



CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
November 17, 2016
Council Chambers, City Hall - 5:00 p.m.

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
5. Adoption of the Minutes – October 26, 2016
6. Application:
 1. 198 Welland Avenue, Minor Variance Application – A-113/16 – 60.81.5156
 2. 265 Linwell Rd, Land Division Application – B-48/16SC – 60.84.2067
 - 1A Lora St, Land Division Application – B-56/16SC – 60.84.2075
 - 1B Lora St, Minor Variance Application – A-95/16 – 60.81.5138
 3. 5 October Drive, Minor Variance Application – A-117/16 – 60.81.5160
 4. 50 Dorchester Blvd, Minor Variance Application – A-116/16 – 60.81.5159
 5. 7 Cherry Street, Land Division Application – B-62/16SC – 60.84.2081
 - 26 Yates Street, Minor Variance Application – A-114/16 – 60.81.5157
 - 7 Cherry Street, Minor Variance Application – A-115/16 – 60.81.5158
 6. 527 Carlton St, Minor Variance Application - A-118/16 – 60.81.5161
7. New Business:
8. Date of next Hearing: December 7, 2016
9. Adjournment

198 Welland Avenue

Departmental &
Agency Comments

November 11, 2016

Sent Via E-mail Only

File: D.17.08.MV-16-058

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
Minor Variance Application
City File A-113/16
198 Welland Avenue
City of St. Catharines**

Niagara Region Planning and Development Services staff has completed a review of the minor variance application for 198 Welland Avenue, circulated to the Region on November 4, 2016. The following Provincial and Regional comments are provided to assist the City in considering this minor variance application on this Regional road.

The minor variance application requests:

1. An increase of the maximum front yard set back from 5 metres to 93.5 metres.
2. A reduction of the minimum rear yard setback from 4.5 metres to 0 metres (front canopy).
3. An increase of the maximum exterior side yard setback from 5 metres to 13.5 metres (South property line).
4. A reduction of the landscape buffer that is along a lot line that does not abut a public road (North and East property line).
5. A reduction of the landscape buffer that is along a lot line that abuts a public road (North Street) from 6 metres to 3 metres.
6. A reduction of the landscape buffer that is along a lot line that abuts a public road (parking area west side on North Street) from 3 metres to 1.5 metres.

The variances are requested for the proposed construction of a 2-storey Regional Niagara Police Service facility.

Staff notes that the Region has been working closely with the City staff in an effort to move this project forward. Staff have submitted previous comments on the Site Plan application in our letter dated August 26, 2016 which addressed matters of Regional and Provincial interest

Therefore, Staff notes that these variances are minor in nature and that no Provincial or Regional interests will be compromised. As such, Regional staff would offer no objection to the proposed minor variance application

If you have any questions or wish to discuss these comments, please contact me at extension 3177 or Lindsay Earl, Senior Development Planner, at extension 3387

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

Sincerely,

A handwritten signature in black ink that reads "Adam Motchka". The signature is written in a cursive, flowing style.

Adam Motchka
Development Approvals Technician

cc. Lindsay Earl, MCIP, RPP, Senior Planner, Development Services Division, Niagara Region
Pat Busnello, MCIP, RPP, Manager, Development Services Division, Niagara Region
Craig Rohe, Development Planner (T), Development Services Division, Niagara Region



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission(s): A-113/16

File: 60.81.5156

Subject: 198 Welland Avenue

Recommendation

That submission **A-113/16SC** by the Region of Niagara, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, it is staff's opinion that the variances requested through application A-113/16 are relatively 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 variances be approved.

Report

Proposed Development

Application **A-113/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283 to facilitate the construction of a 2 storey Regional Niagara Police Service facility.

- 1) An increase in the maximum front yard setback from 5 metres to 93.5 metres.
- 2) A reduction in the minimum rear yard setback from 4.5 metres to 0 metres for the front canopy.
- 3) An increase in the maximum exterior side yard setback from 5 metres to 13.5 metres along the south property line.
- 4) A reduction of the landscape buffer along a lot line that does not abut a public road from 3 metres to 0 metres.
- 5) A reduction of the landscape buffer along a lot line that abuts a public road (North Street) from 6 metres to 3 metres.

- 6) A reduction of the landscape buffer along a lot line that abuts a public road (parking area west of North Street) from 3 metres to 1.5 metres.

Location and Site Description

The subject property has frontage on Welland Avenue, North Street and Niagara Street. The property is bordered by commercial uses in the Geneva Square Plaza to the north, detached dwellings and light industrial uses to the south, the BME Church, residential, commercial and service commercial uses to the west, and detached dwellings, light industrial, commercial and recreational 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 Downtown per Schedule D1 of the Garden City Plan. The subject property is further designated Mixed High Density Residential/Commercial as per Schedule E10 of the Garden City Plan. The Mixed High Density Residential/Commercial designation permits triplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater. Additional permitted uses include institutional; small scale retail commercial uses only on the ground floor of a building containing dwelling units; small scale service commercial, office, indoor recreation, and creative and cultural uses intended primarily to serve the local neighbourhood. Auto related service and dealerships are not permitted. The proposed Regional Niagara Police Services facility is considered an institutional use.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Mixed Use (M1-107-H1). The M1 zone permits apartment buildings, cultural facilities, emergency service facilities, hospitals, long-term care facilities, offices, places of assembly, recreation facilities, elementary and secondary schools, service commercial uses and social service facilities, among other uses. Special Provision 107 states that car washes, motor vehicle repair garages and motor vehicle gas stations are not permitted uses on the property. Holding Provision 1 applies to the site, which states that an Environmental Site Assessment shall be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of Environment and Climate Change prior to the removal of the Holding designation.

Variance 1 requests an increase in the maximum front yard setback from 5 metres to 93.5 metres. The Zoning By-law defines frontage as the shortest lot line abutting a public road. Although the proposed building is to be oriented towards Welland Avenue, the property's shortest lot line is along Niagara Street and therefore is determined to be the front lot line.

Conversely, the Welland Avenue frontage is determined to be the rear yard of the property.

