐ 1136 Vansickle Rd. N, Consent Application – B-52/16SC – 60.84.2071
- ☐ 3. 179 Rykert St., Consent Application – B-53/16SC – 60.84.2072
 - ☐ 171 Rykert St., Consent Application – B-54/16SC – 60.84.2073
- ☐ 4. 17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with these applications.

Should you have any questions or concerns, please contact me.

Thank you,

Carrie Firanski
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2244
F: 705-722-2263
1-800-289-3657
carrie.firanski@bell.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Tuesday, September 20, 2016 4:16 PM



September 26, 2016

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

Attention: Elaine Munro

File# 60.84.2067 & 60.81.5130

Re: 265 Linwell Rd & 1A Lora St

In response to your correspondence(s) dated September 20, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.horizonutilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Horizon Utilities to facilitate this.

We would also like to stipulate the following:

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

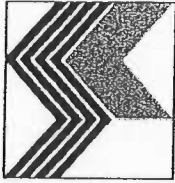
- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", written in a cursive style.

Scott Beaudrie
Supervisor, Engineering Design



Memorandum

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

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

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

Date: September 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 5, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and the 4 unit townhouse dwelling on Part 2.

Condition: No Comment

B-51/16SC – 1128 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-52/16SC – 1136 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-53/16SC – 179 Rykert Street

Comment: No Comment

Condition: No Comment

B-54/16SC – 171 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 2 & 3 and the garages on Part 3 and 6.

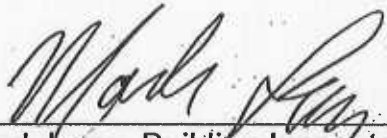
Condition:

- 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 southwest face of the existing one storey dwelling on Part 6.

B-55/16SC – 17 Clarendon

Comment: No Comment

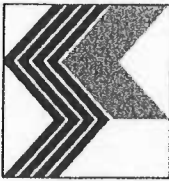
Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2016\28 bcoa memo-sev-Oct5, 2016.docx



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 5, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-87/16	1A Lora Street	No Comment
A-99/16	171 Rykert Street	No Comment
A-101/16	17A Clarendon Ave.	No Comment
A-102/16	17 Clarendon Ave.	No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\27 bcoa memo-mv-Oct5, 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 26, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 265 Linwell Rd.
File No: 60.84.2067

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.

The applicant should be advised that additional tree planting payments will be required if the semi-detached dwelling or townhouse are severed in the future. Further, the proposed construction will require the removal of existing trees on the road allowance. These trees can be removed, however the applicant will be responsible for the removal cost (to be completed by the City or its contractor) and the cost of replacing any trees with a new 100 mm caliper tree. These costs will be assessed and paid at the time of the building permit application.

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

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, September 26, 2016 2:52 PM

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

Cc: Munro, Elaine <emunro@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

Charlotte and Hailey,

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

- 1A Lora St (mv)
- 1128 Vansickle (ld)
- 1136 Vansickle (ld)
- 171 Rykert (mv)
- 17 Clarendon (mv)
- 17A Clarendon (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-48/16SC



September 21, 2016

ENGINEERING FILE 300-36

Hearing Date: October 5, 2016

Applicant: Grey Forest Homes Ltd.

Location: 265 Linwell Road

MUNICIPAL SERVICES

Water: - 200mm PVC Watermain on **Linwell Road**
- 150mm AC watermain on **Lora Street**

Sanitary Sewer: - 450mm Sanitary Sewer on **Linwell Road**
- No Sanitary sewer fronting this property on **Lora Street**

Storm Sewer: - 450mm Storm Sewer **Linwell Road**
- No Storm sewer fronting this property on **Lora Street**

Sidewalks: -sidewalks exist on both frontages

Road Allowance Width: **Linwell Road** +/-19.20m **Lora Street** +/-20m

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

Comment(s):

It is noted that the Owner proposes to sever lands at 265 Linwell Road to create a semi-detached building fronting Linwell Road and a 4 unit townhouse fronting Lora Street.

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

Linwell Road is designated as an Arterial road per the City's Official plan with a desired right-of-way width of 26.2m. Their current width along this section is ± 19.20 m. Therefore a widening of 3.96m is required along the frontage of Linwell Road.

Increased drainage challenges occur in these types of in-fill lot developments where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Grading Plans for Parts 1 & 2 must be prepared by a qualified Professional Engineer or Surveyor to ensure that the drainage scheme of the future lots conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, or the City Boulevard. Due to the number of units proposed the installation of a rear yard catchbasin and any necessary easements may be required.

The driveway for unit 1 will not meet the required minimum clearance from the existing hydro pole. Due to the width of the property of that unit as shown there is no alternative location for this driveway. Therefore based on this design, existing hydro pole will need to be relocated.

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

There is currently no access to a sanitary sewer along Lora Street. The owner will be responsible for the design, construction and all necessary approval for the extension of the sanitary sewer across the frontage of the lots on Lora Street to the satisfaction of the City Engineer.

There is an existing sanitary lateral to this property which is serviced off Linwell Road. It could be used for one of the lots provided it is in good condition. In addition all other proposed units will require new laterals to be installed.

There is an existing 20mm copper water service on Linwell Road that currently serves the existing building. This service could be reused for one of the lots subject to confirmation of the condition and capacity as it relates to the number of fixture units in the new dwelling. All other units will require new services to be installed at the owner's expense. Again, the size of this water service will be dictated by the number of fixture units in the new dwelling.

We would require that in order to properly implement the condition we will require that the applicant enter into a Servicing Agreement.

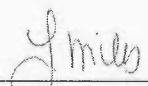
Condition(s): That a road widening dedication of approximately 3.96 metres across the frontage of PLAN 248 PT LOT 55 PLAN 223 PT LOT 1 TO PT LOT 3 designates as Part 2 on 30R-12038 along Linwell Road to be conveyed gratuitously for a nominal fee of two dollars (\$2) to the City of St. Catharines in order to establish a road allowance having a nominal perpendicular width of 26.2 metres centered on the original road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

That the owner enter into a Servicing Agreement to address the following:

1. Sanitary sewer extension on Lora Street and individual servicing for all proposed dwellings.
2. Design and implementation of a Master Lot Grading Control Plan

The owner will be responsible for the design, construction and all necessary approvals for the works and any cost associated with it including the necessary security deposits to the satisfaction of the City Engineer.

Prepared By: _____


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



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

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

Date: September 27, 2016
Hearing Date: October 5, 2016

Subject: Engineering Comments to Committee
of Adjustment Files


A 87/16SC – 1A Lora Street
A-99/16SC – 171 Rykert Street
A 101/16SC – 17A Clarendon Ave
A 102/16SC – 17 Clarendon Ave
A 103/16SC – 1420 Fifth Street

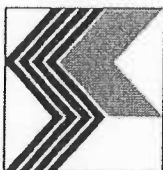
Development Engineering Services have reviewed the above noted applications for Minor Variance requests.

We have no comments or objections to the approval of the 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: September 23, 2016

Subject: Committee of Adjustment
Public Hearings – October 5, 2016
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

1420 Fifth Street
Louth

Departmental &
Agency Comments

Munro, Elaine

From: Motchka, Adam <Adam.Motchka@niagararegion.ca>
Sent: Tuesday, September 27, 2016 2:17 PM
To: Munro, Elaine
Cc: Rohe, Craig; Busnello, Pat
Subject: Regional Response-MV-15-033-1420 Fifth Street Louth-(A-103/16)

Elaine,

Regional staff has reviewed the circulated Minor Variance (A-103/16) for 1420 Fifth Street Louth in the City St. Catharines. We note that this variance application was submitted to permit a reduced interior side yard setback for the subject lands. As noted in your e-mail, this variance was not included in the Notice for the previous, related application (A-66/15). It is our understanding that this required variance for the setback was not approved by the Committee.

Our comments provided on previous application on August 24, 2015 remain applicable. We also confirm that our condition of approval regarding the septic tank was cleared in December 2015.

Although we have no objection to this application (A-103/16), the applicant remains required to obtain an entrance permit from the Region. We request that the obtainment of the permit be listed as a condition of approval for this minor variance.

If you would like to discuss this further, please give me a call.

Thank you.

Adam Motchka

Development Approvals Technician
Planning and Development -Development Planning, Niagara Region
1815 Sir Isaac Brock Way, PO Box 1042, Thorold L2V 4T7
Phone: 905-980-6000 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.

Munro, Elaine

From: Glofcheskie, Christopher (MTO) <Christopher.Glofcheskie@ontario.ca>
Sent: Wednesday, September 28, 2016 10:34 AM
To: Munro, Elaine
Subject: Trillium Floral Warehouse - 1420 Fifth Street Louth, St. Catharines

Ms. Elaine Munro,

Re: Trillium Floral Warehouse - 1420 Fifth Street Louth, St. Catharines.

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

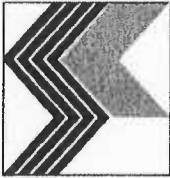
- The Ministry in principle does not have any comments regarding the variance requested.
- The Ministry has already issued a Building & Land Use Permit on August 18, 2016 (BL-2016-20T-146) to this site. Any changes to documents referenced in the permit renders the permit invalid.
- Due to changes made to the permit referenced documents, the subject site may require the following permits to be re-issued along with applicable fees:
 - o Building and Land Use Permit (prior to the start of any construction on site)
- Please circulate the Ministry on all applications for this site.
- If any changes are made to the submission please re-circulate to the Ministry.

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

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

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

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



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

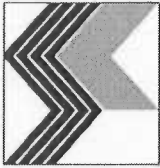
Date: September 30, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 5, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-103/16	1420 Fifth Street Louth	Please be advised that a building permit is required for the proposed building and that spatial separation requirements will be addressed during building permit review.


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\27 bcoa memo-mv-Oct5, 2016.docx



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

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

Date: September 27, 2016
Hearing Date: October 5, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

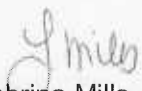
A 87/16SC – 1A Lora Street
A-99/16SC – 171 Rykert Street
A 101/16SC – 17A Clarendon Ave
A 102/16SC – 17 Clarendon Ave
A 103/16SC – 1420 Fifth Street

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

We have no comments or objections to the approval of the 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: September 23, 2016

Subject: Committee of Adjustment
Public Hearings – October 5, 2016
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 28, 2016 **Date of Meeting:** October 5, 2016

Submission(s): A-103/16 **File:** 60.81.5146

Subject: 1420 Fifth Street Louth

Recommendation

That Submission **A-103/16** by 1923384, 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-103/16 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-103/16** requests a reduction of the minimum required interior side yard setback from 6.0 metres to 3.78 metres.

The purpose of the application is to permit the construction of a Floral Warehouse.

Location and Site Description

The subject property is located on the north side of the North Service Road, east of Fifth Street Louth. The property is surrounded by agricultural uses to the north, east, and west, and the Queen Elizabeth Way to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The Garden City Plan (GCP) designates the land as Agriculture as per Schedule D1 and E11. The Agriculture designation permits a full range of Agricultural uses, as well as

agriculture farm related small scale industrial and commercial uses, existing detached dwellings, and secondary uses to agriculture, subject to the policies of the GCP.

Zoning By-law (2013-283)

The subject land is zoned Agriculture (A1). The A1 zone permits agriculture farm related commercial or industrial uses, agriculture farms, detached dwellings, kennels, and uses accessory to agriculture uses including wineries and home industry.