The proposed building is setback 93.5 metres from Niagara Street, therefore requiring a variance. The building's functional front yard will be along Welland Avenue and, with the exception of a canopy, will be set back 3.5 metres from the Welland Avenue property line. Staff support the decision to orient the building towards Welland Avenue and are satisfied that there will be no adverse impacts as a result of the increase in front yard setback to facilitate the building orientation.

Variance 2 requests a reduction of the minimum rear yard (Welland Avenue) setback from 4.5 metres to 0 metres. This variance is requested to permit a canopy to be constructed above the main entrance on Welland Avenue. Staff is satisfied that the requested variance is minor in nature and desirable for the appropriate development and use of the building.

Variance 3 requests an increase in the maximum exterior side yard setback from 5 metres to 13.5 metres along the south property line (North Street). This variance is required to support the building orientation towards Welland Avenue. Staff is of the opinion that the increase in side yard setback is minor in nature and desirable for the appropriate development of the lands and orientation of the building.

Variance 4 requests a reduction of the landscape buffer along the north and east property line from 3 metres to 0 metres.

Part C, Section 4.5.2 d) of the GCP states that development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by: providing perimeter landscaping as well as landscaped interior islands.

Landscaped islands are provided within the proposed parking area. While landscaping along the north and east property line is desirable, staff recognize that the parcel fabric and configuration limits the ability to provide all required landscaping on the site while also accommodating essential facilities required to support a police service facility.

In order to facilitate the proposed development, priority areas for landscaping have been identified through the site plan review process, and which include the interface with BME Church, the street frontages, and the adjacent residential uses along Niagara Street. The location of the proposed landscaping reduction along the north and east perimeter is limited to the portion of the parking lot that abuts less sensitive existing commercial and industrial uses and no negative impact is anticipated.

Variance 5 requests a reduction in the landscape buffer along the parking area on North Street from 3 metres to 1.5 metres. Staff notes that the variance is requested as a result of the 4.1 metre road widening requested by the City along North Street. Staff is of the

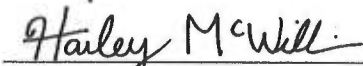
opinion that the reduction is minor in nature and that adequate separation distance will be maintained.

Variance 6 requests a reduction in the landscape buffer along the westerly parking area on North Street from 3 metres to 1.5 metres. Staff notes that the variance is requested as a result of the 4.1 metre road widening requested by the City along North Street. Only the southwest corner of the proposed parking area falls within the required 3 metre setback. Staff is of the opinion that the reduction from 3 metres to 1.5 metres for the small portion of the parking area is minor in nature and that adequate separation distance will be maintained. No adverse impacts are anticipated as a result of the variance.

Conclusion

Staff is satisfied that all of the variances requested by application A-113/16 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.

Prepared by:



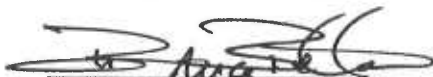
Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Friday, November 04, 2016 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

Hi again Elaine
Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



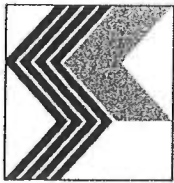
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Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



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: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 17, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-95/16	1B Lora Street	No Comment
A-113/16	198 Welland Avenue	Please be advised that the reduction in setback will impact the type of construction permitted for the support wall and canopy.
A-114/16	26 Yates Street	No Comment
A-115/16	7 Cherry Street	No Comment
A-116/16	50 Dorchester Blvd.	No Comment
A-117/16	5 October Drive	No Comment
A-118/16	527 Carlton Street	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2016\33 bcoa memo-mv-Nov17, 2016.docx



Memorandum

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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

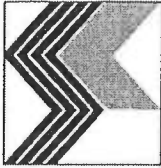
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-95/16SC – 1B Lora Street
A-113/16SC – 198 Welland Avenue
A-114/16SC – 26 Yates Street
A-115/16SC – 7 Cherry Street
A-116/16SC – 50 Dorchester Boulevard
A-117/16SC – 5 October Drive
A-118/16SC – 527 Carlton Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications.

Trusting this information is satisfactory, feel free to contact me for further information, if required.

Regards,

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
Public Hearings – November 17, 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/

265 Linwell Road

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission(s): B-48/16SC
B-56/16SC
A-87/16

File: 60.84.2067
60.84.2075
60.81.5138

Subject: 265 Linwell Road

Recommendation

That Submission **B-48/16SC** by Grey Forest Homes Ltd., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) 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 designated 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.
- 2) That the owner enter into a Servicing Agreement with the City to address the sanitary sewer extension on Lora Street and individual servicing for all proposed dwellings, and the design and implementation of a Comprehensive Grading Control Plan.
- 3) The owner be responsible for the design, construction and all necessary costs associated with the servicing works within the road allowance including the necessary security deposits to the satisfaction of the City Engineer.
- 4) 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.
- 5) 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.

- 6) That the existing Church and any accessory buildings be removed. If any of the structures exceed 10m² in building area, a demolition permit is to be obtained from the City Building Section for each structure and completed to the satisfaction of the Chief Building Official.

And that Submission **B-56/16SC** by Grey Forest Homes Ltd., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) 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 designated 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.
- 2) That the owner enter into a Servicing Agreement with the City to address the sanitary sewer extension on Lora Street and individual servicing for all proposed dwellings, and the design and implementation of a Comprehensive Grading Control Plan.
- 3) The owner be responsible for the design, construction and all necessary costs associated with the servicing works within the road allowance including the necessary security deposits to the satisfaction of the City Engineer.
- 4) 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.
- 5) That payment of 5% of the appraised value of the new lot (Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

And that Submission **A-95/16** by Grey Forest Homes 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 applications B-48/16SC and B-56/16SC 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 the variances requested through application A-95/16 are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consents and variances be approved, subject to the conditions outlined in the recommendation.

Proposed Development

Application **B-48/16SC** is requesting a consent to sever 840.5m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 265 Linwell Road for the purpose of constructing a semi-detached dwelling. A 479.9m² remnant parcel (Part 3) would be retained for a proposed detached dwelling. Part 4 is to be dedicated to the City for a road widening.