Background

Application A-66/15 was previously considered at a hearing on August 26, 2015. The application requested a number of variances to permit the construction of a Floral Warehouse. Staff recommended that the variances be approved and the Committee of Adjustment granted the variances.

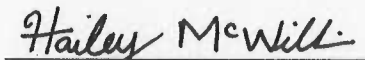
The applicant requires the additional variance to permit the construction of the Floral Warehouse.

The proposed Floral Warehouse is to be located adjacent to an agriculture field. In this instance, Staff is supportive of the reduction in the interior side yard as adequate separation distance will be maintained and no adverse impacts are anticipated as a result of the reduction. Additionally, Staff is of the opinion that the reduction in setback will be compatible with the area because there is a wide range of setbacks present in the area. The proposal is not expected to adversely impact the streetscape.


Conclusion

Staff is satisfied that variance application A-103/16 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 Pihach, MCIP, RPP
Manager of Planning Services

1128 & 1136
Vansickle Road North

Departmental &
Agency Comments

Munro, Elaine

To: Firanski, Carrie (6055673)
Subject: RE: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

From: Firanski, Carrie (6055673) [mailto:carrie.firanski@bell.ca]
Sent: Monday, September 26, 2016 9:01 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

Dear Elaine,

Details

- ☐ Consent Applications
- ☐ 1. 265 Linwell Road, Consent Application – B-48/16SC – 60.84.206
- ☐ 2. 1128 Vansickle Rd. N, Consent Application – B-51/16SC – 60.84.2070
 - ☐ 1136 Vansickle Rd. N, Consent Application – B-52/16SC – 60.84.2071
- ☐ 3. 179 Rykert St., Consent Application – B-53/16SC – 60.84.2072
 - ☐ 171 Rykert St., Consent Application – B-54/16SC – 60.84.2073
- ☐ 4. 17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with these applications.

Should you have any questions or concerns, please contact me.

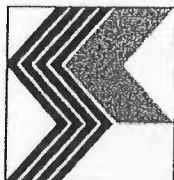
Thank you,

Carrie Firanski
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2244
F: 705-722-2263
1-800-289-3657
carrie.firanski@bell.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Tuesday, September 20, 2016 4:16 PM



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 5, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and the 4 unit townhouse dwelling on Part 2.

Condition: No Comment

B-51/16SC – 1128 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-52/16SC – 1136 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-53/16SC – 179 Rykert Street

Comment: No Comment

Condition: No Comment

B-54/16SC – 171 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 2 & 3 and the garages on Part 3 and 6.

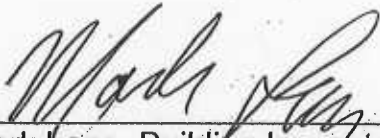
Condition:

- 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 southwest face of the existing one storey dwelling on Part 6.

B-55/16SC – 17 Clarendon

Comment: No Comment

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, September 26, 2016 2:52 PM

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

Cc: Munro, Elaine <emunro@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

Charlotte and Hailey,

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

- 1A Lora St (mv)
- 1128 Vansickle (ld)
- 1136 Vansickle (ld)
- 171 Rykert (mv)
- 17 Clarendon (mv)
- 17A Clarendon (mv)

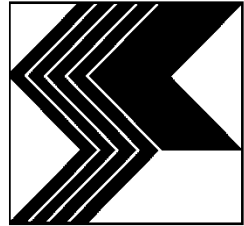
Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-51/16SC



September 21, 2016

ENGINEERING FILE 300-36

Hearing Date: October 5, 2016

Applicant: 60 Plus St. Catharines Residence Inc.

Location: 1128 Vansickle Road N

MUNICIPAL SERVICES

Water: **Water:** 200mm PVC Watermain

Sanitary Sewer: 250mm Sanitary Sewer

Storm Sewer: 375mm Storm Sewer

Sidewalks: No


Road Allowance Width: Vansickle Road N +/- 20.12

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

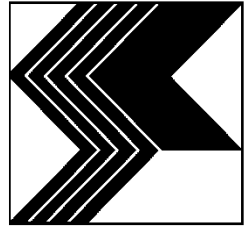
Comment(s):

It is noted that the owner proposes to establish an easement along the proposed driveway and parking at the front of the property.

Condition(s): None

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-52/16SC



September 21, 2016

ENGINEERING FILE 300-36

Hearing Date: October 5, 2016

Applicant: First Reformed Church

Location: 1136 Vansickle Road N

MUNICIPAL SERVICES

Water: 200mm PVC Watermain

Sanitary Sewer: 250mm Sanitary Sewer

Storm Sewer: 375mm Storm Sewer

Sidewalks: No

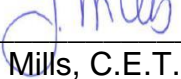
Road Allowance Width: Vansickle Road N +/- 20.12

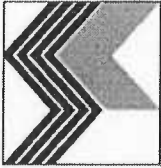
**GENERAL COMMENTS AND ENGINEERING CONDITIONS TO BE IMPOSED IF
CONSENT GRANTED:**

Comment(s):

It is noted that the owner proposes to establish an easement along the proposed driveway and parking at the front of the property.

Condition(s): None

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: September 23, 2016

Subject: Committee of Adjustment
Public Hearings – October 5, 2016
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 29, 2016 **Date of Meeting:** October 5, 2016

Submission(s): B-51/16SC **File:** 60.84.2070
B-52/16SC 60.84.2071

Subject: 1128 & 1136 Vansickle Road North

Recommendation

That Submission **B-51/16SC** by First Reformed Church., as outlined in the Notice of Hearing, be approved.

And that Submission **B-52/16SC** by 60 Plus (St. Catharines) Residence Inc., as outlined in the Notice of Hearing, be approved.

Summary

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

Staff recommends that the requested consents be approved.

Proposed Development

Application **B-51/16SC** is made for consent to establish an easement, in perpetuity, over 999m² of land (Part 2 on the submitted sketch) for the benefit of the southerly abutting lot (Parts 3 and 4 on the submitted sketch), known as 1136 Vansickle Road North (First Reformed Church of St. Catharines Inc.), for pedestrian and vehicular access and parking. A 2,255.5m² remnant parcel (Parts 1 & 2) with the current residential community buildings (Martindale Place) will be retained.

Application **B-52/16SC** is made for consent to establish an easement, in perpetuity, over 581m² of land (Part 3 on the submitted sketch) for the benefit of the northerly abutting lot (Parts 1 and 2 on the submitted sketch), known as 1128 Vansickle Road North (Martindale Place), for pedestrian and vehicular access and parking. A 6,210m² remnant parcel (Parts 3 & 4) with the existing Church will be retained.

Location and Site Description

The subject lands are located on the west side of Vansickle Road North. The property is surrounded by detached dwellings to the north, east and west, and townhouses to the

south. 1128 Vansickle Road North (Parts 1 and 2) contains an existing apartment building with 90 units and 8 townhouse units. 1136 Vansickle Road North (Parts 3 and 4) contains a church.

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 property at 1128 Vansickle Road North (Parts 1 and 2) is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). 1128 Vansickle Road North is further designated Medium Density Residential as per Schedule E6 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 to 99 units per hectare, subject to the policies of the GCP.

The property at 1136 Vansickle Road North (Parts 3 and 4) is designated Neighbourhood Residential as per Schedule D1 of the GCP. 1136 Vansickle Road North is further designated Low Density Residential as per Schedule E6 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple-attached dwellings including triplexes at a density between 20 and 32 units per hectare, subject to the policies of the GCP.

Zoning By-law (2013-283)

The property at 1128 Vansickle Road North (Parts 1 and 2) is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, private road developments, apartment buildings, and long-term care facilities.

The property at 1136 Vansickle Road North (Parts 3 and 4) is zoned Local Neighbourhood Institutional (I1). The I1 zone permits a variety of institutional uses including places of worship and uses permitted in the R1 zone, which include detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

Background

At a hearing on August 24, 2016, the Committee of Adjustment considered variance applications A-53/16 and A-78/16. Application A-53/16 requested 1) a reduction of the minimum required parking spaces, 2) a reduction of landscaping within the parking area, 3) a reduction of the landscape strip buffer along Vansickle Road North, 4) the reduction of a landscape buffer abutting a Residential/Institutional/Green Space Zone, 5) and an increase in the maximum glfa for Residential Convenience Use for 1128 Vansickle Road North. Application A-78/16 requested 1) a reduction of the landscape strip buffer abutting a Residential/Institutional/ Green Space Zone and 2) a reduction of the landscape strip buffer along Vansickle Road North for 1136 Vansickle Road North.

The minor variances were requested to permit the construction of the proposed 6 storey retirement residential community on Part 1 and an expansion of the existing parking area on Parts 2 and 3. Staff recommended that the applications be approved. The Committee of Adjustment granted the variances as outlined in the Technical Report's recommendation.

The approval of application A-53/16 by the Committee of Adjustment has since been appealed to the Ontario Municipal Board. Staff note that the variances 1- 4 requested in application A-53/16 must be approved in order to permit the proposed parking area, which is the subject of the current consent applications.

B-51/16 & B-52/16


The subject of the current applications is to establish reciprocal easements over Parts 2 and 3 on the submitted sketch for the benefit of the owners of both 1128 and 1136 Vansickle Road North. The applicant is requesting that consents, in the form of easements for access and parking, be granted. The easements would permit vehicles and pedestrians that enter the parking area from the entrance at 1136 Vansickle Road North (Part 3) to access and park in the part of the parking area located on 1128 Vansickle Road North (Part 2), and vice versa.

Staff is of the opinion that the proposed consents are desirable as they will allow the parking area to function efficiently. No adverse impacts are expected as a result of the proposed consents.


Conclusion

Staff is satisfied that the consents requested through applications B-51/16SC and B-52/16SC are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. It is Staff's recommendation that the requested consents be approved.


Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:



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

171 & 179 Rykert Street

Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 30, 2016

Date of Meeting: October 5, 2016

Submission(s): B-53/16SC
B-54/16SC
A-99/16

File: 60.84.2072
60.84.2073
60.81.5142

Subject: 171 and 179 Rykert Street

Recommendation

That Submission **B-53/16SC** by Michael Fedryna, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That a road widening dedication of approximately 0.85 metres across the frontage of CON 8 PT LOT 22 designated as Parts 1 & 2 on 30R-10777 along Rykert Street to be conveyed gratuitously for a nominal fee of two dollars (\$2) to the City of St. Catharines in order to establish a road allowance having a nominal perpendicular width of 20.0 metres centered on the original road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.
- 2) Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties will be merged and become one parcel of land (Part 2 with Parts 3, 4, 5, 6, 7 and 8).

And that Submission **B-54/16SC** by 2024223 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.
- 2) The applicant will be responsible for the cost of locating the sewer lateral servicing the existing building on Part 5, 6 & 8. The sewer and water service for Part 5, 6, & 8 must be independent and not cross an adjacent property line. If

either or both sewer and water services servicing these parts cross onto the other parts, separate services must be installed to the satisfaction of the City Engineer.

- 3) 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.
- 4) That payment of 5% of the appraised value of the development lot (Part 2, 3, 4 and 7) 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.
- 5) That 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 southwest face of the existing one storey dwelling on Part 6.
- 6) That final approval for the necessary minor variance application be received.

And that Submission **A-99/16** by 2024223 Ontario Inc., 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 applications B-53/16SC and B-54/16SC are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-99/16 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 consents and variance be approved, subject to the conditions outlined in the recommendation.