Application **B-56/16SC** is requesting a consent to sever 717.9m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 1B Lora Street for the purpose of constructing a semi-detached dwelling. A 479.9m² remnant parcel (Part 3) would be retained for the purpose of constructing a detached dwelling.

Application **A-95/16** is requesting variances from the following requirements of the City of St. Catharines Zoning By-law 2013-283 to facilitate the proposed development on Part 2 on the sketch provided.

- 1) A reduction of the minimum lot area per dwelling unit from 370m² to 342m² for Unit 2 of the proposed semi-detached dwelling.
- 2) An increase in the total driveway width from 7.5 metres to 9.5 metres.
- 3) A reduction of the minimum lot area for a semi-detached dwelling from 740m² to 717.9m².

Location and Site Description

The subject property is located on the northwest corner of Linwell Road and Lora Street. The property is surrounded by detached dwellings in all directions. There is currently a Place of Worship on the property, which is proposed to be demolished for future residential development.

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 E2 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 22 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 Low Density Residential – Suburban Neighbourhood (R1) zone, which includes a variety of low density residential dwelling types including detached, semi-detached, and quadruplex dwellings, townhouses and private road developments.

Consents

Application B-48/16SC is requesting a consent to sever 840.5m² of land (Part 1) to build a semi-detached dwelling.

Application B-56/16SC is requesting a consent to sever 717.9m² of land (Part 2) to build a semi-detached dwelling.

The consents will result in a remnant parcel of land (Part 3) proposed for a detached dwelling.

The GCP establishes a policy direction supporting infill and intensification, but balanced with design principles to support compatible building, site and streetscape context sensitive design, greening, and natural and cultural heritage protection within neighbourhoods.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighbourhoods, including: Part B, Section 2.3.3; Part C, Section 4.5; Part D, Section 7.1; and Part F, Section 16.11. The proposed consents were evaluated against the aforementioned policies and in the opinion of staff the consents support the City's growth directive towards infill and intensification, while still maintaining compatibility with the surrounding neighbourhood.

The current lot is 2268.8m² in size. The proposed consents would create a lot for a detached dwelling that is 479.9m² in size, and two lots for semi-detached dwellings that are 840.5m² and 717.9m² in size.

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 vicinity with an area of 2268.8m². The proposed consents would create three new lots that would be closer to the average lot size in the area. Staff consider the lots to be an appropriate shape and size for the

detached and semi-detached dwellings proposed. Staff is satisfied that the consents will allow for an appropriate amount of intensification in a substantially developed area. Staff is of the opinion that the lots will be compatible with the surrounding area, that the consents meet the intent of the Official Plan, and that there will be no negative impacts on adjacent properties as a result of the proposed consents.

Application A-87/16 (Part 2)

Variance 1 requests a reduction of the minimum lot area for a semi-detached dwelling from 740m² to 717.9m². Variance 3 requests a reduction in lot area per dwelling unit for Unit 2 from 370m² to 342m². Both variances are required to permit the construction of the semi-detached dwelling proposed on Part 2. Staff is satisfied that, in this instance, the reduction in lot area by 22.1m² and the reduction in lot area for Unit 2 is minor in nature. Adequate amenity space and separation distance will be maintained. No adverse impacts are anticipated as a result of the variance.


Variance 2 requests an increase in the total driveway width permitted on a lot from 7.5 metres to 9.5 metres. Staff note that this variance is required because the semi-detached dwelling, and the two driveways to service the units, will be constructed prior to the lots being severed. Staff notes that once the lots are severed, the driveways, if constructed as proposed, will meet all Zoning By-law requirements. Staff is satisfied that the variance is minor in nature and that no adverse impacts will result from the increase in driveway width.

Staff note that Part 1 and Part 2 are intended to be developed for semi-detached dwellings. Staff would likely not support minor variances required for the construction of detached dwellings on Parts 1 and 2, should the proposal change, as the proposed lots would be significantly oversized in relation to Zoning By-law lot size requirements for detached dwellings.

Conclusion

Staff is satisfied that the consents requested through applications B-48/16SC and B-56/16SC 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-95/16 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 variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Bruce Bellows
Planner II

Munro, Elaine

To: Gordon, Carrie (6055673)
Subject: RE: 905W-16-235 - B-48/16SC - 265 Linwell Rd

From: Gordon, Carrie (6055673) [mailto:carrie.gordon@bell.ca]
Sent: Thursday, November 03, 2016 11:04 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 905W-16-235 - B-48/16SC - 265 Linwell Rd

Dear Elaine,

Re file No: B-48/16SC

Details

- ☐ Consent Application
- ☐ 265 Linwell Rd
- ☐ Pt Lot 1, 2, 3 Reg Plan 223 & Pt Lot 55, Reg. Plan 248

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 the application.

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

Thank you

Carrie Gordon
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.gordon@bell.ca

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

Munro, Elaine

From: Gordon, Carrie (6055673) <carrie.gordon@bell.ca>
Sent: Thursday, November 03, 2016 11:51 AM
To: Munro, Elaine
Cc: Moyle, Jacqueline (6088374)
Subject: 905W-16-264 Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

Dear Elaine,

Re file No: B-56/16SC

Details

- ☐ Consent Application
- ☐ 1A Lora Street
- ☐ PT Lot 1,2,3 Reg Plan 223 and PT Lot 55 Reg Plan 248

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 the application.

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

Carrie Gordon
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.gordon@bell.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, November 02, 2016 4:27 PM
To: ROWCC
Subject: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

Email 2

Good Afternoon:

Attached please find the Notices of Hearing for the November 17, 2016 Committee of Adjustment Hearing.

Email 1

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Friday, November 04, 2016 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

Hi again Elaine
Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



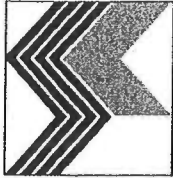
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Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



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: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – November 17, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 1.