Proposed Development

Application **B-53/16SC** is made for consent to sever 370m² of land (Part 2 on the submitted sketch) which will be added to the abutting easterly lot known as 171 Rykert Street (Parts 3, 4, 5, 6, 7 and 8). A 6,444m² remnant parcel (Part 1) would be retained. The application will result in a boundary adjustment between 171 and 179 Rykert Street to support further land division.

Application **B-54/16SC** is made for consent to sever 512.9m² of land containing the existing detached dwelling and shed (Parts 5, 6, & 8 on the submitted sketch) subject to

an easement, in perpetuity, over 42.4m² of land (Parts 5 and 8) for the benefit of the westerly abutting lot to be known as 173 Rykert Street (Parts 2, 3, 4, 7). The easement is for vehicular access purposes. A 764.1m² remnant parcel (Parts 2, 3, 4 and 7) would be retained for future residential use together with an easement in perpetuity, over 42.4m² of land (Parts 4 and 7) for the benefit of the easterly abutting lot known as 171 Rykert Street (Parts 5, 6 and 8) for vehicular access purposes.

Application **A-99/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283, for the proposed lot (Parts 5, 6 and 8)

- 1) An increase of the maximum lot area per dwelling unit from 490m² to 513m².
- 2) A reduction of the minimum required lot frontage from 15 metres to 13.2 metres.
- 3) An increase of the maximum driveway area from 20% to 26.25%.

Location and Site Description

The subject lands are located on the southeast corner of Rykert Street and Westland Street. The subject lands are surrounded by detached dwellings to the north and west, and detached dwellings and townhouses to the east and south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The properties at 171 and 179 Rykert Street are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP).

The property at 171 Rykert Street is further designated Low Density Residential as per Schedule E7 of the GCP. 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 GCP.

The property at 179 Rykert Street is partially designated Low Density Residential and Medium Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation applies to the northern part of the parcel and 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 GCP. The Medium Density Residential designation applies to the southern part of the parcel and permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 to 99 units per hectare, subject to the policies of the GCP.

Zoning By-law (2013-283)

The property at 171 Rykert Street is zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

The property at 179 Rykert Street is zoned Medium Density Residential (R3-23). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, private road developments, apartment buildings, and long-term care facilities. Special Provision 23 requirements are depicted on Schedule B 8a & b. Area 1 on Schedule B 8a permits detached and semi-detached dwellings and has specific requirements for lot frontage, lot area, lot coverage, front yard, exterior and interior side yards, parking, parking areas, and garages. Area 2 of Schedule B 8a permits apartment buildings and has specific lot frontage, lot area, front and rear yard setbacks and a maximum height requirements.

Application B-53/16SC (179 Rykert Street, Part 1)

Application B-53/16SC is requesting a consent to sever land from 179 Rykert Street, which is to be added to the easterly abutting parcel, 171 Rykert Street (Parts 2, 3, 4, 5, 6, 7 and 8). 171 Rykert Street is irregularly shaped. The addition of the 370m² of land will create a more rectangular shaped lot, which will allow the parcel to be more easily developed.

Part F, Section 16.11.3 c) of the GCP 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.

Staff is supportive of the proposed boundary adjustment as it will restructure the lot lines into a configuration that is considered to be more desirable in terms of the optimum development of the lands. The proposed lots are considered to be appropriate and compatible with the surrounding area. No adverse impacts are anticipated as a result of the proposed boundary adjustment.

Application B-54/16SC (171 Rykert Street, Part 5, 6 and 8)

Application B-54/16SC is requesting a consent to sever 512.9m² of land.

The surrounding neighbourhood is comprised of lots of various shapes and sizes. The parcels in the immediate area range in size from 6784.7m² to 400m². Although the proposed lot is oversized, Staff is supportive of the proposed consent as it will bring the lot closer to compliance with the Zoning By-law requirements for lot size. The consent is considered to uphold the policies of Section 16.11.3 c) of the Official Plan, as the lot size is considered appropriate for the use proposed. No adverse impacts are anticipated as a result of the proposed consent.

Staff note that Parts 5 and 8 on the submitted sketch will form an easement, which will allow the future owners of 173 Rykert Street to access 171 Rykert Street for the purpose of using Part 8 as a turnaround area for their vehicles. Parts 4 and 7 on the submitted sketch will form an easement, which will allow the owners of 171 Rykert Street to access 173 Rykert Street for the purpose of using Part 7 as a turnaround area for their vehicles. Parts 4 and 5 were included as part of the easement with the intention of preventing the owners of 171 Rykert Street and the proposed 173 Rykert Street from erecting a barrier between the two Parts.

Application A-99/16 (171 Rykert Street, Parts 5, 6 and 8)

Variance 1 requests an increase in the maximum lot area per detached dwelling unit from 490m² to 513m². The variance is requested to facilitate consent application B-54/16SC. Staff is supportive of the proposed increase in lot area, as the consent will reduce the lot area from 905.6m² to 513m², which brings the lot closer to the Zoning By-law's lot area requirements. Staff is satisfied that the lot area is appropriate for the use proposed and that the proposal is compatible with the surrounding area. No adverse impacts are anticipated as a result of the variance.

Variance 2 requests a reduction of the minimum lot frontage from 15 metres to 13.2 metres. The surrounding neighbourhood is comprised of lots that are of various shapes and sizes. Frontages in the immediate area range from 6 metres to 94.8 metres. Staff is satisfied that the proposal is compatible with the surrounding area and will not adversely impact the streetscape.

Variance 3 requests an increase in the maximum driveway area from 20% to 26.25%. The variance is requested to permit a driveway to access the garage, which is to be located to the rear of the proposed dwellings. Staff is supportive of the effort made to conceal the garage from the street. Staff is satisfied that the proposal will benefit the streetscape and that the proposed increase in driveway area is minor in nature. No adverse impacts are expected as a result of the increase in area.

Staff note that there is currently a utility pole located in the middle of the proposed driveway for the semi-detached unit with the detached garage located on Parts 2 and 3. If the applicant wishes to construct the driveways as shown, the utility pole must be relocated to meet the City's clearance requirements.

Conclusion

Staff is satisfied that the consent requested through application B-53/16SC and B-54/16SC are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that application A-99/16 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 consents and variance be approved subject to the conditions outlined in the recommendation.

Prepared by:

Hailey McWilliam
Hailey McWilliam
Student Planner

Submitted by:

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

Approved by:

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

Munro, Elaine

To: Firanski, Carrie (6055673)
Subject: RE: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

From: Firanski, Carrie (6055673) [mailto:carrie.firanski@bell.ca]
Sent: Monday, September 26, 2016 9:01 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

Dear Elaine,

Details

- ☐ Consent Applications
- ☐ 1. 265 Linwell Road, Consent Application – B-48/16SC – 60.84.206
- ☐ 2. 1128 Vansickle Rd. N, Consent Application – B-51/16SC – 60.84.2070
 - ☐ 1136 Vansickle Rd. N, Consent Application – B-52/16SC – 60.84.2071
- ☐ 3. 179 Rykert St., Consent Application – B-53/16SC – 60.84.2072
 - ☐ 171 Rykert St., Consent Application – B-54/16SC – 60.84.2073
- ☐ 4. 17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with these applications.

Should you have any questions or concerns, please contact me.

Thank you,

Carrie Firanski
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2244
F: 705-722-2263
1-800-289-3657
carrie.firanski@bell.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Tuesday, September 20, 2016 4:16 PM



September 26, 2016

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

Attention: Elaine Munro

File# 60.84.2073, 60.81.5142 & 60.84.2072

Re: 171 & 179 Rykert St

In response to your correspondence(s) dated September 20, 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.

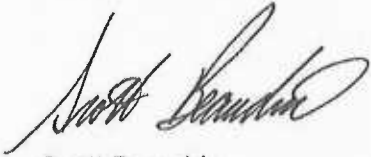
We would also like to stipulate the following:

- 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

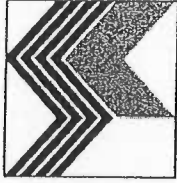
- C22.3 No. 7- 10 Underground Systems

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". The signature is fluid and cursive, with the first name "Scott" being more prominent than the last name "Beaudrie".

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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 5, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and the 4 unit townhouse dwelling on Part 2.

Condition: No Comment

B-51/16SC – 1128 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-52/16SC – 1136 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-53/16SC – 179 Rykert Street

Comment: No Comment

Condition: No Comment

B-54/16SC – 171 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 2 & 3 and the garages on Part 3 and 6.

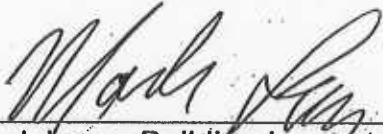
Condition:

- 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 southwest face of the existing one storey dwelling on Part 6.

B-55/16SC – 17 Clarendon

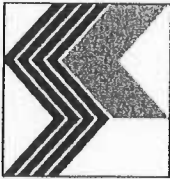
Comment: No Comment

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

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

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

Date: September 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 5, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-87/16	1A Lora Street	No Comment
A-99/16	171 Rykert Street	No Comment
A-101/16	17A Clarendon Ave.	No Comment
A-102/16	17 Clarendon Ave.	No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\27 bcoa memo-mv-Oct5, 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 26, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 171 and 179 Rykert St.
File No: 60.84.2073 and 60.84.2072

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 development lot (Part 2, 3, 4 and 7) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, September 26, 2016 2:52 PM

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

Cc: Munro, Elaine <emunro@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

Charlotte and Hailey,

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

- 1A Lora St (mv)
- 1128 Vansickle (ld)
- 1136 Vansickle (ld)
- 171 Rykert (mv)
- 17 Clarendon (mv)
- 17A Clarendon (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-53 & 54/16SC



September 21, 2016

ENGINEERING FILE 300-36

Hearing Date: October 5, 2016

Applicant: Michael Fedryna /2024223 Ontario Inc.

Location: 171 & 179 Rykert Street

MUNICIPAL SERVICES

- Water:**
- 200mm PVC Watermain on **Rykert Street**
 - 200mm PVC watermain on **Westland Street**
- Sanitary Sewer:**
- 450mm Sanitary Sewer on **Rykert Street**
 - No sanitary sewer fronting this property on **Westland Street**
- Storm Sewer:**
- 450mm Storm Sewer on **Rykert Street**
 - No Storm sewer fronting this property on **Westland Street**
- Sidewalks:**
- No on Rykert Street
 - Yes on Westland Street

Road Allowance Width: **Rykert Street** +/-18.29m **Westland Street** +/-20m

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

Comment(s):

It is noted that the Owner proposes to sever a portion of the lands at 171 Rykert Street and another portion of land from 179 Rykert Street to create a lot for a semi-detached building.

Rykert Street is designated as a collector road per the City's Official plan with a desired right-of-way width of 20m. Their current width along this section is $\pm 18.29\text{m}$. Therefore a widening is required which shall be 20m centered on the original road allowance across the entire frontage of Part 1 & Part 2.

Westland Street is designated as a local road per the City's Official plan with a desired right-of-way width of 20m. Their current width along this section is $\pm 20.0\text{m}$. Therefore a widening is not required.

Increased drainage challenges occur in these types of in-fill lot developments where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. The grading plan for the new semi lot must be prepared by a qualified Professional Engineer or Surveyor to ensure that the drainage scheme of the future lots conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, or the City Boulevard. The grading plans must be submitted to the City for review and approval at the building permit stage.