Condition:

- The existing Church and any accessory buildings shall 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-56/16SC – 1A Lora Street

Comment:

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

Condition:

- No Comment

B-62/16SC – 7 Cherry Street

Comment:

- Be advised that a permit is required for the proposed 3 unit townhouse on Part 1.

Condition:

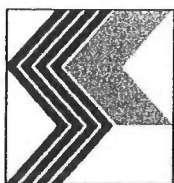
- The existing single detached dwelling on Part 1 is to be removed. A permit to demolish the existing 2 storey dwelling is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2016\34 bcoa memo-sev-Nov17, 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

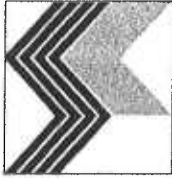
Date: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 17, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-95/16	1B Lora Street	No Comment
A-113/16	198 Welland Avenue	Please be advised that the reduction in setback will impact the type of construction permitted for the support wall and canopy.
A-114/16	26 Yates Street	No Comment
A-115/16	7 Cherry Street	No Comment
A-116/16	50 Dorchester Blvd.	No Comment
A-117/16	5 October Drive	No Comment
A-118/16	527 Carlton Street	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\33 bcoa memo-mv-Nov17, 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: November 3, 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.

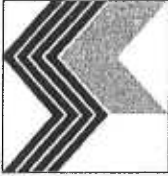
The applicant should be advised that additional tree planting payments will be required if the semi-detached dwelling or townhouse are severed in the future.

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

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

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

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



Memorandum

To: 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: November 3, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 1A Lora St.
File No: 60.84.2075

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

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

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

From: Sullivan, Kristen

Sent: Thursday, November 03, 2016 5:08 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

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

- 1A Lora (mv)
- 5 October (mv)
- 50 Dorchester (mv)
- 7 Cherry (ld)
- 7 Cherry (mv)
- 26 Yates (mv)
- 527 Carlton (mv)

I have not reviewed the minor variance for 198 Welland Ave. as it has not yet been circulated.

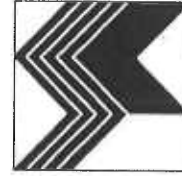
Kristen Sullivan

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



November 4, 2016 **ENGINEERING FILE 300-36**

Hearing Date: November 17, 2016

Applicant: Grey Forest Homes Ltd.

Location: 265 Linwell Road

MUNICIPAL SERVICES

Water: 200mm PVC Watermain on **Linwell Road**
50mm 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: Exist along 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 4 street towns 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 20.12m (66'). Its current width along this section is ± 20.12 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 (86'). Its current width along this section is ± 18.28 m (60'). 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. A Comprehensive Grading Control Plan shall be prepared by a qualified Professional Engineer or Ontario Land Surveyor to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet and do not adversely affect any abutting properties. The Comprehensive Grading Control Plan shall be submitted to the City for review and approval as a condition of the severance application. Individual lot grading plans shall be submitted for review and approval for each dwelling at the time a building permit application has been made with the City, in conformance with the Comprehensive Grading Control Plan.

Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does exist on Linwell Road, individual storm laterals must be installed to each lot that fronts the storm sewer. Sump pump flows shall be directed to discharge foundation weeping tile flows 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 approvals and costs 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 and 20mm (3/4") water service to this property which are provided from Linwell Road. They may be reused for one of the lots provided they are in good condition and do not cross any future or existing lot lines. The size of the water service shall be designed based on the number of fixture units for the new dwelling. All other proposed units will require new water, sewer and storm (if applicable) laterals to be installed to the property line.

The driveway for unit 1 will not meet the required minimum clearance from the existing hydro pole. Due to the width of the proposed lot as shown, there is no alternative location for this driveway. Based on this design, the existing hydro pole will need to be relocated and coordinated with Horizon Utilities.

Condition(s): That a road widening dedication of approximately 3.96 metres across the frontage of Linwell Road 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 Comprehensive Grading Control Plan

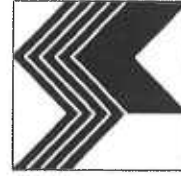
The owner will be responsible for the design, construction and all necessary approvals for the works and any cost associated with it including the necessary security deposits to the satisfaction of the City Engineer.



Prepared By:

Brad Johnston, C.E.T.
Development Engineering Technologist

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



November 4, 2016 **ENGINEERING FILE 300-36**

Hearing Date: November 17, 2016

Applicant: Grey Forest Homes Ltd.

Location: 1A Lora Street

MUNICIPAL SERVICES

Water: 200mm PVC Watermain on **Linwell Road**
50mm 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: Exist along 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 1A Lora Street to create a semi-detached building fronting Linwell Road and 4 street towns 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 20.12m (66'). Its current width along this section is ± 20.12 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 (86'). Its current width along this section is ± 18.28 m (60'). 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. A Comprehensive Grading Control Plan shall be prepared by a qualified Professional Engineer or Ontario Land Surveyor to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet and do not adversely affect any abutting properties. The Comprehensive Grading Control Plan shall be submitted to the City for review and approval as a condition of the severance application. Individual lot grading plans shall be submitted for review and approval for each dwelling at the time a building permit application has been made with the City, in conformance with the Comprehensive Grading Control Plan.

Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does exist on Linwell Road, individual storm laterals must be installed to each lot that fronts the storm sewer. Sump pump flows shall be directed to discharge foundation weeping tile flows 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 approvals and costs 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 and 20mm (3/4") water service to this property which are provided from Linwell Road. They may be reused for one of the lots provided they are in good condition and do not cross any future or existing lot lines. The size of the water service shall be designed based on the number of fixture units for the new dwelling. All other proposed units will require new water, sewer and storm (if applicable) laterals to be installed to the property line.

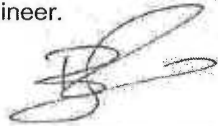
The driveway for unit 1 will not meet the required minimum clearance from the existing hydro pole. Due to the width of the proposed lot as shown, there is no alternative location for this driveway. Based on this design, the existing hydro pole will need to be relocated and coordinated with Horizon Utilities.