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

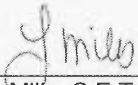
The existing dwelling is serviced from Rykert Street. The location of the water service has been indicated on our water service card but the location of the sanitary lateral is unknown. The services for the building to remain must be located to ensure they are not located on the portion of the property to be severed.

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

There is currently a utility pole located in the middle of the the proposed driveway for the semi unit with the detached garage. If the applicant wishes to construct the driveways as shown the utility pole must be relocated to meet the City's clearance requirements.

Condition(s): That a road widening dedication of approximately 0.85 metres across the frontage of CON 8 PT LOT 22 designated as Parts 1 & 2 on 30R-10777 along Rykert Street to be conveyed gratuitously for a nominal fee of two dollars (\$2) to the City of St. Catharines in order to establish a road allowance having a nominal perpendicular width of 20.0 metres centered on the original road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

The applicant will be responsible for the cost of locating the sewer lateral servicing the existing building on Part 5, 6 & 8. The sewer and water service for Part 5, 6, & 8 must be independent and not cross an adjacent property line. If either or both sewer and water services servicing these parts cross onto the other parts, separate services must be installed to the satisfaction of the City Engineer.

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



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

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

Date: September 27, 2016

Hearing Date: October 5, 2016

Subject: Engineering Comments to Committee
of Adjustment Files

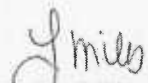
A 87/16SC – 1A Lora Street
A-99/16SC – 171 Rykert Street
A 101/16SC – 17A Clarendon Ave
A 102/16SC – 17 Clarendon Ave
A 103/16SC – 1420 Fifth Street

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

We have no comments or objections to the approval of the 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: September 23, 2016

Subject: Committee of Adjustment
Public Hearings – October 5, 2016
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

17 Clarendon Avenue

Departmental &
Agency Comments

Munro, Elaine

To: Firanski, Carrie (6055673)
Subject: RE: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

From: Firanski, Carrie (6055673) [mailto:carrie.firanski@bell.ca]
Sent: Monday, September 26, 2016 9:01 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notices of Hearing - October 5, 2016 Committee of Adjustment, City of St. Catharines

Dear Elaine,

Details

- ☐ Consent Applications
- ☐ 1. 265 Linwell Road, Consent Application – B-48/16SC – 60.84.206
- ☐ 2. 1128 Vansickle Rd. N, Consent Application – B-51/16SC – 60.84.2070
 - ☐ 1136 Vansickle Rd. N, Consent Application – B-52/16SC – 60.84.2071
- ☐ 3. 179 Rykert St., Consent Application – B-53/16SC – 60.84.2072
 - ☐ 171 Rykert St., Consent Application – B-54/16SC – 60.84.2073
- ☐ 4. 17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with these applications.

Should you have any questions or concerns, please contact me.

Thank you,

Carrie Firanski
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2244
F: 705-722-2263
1-800-289-3657
carrie.firanski@bell.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Tuesday, September 20, 2016 4:16 PM



September 26, 2016

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

Attention: Elaine Munro

File# 60.84.2074, 60.81.5144 & 60.81.5145

Re: 17A & 17 Clarendon Ave

In response to your correspondence(s) dated September 20, 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". The signature is fluid and cursive, with the first name "Scott" being more prominent than the last name "Beaudrie".

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Vasko, Dennis
Sent: Wednesday, September 21, 2016 8:10 AM
To: Munro, Elaine
Subject: RE: Notices of Hearing - Committee of Adjustment - October 5, 2016 re: 17 Clarendon Ave., City of St. Catharines

Hi Elaine,

There are no issues with this property in respect to closed landfills in the area.

Regards,

Dennis

Dennis Vasko
Fill Site Technician
Email: dvasko@stcatharines.ca
Tel: 905.688.5601 x2163

From: Munro, Elaine
Sent: Tuesday, September 20, 2016 4:40 PM
Subject: Notices of Hearing - Committee of Adjustment - October 5, 2016 re: 17 Clarendon Ave., City of St. Catharines

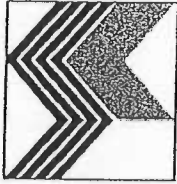
Good Afternoon:

Attached please find the Notices of Hearing for the October 5, 2016 Committee of Adjustment Hearing re:

17 Clarendon Ave., Consent Application - B-55/16SC – 60.84.2074
17A Clarendon Ave., Minor Variance Application – A-101/16 – 60.81.5144
17 Clarendon Ave., Minor Variance Application – A-102/16 – 60.81.5145

Thanks,
Elaine

Elaine Munro ACST
Committee Secretary & Planning Clerk
Email: emunro@stcatharines.ca
Tel: 905.688.5601 x1715



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 5, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 1 and the 4 unit townhouse dwelling on Part 2.

Condition: No Comment

B-51/16SC – 1128 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-52/16SC – 1136 Vansickle Road North

Comment: No Comment

Conditions: No Comment

B-53/16SC – 179 Rykert Street

Comment: No Comment

Condition: No Comment

B-54/16SC – 171 Rykert Street

Comment:

- Please be advised that a permit is required for the proposed semi-detached dwelling on Part 2 & 3 and the garages on Part 3 and 6.

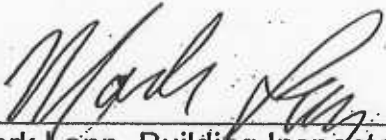
Condition:

- 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 southwest face of the existing one storey dwelling on Part 6.