Condition(s): That a road widening dedication of approximately 3.96 metres across the frontage of Linwell Road 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 Comprehensive 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:

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

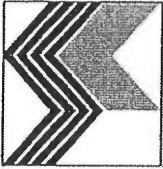
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-95/16SC – 1B Lora Street
A-113/16SC – 198 Welland Avenue
A-114/16SC – 26 Yates Street
A-115/16SC – 7 Cherry Street
A-116/16SC – 50 Dorchester Boulevard
A-117/16SC – 5 October Drive
A-118/16SC – 527 Carlton Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications.

Trusting this information is satisfactory, feel free to contact me for further information, if required.

Regards,

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
Public Hearings – November 17, 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/

5 October Drive

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission(s): A-117/16

File: 60.81.5160

Subject: 5 October Drive

Recommendation

That Application **A-117/16** by James Andrew Vahrmeyer and Marie Elizabeth Vahrmeyer, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the applicant provide the Secretary-Treasurer with a solicitor's undertaking to ensure that Area 3, as illustrated on the submitted sketch and legally described as Lot 36, Plan 685, will merge with adjacent Areas 1 and 2.
- 2) That the necessary deeming by-law be passed ensuring that Lot 36, Plan 685, as shown as Area 3 on the submitted sketch, is deemed to not be within a plan of subdivision, allowing the lot to merge with those lands shown as Areas 1 and 2 on the submitted sketch.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-117/16 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 conditions outlined in the recommendation.

Report Proposal

Application **A-117/16** requests an increase in the maximum lot area per dwelling unit from 490m² to 922.13m². The variance is requested to facilitate the addition of 397.36m² of land to the existing lot municipally known as 5 October Drive. No development is proposed.

Location and Site Description

The subject property is located on the west side of October Drive, south of Lamson Avenue. The property is surrounded by detached dwellings in all directions.

Background

In 2013, the Committee of Adjustment approved a boundary adjustment concerning the parcel shown as Area 1 on the submitted sketch. At that time, the intent was that Area 1 would merge in title with the applicants' property (Area 3). Area 1 has been legally transferred to the applicants, but there is no evidence to suggest that it has merged with the parcel shown as Area 3.

Additionally, a plan of condominium for the private road development located south of the subject lands at 55 Lakeshore Road will, once registered on title, create the orphaned parcel illustrated as Area 2 on the submitted sketch. The applicants have entered into an agreement with the developer of the private road development to purchase that orphaned parcel.

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 lands are 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, triplex, quadruplex, fourplex, and townhouse dwellings at a density range generally 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 – Suburban Neighbourhood (R1). The R1 zone permits a variety of low density residential dwelling types including detached, semi-detached, quadruplex and townhouse dwellings and private road developments.

The variance requested would allow for an increase in maximum lot area to facilitate the addition of 397.36m² of land (Areas 1 and 2) to the subject parcel (Area 3), which has an existing lot area of 524.77m². A 922.13m² lot would result from the merger.

The area surrounding the subject property is distinctly suburban in nature. The neighbourhood features large lots that generally exceed the maximum lot area per dwelling unit permitted in the R1 zone. In the immediate area, lots range in size from 463.8m² to 1563.5m². Staff is of the opinion that the proposal will result in a lot size that is compatible with the prevailing low-density, suburban character of the neighbourhood.

Staff note that no new development is proposed. No adverse impacts are anticipated as a result of the variance.

Notwithstanding Areas 1 and 3 have been consolidated under one Property Identification Number at the Land Registry Office, it is staff's opinion that the two parcels of land have not legally merged; Area 3 is a whole lot in a registered plan of subdivision and cannot be merged with any adjacent lands held under the same ownership. Area 1 is therefore separately conveyable at present. A deeming by-law passed under Section 50(4) of the Planning Act is necessary to deem Area 3, being Lot 36, Plan 685, as not being within a registered plan of subdivision. This will allow all three of the parcels to merge. Staff are recommending the variances be granted subject to the conditions outlined above.

Conclusion

Staff is satisfied that application A-117/16 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 conditions outlined in the recommendation.

Prepared by:



Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
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Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



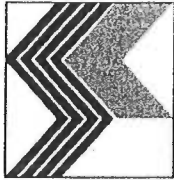
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Ce courriel provient de Doug.Crown@cogeco.com. Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à desabonnement@cogeco.com. Merci!

Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



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: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 17, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\33 bcoa memo-mv-Nov17, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

From: Sullivan, Kristen

Sent: Thursday, November 03, 2016 5:08 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

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

- 1A Lora (mv)
- 5 October (mv)
- 50 Dorchester (mv)
- 7 Cherry (ld)
- 7 Cherry (mv)
- 26 Yates (mv)
- 527 Carlton (mv)

I have not reviewed the minor variance for 198 Welland Ave. as it has not yet been circulated.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

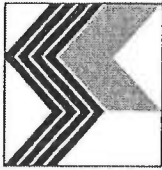
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-95/16SC – 1B Lora Street
A-113/16SC – 198 Welland Avenue
A-114/16SC – 26 Yates Street
A-115/16SC – 7 Cherry Street
A-116/16SC – 50 Dorchester Boulevard
A-117/16SC – 5 October Drive
A-118/16SC – 527 Carlton Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications.

Trusting this information is satisfactory, feel free to contact me for further information, if required.

Regards,

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
Public Hearings – November 17, 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/

50 Dorchester
Boulevard

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission: A-116/16

File: 60.81.5159

Subject: 50 Dorchester Boulevard

Recommendation

That Submission **A-116/16** by Grey Forest Homes, as outlined in the Notice of Hearing, be approved.

Summary

The purpose of this application is to permit the construction of a 10-unit vacant land condominium consisting of nine townhouse units and one detached dwelling.

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

Staff recommends granting the requested variance.

Report

Proposed Development

Application **A-116/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction from the required minimum density of 25 units per hectare to 23.95 units per hectare.

Location and Site Description

The subject property is located at the bend where Dorchester Boulevard and Meredith Drive meet, north of Welland Avenue. The property is surrounded by detached and semi-detached dwellings to the north, vacant land to the south, the unopened Dorchester Boulevard road allowance and townhouses to the west and detached and townhouse dwellings to the east.