B-55/16SC – 17 Clarendon

Comment: No Comment

Condition: No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\ldg memo 2016\28 bcoa memo-sev-Oct5, 2016.docx



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 27, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 5, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-87/16	1A Lora Street	No Comment
A-99/16	171 Rykert Street	No Comment
A-101/16	17A Clarendon Ave.	No Comment
A-102/16	17 Clarendon Ave.	No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2016\27 bcoa memo-mv-Oct5, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

From: Sullivan, Kristen

Sent: Monday, September 26, 2016 2:52 PM

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

Cc: Munro, Elaine <emunro@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the October 5/16 CofA Hearing

Charlotte and Hailey,

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

- 1A Lora St (mv)
- 1128 Vansickle (ld)
- 1136 Vansickle (ld)
- 171 Rykert (mv)
- 17 Clarendon (mv)
- 17A Clarendon (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



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 26, 2016

Subject: Notice of Hearing: Consent to Sever
Address: 17 Clarendon Ave.
File No: 60.84.2074

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-55/16SC



September 21, 2016

ENGINEERING FILE 300-36

Hearing Date: October 5, 2016

Applicant: Chris Phelan & Fergal McDonough

Location: 17 Clarendon Avenue

MUNICIPAL SERVICES

Water: 150mm PVC Watermain

Sanitary Sewer: 200mm Sanitary Sewer

Storm Sewer: 450mm Storm Sewer

Sidewalks: Yes

Road Allowance Width: Clarendon Avenue +/-15.24

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

Comment(s):

It is noted that the Owner proposes to sever the lands for the existing semi-detached building at 17 Clarendon Avenue.

Clarendon Avenue is designated as a local road per the City's Official plan with a desired right-of-way width of 20m. The current width along this section is ± 15.24 m. Therefore a widening of 2.38m is required along the frontage.

Condition(s): That a road widening dedication of approximately 2.38 metres across the frontage of PLAN 97 Lot 28 and Part Lot 29 along Clarendon Avenue to be conveyed gratuitously for a nominal fee of two dollars (\$2) to the City of St. Catharines in order to establish a road allowance having a nominal perpendicular width of 20.0 metres centered on the original road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

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



Memorandum

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

Cc: Charlotte McEwan, Hailey McWilliam

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

Date: September 27, 2016
Hearing Date: October 5, 2016

Subject: Engineering Comments to Committee
of Adjustment Files


A 87/16SC – 1A Lora Street
A-99/16SC – 171 Rykert Street
A 101/16SC – 17A Clarendon Ave
A 102/16SC – 17 Clarendon Ave
A 103/16SC – 1420 Fifth Street

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

We have no comments or objections to the approval of the 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: September 23, 2016

Subject: Committee of Adjustment
Public Hearings – October 5, 2016
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 28, 2016 **Date of Meeting:** October 5, 2016

Submission(s): B-55/16SC **File:** 60.84.2074
A-101/16 60.81.5144
A-102/16 60.81.5145

Subject: 17 Clarendon Avenue

Recommendation

That Submission **B-55/16SC** by Fergal McDonough & Chris Phelan, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) That a road widening dedication of approximately 2.38 metres across the frontage of PLAN 97 Lot 28 and Part Lot 29 along Clarendon Avenue to be conveyed gratuitously for a nominal fee of two dollars (\$2) to the City of St. Catharines in order to establish a road allowance having a nominal perpendicular width of 20.0 metres centered on the original road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.
- 3) That final approval for the necessary minor variances be received.

And that Submission **A-101/16** by Fergal McDonough & Chris Phelan, as outlined in the Notice of Hearing, be approved as follows:

A reduction of the minimum lot area per dwelling unit (Part 1) from 280m² to 257.3m².

And that Submission **A-102/16** by Fergal McDonough & Chris Phelan, as outlined in the Notice of Hearing, be approved as follows:

A reduction of the minimum lot area per dwelling unit (Part 2) from 280m² to 257.3m².

Summary

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

the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variances A-101/16 and A-102/16 are minor in nature, are desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consent and variances be approved as amended and subject to the conditions outlined in the recommendation.

Proposed Development

Application **B-55/16SC** is requesting a consent to sever 276.19m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 17A Clarendon Avenue. A 276.19m² remnant parcel (Part 2) would be retained for residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Staff note that a road widening of approximately 2.38 metres has been requested. After the road widening, the lot area will be approximately 257.3m². Staff recommend that the variances be approved as amended by Staff to reflect the road widening.

Location and Site Description

The subject property is located on the north side of Clarendon Avenue, north of Rockwood Avenue. The subject 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 Low Density Residential as per Schedule E9 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple-attached dwellings at a density between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law (2013-283)

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

Staff notes that the semi-detached dwelling is existing. The consent is required to allow the units to be sold separately

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

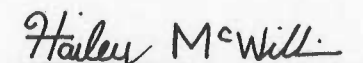
Staff is satisfied that the proposal will allow for a desirable amount of intensification in a substantially developed area. The proposed lots are considered appropriate for the area as the neighbourhood consists of parcels that range in size from 257m² to 1104m² for low density residential uses. Further, the shape and size of the proposed lots are appropriate for the use proposed and in terms of the optimum development of the surrounding area. Staff is of the opinion that the proposal upholds the policies of Section 16.11.3 c) of the Garden City Plan. No adverse impacts are anticipated as a result of the proposed consent.

Variances A-101/16 and A-102/16 request a reduction of the minimum lot area per dwelling unit from 280m² to 276.19m² for Parts 1 and 2. With the road widening, the lot area per dwelling unit would become 257.3m² for Parts 1 and 2. The variances are required to facilitate the proposed consent. The requested reduction of 3.81m² is considered minor in nature. Staff is satisfied that a further reduction in lot area to allow for a road widening will not result in adverse impacts and that adequate amenity space will be maintained. Staff is of the opinion that the lots will be compatible with the surrounding area.

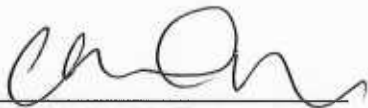
Conclusion

Staff is satisfied that the consent requested through application B-55/16SC 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 the variances requested through applications A-101/16 and A-102/16 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 as amended, 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