Circulation of Application

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

Planning Analysis

Official Plan

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). Schedule E3 of the Garden City Plan (GCP) further designates the land as Medium Density Residential, which permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally between 25 and 99 units per hectare, subject to the policies of the Garden City Plan. The proposed density is 23.95 units per hectare.

Zoning By-law

The subject land is zoned Medium Density Residential (R3) pursuant to By-law 2013-283, which permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, private road developments, apartment buildings and long-term care facilities. The R3 zone permits a density of between 25 and 99 units per hectare.

The proposal includes 9 townhouse units and a detached dwelling, which are to be accessed using a private road. Townhouses and detached dwellings are common residential dwelling types in the surrounding neighbourhood. Staff note that the site is irregularly shaped, as it is constrained by the unopened Dorchester Boulevard road allowance abutting the property to the west. Given the site's shape and surrounding location, staff is satisfied that the current site design, with a density of 23.95 units per hectare, provides for the optimum and desirable development of the site. Staff is of the opinion that attempts to increase the density may reduce the overall quality of the development. No other variances are required to permit the development, as proposed. The reduction in density by 1.05 units per hectare is considered minor in nature and appropriate given the site configuration and the context of the surrounding neighbourhood.

Staff is of the opinion that the proposed density of 23.95 units per hectare is generally in keeping with the GCP's Medium Density Residential density target of 25 to 99 units per hectare. No Official Plan amendment is required.

Conclusion

Staff is of the opinion that variance application A-116/16 is minor in nature, is appropriate and desirable for the use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be approved.

Prepared by:



Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

Munro, Elaine

To: Taya Devlin
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines

From: Taya Devlin [mailto:tdevlin@npca.ca]
Sent: Thursday, November 10, 2016 2:47 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Rohe, Craig (Craig.Rohe@niagararegion.ca) <Craig.Rohe@niagararegion.ca>; Motchka, Adam <Adam.Motchka@niagararegion.ca>; Mancuso, Connie (connie.mancuso@niagararegion.ca) <connie.mancuso@niagararegion.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines

Good Afternoon Elaine,

NPCA staff have reviewed the subject application and offer the following comments.

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

In addition to the above NPCA policies, the NPCA comments on the Region of Niagara's Environmental Policies on their behalf for any proposal requiring approvals under the Planning Act. The following is offered in that context.

Regional Core Natural Heritage mapping identifies an ECA Significant Woodland adjacent (within 50 metres) to the subject property. Upon further review of the mapping, it appears that the lands identified as Significant Woodland have been developed and are no longer impacted by an ECA feature. As such, the NPCA offers no objection with regards to Regional Core Natural Heritage features.

Based on the above, the NPCA offers no objection to the subject application.
Please contact me if you have any questions.
Thank you,

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



Legend

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

Notes

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Friday, November 04, 2016 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

Hi again Elaine
Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



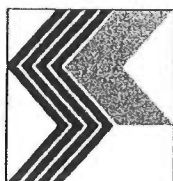
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Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



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: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 17, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-95/16	1B Lora Street	No Comment
A-113/16	198 Welland Avenue	Please be advised that the reduction in setback will impact the type of construction permitted for the support wall and canopy.
A-114/16	26 Yates Street	No Comment
A-115/16	7 Cherry Street	No Comment
A-116/16	50 Dorchester Blvd.	No Comment
A-117/16	5 October Drive	No Comment
A-118/16	527 Carlton Street	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2016\33 bcoa memo-mv-Nov17, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

From: Sullivan, Kristen

Sent: Thursday, November 03, 2016 5:08 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

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

- 1A Lora (mv)
- 5 October (mv)
- 50 Dorchester (mv)
- 7 Cherry (ld)
- 7 Cherry (mv)
- 26 Yates (mv)
- 527 Carlton (mv)

I have not reviewed the minor variance for 198 Welland Ave. as it has not yet been circulated.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-95/16SC – 1B Lora Street
A-113/16SC – 198 Welland Avenue
A-114/16SC – 26 Yates Street
A-115/16SC – 7 Cherry Street
A-116/16SC – 50 Dorchester Boulevard
A-117/16SC – 5 October Drive
A-118/16SC – 527 Carlton 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 above variance applications.

Trusting this information is satisfactory, feel free to contact me for further information, if required.

Regards,

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
Public Hearings – November 17, 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/

7 Cherry Street /
26 Yates Street

Departmental &
Agency Comments

Munro, Elaine

From: Gordon, Carrie (6055673) <carrie.gordon@bell.ca>
Sent: Thursday, November 03, 2016 11:53 AM
To: Munro, Elaine
Cc: Moyle, Jacqueline (6088374)
Subject: 905W-16-265 Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

Dear Elaine,

Re file No: B-62/16SC

Details

- ☐ Consent Application
- ☐ 7 Cherry Street
- ☐ PT Lot 1187, Corp Pin No 2

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 the application.

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

Carrie Gordon
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.gordon@bell.ca

From: Munro, Elaine [<mailto:emunro@stcatharines.ca>]
Sent: Wednesday, November 02, 2016 4:27 PM
To: ROWCC
Subject: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

Email 2

Good Afternoon:

Attached please find the Notices of Hearing for the November 17, 2016 Committee of Adjustment Hearing.

Email 1

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Friday, November 04, 2016 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

Hi again Elaine
Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission(s): B-62/16SC
A-114/16
A-115/16

File: 60.84.2081
60.81.5157
60.81.5158

Subject: 7 Cherry Street & 26 Yates Street

Recommendation

That Submission **B-62/16SC** by DTFSL Equity Corp., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) 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 Part 3).
- 2) That the Owner dedicate a road widening of 2.36 metres along the frontage of Cherry 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.
- 3) That the existing detached dwelling on Part 1 be removed. A demolition permit to demolish the existing dwelling is to be obtained from the City Building Section and be completed to the satisfaction of the Chief Building Official.
- 4) That final approval for the necessary minor variance applications be received.

And that Submission **A-114/16** by Anthony & Cynthia Fischer, as outlined in the Notice of Hearing, be approved.

And that Submission **A-115/16** by DTFSL Equity Corp., as outlined in the Notice of Hearing, be approved with an amendment to variance 4 as follows:

- 4) An increase of the total driveway widths from 7.5 metres to 13.106 metres, with the driveway width for each unit as follows:
 - Unit 1: 4.42 metres
 - Unit 2: 4.267 metres
 - Unit 3: 4.42 metres

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application B-62/16SC is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that variances A-114/16 and A-115/16, 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.

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

Proposed Development

Application **B-62/16SC** is made for a partial discharge of mortgage and consent to sever 7.7m² of land (Part 2 on the submitted sketch) which will be added to the abutting southerly lot known as 26 Yates Street (Part 3). A 474m² remnant parcel with an existing detached dwelling, to be removed for the purpose of constructing the proposed 3-unit townhouse (Part 1), would be retained. The application will result in a boundary adjustment between 26 Yates Street and 7 Cherry Street, which will break a previous severance and allow 7 Cherry Street and 5 Cherry Street to merge.

Application **A-114/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283, for the proposed lot (Part 3):

- 1) An increase of the maximum lot area per dwelling unit from 465m² to 945.7m².

Application **A-115/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction in the minimum lot area per dwelling unit from 280m² to 255m² for Unit 1.
- 2) A reduction in the minimum lot area per dwelling unit from 280m² to 205m² for Unit 2.
- 3) A reduction in the minimum lot area per dwelling unit from 280m² to 230m² for Unit 3.
- 4) An increase of the total driveway widths from 7.5 metres to 14.9 metres.

Location and Site Description

5 and 7 Cherry Street are located on the south side of Cherry Street, west of Trafalgar Street. 26 Yates Street is located on the north side of Yates Street, west of Trafalgar

Street, and abuts 5 and 7 Cherry Street to the south. The subject lands are surrounded by commercial uses to the north, and detached dwellings to the south, east and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The properties at 5 and 7 Cherry Street and 26 Yates Street are designated Downtown as per Schedule D1 of the Garden City Plan (GCP). The Downtown designation is intended to provide the highest concentration, density, range and mix of office, commercial, entertainment, civic, government, institutional, recreational, creative and cultural employment uses and residential accommodation within the municipality.

The subject lands are further designated Low Density Residential as per Schedule E10 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.

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential –Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road developments.

Application B-62/16SC (7 Cherry Street)

Application B-62/16SC is requesting a consent to sever 7.7m² of land (Part 2) from 7 Cherry Street (Part 1) which is to be added to the southerly abutting parcel, 26 Yates Street (Part 3). The consent will result in a boundary adjustment between the two parcels of land.

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 is requested to break a previous severance on the property and allow 5 and 7 Cherry Street to merge. The proposed boundary adjustment will have a negligible impact on the existing lots, which are considered to be appropriate and compatible with the surrounding area.

Application A-114/16 (26 Yates Street)

Application A-114/16 requests an increase in the maximum lot area for a detached dwelling in the R2 zone from 465m² to 945.7m². The variance is requested to facilitate consent application B-62/16SC.

The existing lot (Part 3) is 938m² in size. The variance is required because the consent requested through application B-62/16SC would increase the lot area by 7.7m² (the addition of Part 2). Staff note that the lot fabric in the surrounding area is comprised of an eclectic mix of lot shapes and sizes. The lot sizes for low density residential uses in the immediate area range from 2650.7m² to 144.6m². Staff is satisfied that the lot area is appropriate for the proposed continued residential use of the property and that the proposal is compatible with the surrounding area. No adverse impacts are anticipated as a result of the variance.

Application A-115/16 (7 Cherry Street)

Application A-115/16 requests 4 variances to facilitate a 3-unit townhouse development on newly merged lots 5 and 7 Cherry Street.

Variances 1 through 3 request a reduction in the minimum lot area per townhouse dwelling unit in the R2 zone from 280m² to 255m² for Unit 1, 205m² for Unit 2 and 230m² for Unit 3. Staff note that the lot fabric in the surrounding area is comprised of a mix of lot shapes and sizes. Lot sizes for the low density residential uses in the immediate area range from 2650.7m² to 144.6m². Staff is satisfied that the proposed reduction in lot areas for each of the townhouse dwelling units are relatively minor in nature, are appropriate for the proposed residential use of the property, and that the proposal is compatible with the surrounding area. No adverse impacts are anticipated as a result of the variance.

Variance 4 requests an increase in the total driveway width permitted on a property from 7.5 metres to 14.9 metres. The width of the three proposed driveways are: 5.6 metres for Unit 1, 4.267 metres for Unit 2 and 4.572 metres for Unit 3. Staff note that the Zoning By-law permits driveways at a maximum width of 50% of the dwelling unit. Although the three townhouses will be built on one lot, it is staff's understanding that the applicant intends to sever the lot after the townhouse units are built. Once the lot is severed to create individual lots for the townhouse units, a further variance for an increase in driveway width above 50% of the dwelling unit would be required for Unit 1 and Unit 3, if built as proposed. As such, the driveways for Unit 1 and Unit 3 should be limited in width to 4.42 metres to meet the requirements of the Zoning By-law. Staff recommend that the requested variance be amended to permit an increase of driveway width from 7.5 metres to 13.106 metres, which would allow the applicant to build driveways at 50% of the proposed dwelling width for each unit, and which works out to a 4.42 metre wide driveway for Unit 1, a 4.267 metre wide driveway for Unit 2, and a 4.42 metre wide driveway for Unit 3.

Conclusion

Staff is satisfied that the consent requested through application B-62/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is of the opinion that applications A-114/16 and A-115/16, with the amended driveway widths for Units 1 and 3, 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 as amended, be approved subject to the conditions outlined in the recommendation.

Prepared by:



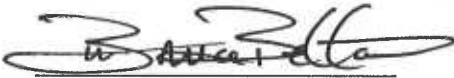
Hailey McWilliam
Student Planner

Submitted by:

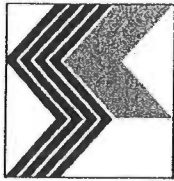


Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II



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: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – November 17, 2016 hearing - File No.: 300-036

B-48/16SC – 265 Linwell Road

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 1.

Condition:

- The existing Church and any accessory buildings shall 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-56/16SC – 1A Lora Street

Comment:

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

Condition:

- No Comment


B-62/16SC – 7 Cherry Street

Comment:

- Be advised that a permit is required for the proposed 3 unit townhouse on Part 1.

Condition:

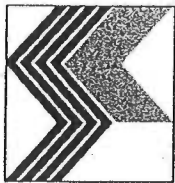
- The existing single detached dwelling on Part 1 is to be removed. A permit to demolish the existing 2 storey dwelling is to be obtained from the City Building Section and completed to the satisfaction of the Chief Building Official.



Mark Lepp, Building Inspector II

Cc: Files, 300-036

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Memorandum

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

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

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

Date: November 8, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 17, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-95/16	1B Lora Street	No Comment
A-113/16	198 Welland Avenue	Please be advised that the reduction in setback will impact the type of construction permitted for the support wall and canopy.
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A-115/16	7 Cherry Street	No Comment
A-116/16	50 Dorchester Blvd.	No Comment
A-117/16	5 October Drive	No Comment
A-118/16	527 Carlton Street	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\33 bcoa memo-mv-Nov17, 2016.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

From: Sullivan, Kristen

Sent: Thursday, November 03, 2016 5:08 PM

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the November 17/16 CofA Hearing

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

- 1A Lora (mv)
- 5 October (mv)
- 50 Dorchester (mv)
- 7 Cherry (ld)
- 7 Cherry (mv)
- 26 Yates (mv)
- 527 Carlton (mv)

I have not reviewed the minor variance for 198 Welland Ave. as it has not yet been circulated.

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-95/16SC – 1B Lora Street
A-113/16SC – 198 Welland Avenue
A-114/16SC – 26 Yates Street
A-115/16SC – 7 Cherry Street
A-116/16SC – 50 Dorchester Boulevard
A-117/16SC – 5 October Drive
A-118/16SC – 527 Carlton 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 above variance applications.

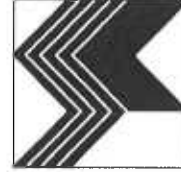
Trusting this information is satisfactory, feel free to contact me for further information, if required.

Regards,

Brad Johnston, C.E.T.
Development Engineering Technologist

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

62



November 4, 2016 **ENGINEERING FILE 300-36**

Hearing Date: November 17, 2016

Applicant: DTFSL Equity Corp.

Location: 7 Cherry

MUNICIPAL SERVICES

Water: 150mm (6")

Sanitary Sewer: 250mm (10")

Storm Sewer: 375mm (15')

Sidewalks: Yes

Road Allowance Width: 10.3m (33.8')

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

Comment(s):

It is noted that the Owner proposes to sever lands at 7 Cherry Street to be added to the abutting southerly lot known as 26 Yates Street. A remnant parcel with the existing single detached dwelling is to be removed for the purposes of constructing 3 street towns. 7 & 5 Cherry Street would then merge based on a boundary adjustment.

Roads

Cherry Street is designated as a Local road per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along this section is deficient at ± 10.3 m, however only a widening 2.36m (7.75') shall be required in order to obtain a road allowance width of 15.0m (49').

Engineering Services

There is existing sanitary and water services to this property which may be reused for one of the lots, provided they are in good condition and do not cross any future or existing lot lines. The size of the new water services shall be designed based on the number of fixture units for the new dwelling. All other proposed units will require new water, sewer and storm (if applicable) laterals to be installed to the property lines.

Grading & Drainage

Increased drainage challenges occur in these types of in-fill lot developments, where existing and established 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 drainage flows shall be conveyed to a suitable outlet and not adversely affect abutting properties.

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 Cherry Street, sump pump flows shall be required to discharge foundation weeping tile flows to the storm sewer via storm sewer lateral. Fees for servicing shall be collected at the time a building

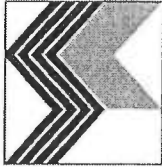
permit is applied for as per the City's current Schedule of Rates and Fees.

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

- Dedicate a 2.36m (7.75') road widening along the frontage of Cherry Street to the satisfaction of the City;

Prepared By:

Brad Johnston, C.E.T.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
Public Hearings – November 17, 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/

527 Carlton Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2016

Date of Meeting: November 17, 2016

Submission(s): A-118/16

File: 60.81.5161

Subject: 527 Carlton Street

Recommendation

That Submission **A-118/16SC** by Niagara Regional Housing, 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 the variances requested through application A-118/16 are minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variances be approved.

Report

Proposed Development

Application **A-118/16** is requesting a variance from the following requirements of the City of St. Catharines Zoning By-law 2013-283 to facilitate the proposed construction of a 5 storey, 85 unit affordable housing development by Niagara Regional Housing.

- 1) An increase of the maximum density per hectare from 99 units per hectare to 101 units per hectare.
- 2) A reduction of the minimum setback from the interior lot line for the balcony from 7.3 metres to 6.9 metres.

Location and Site Description

The subject property is located on the north side of Carlton Street, east of Woodelm Drive. The property is surrounded by Carlton Public School to the north, commercial and residential uses to the south, detached dwellings to the east and a trail and detached dwellings to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Medium Density Residential as per Schedule E3 of the Garden City Plan. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally between 25 and 99 units per hectare, subject to the policies of the Garden City Plan. The proposed density is 101 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Community Institutional (I2). The I2 zone permits cultural facilities, day cares, emergency service facilities, long-term care facilities, places of assembly, recreation facilities, elementary and secondary schools, social service facilities and the uses permitted in the Medium Density Residential (R3) zone. The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, apartment buildings, private road developments and long-term care facilities.

Staff note that the variances are requested to permit the construction of a five storey, 85 unit affordable housing development.

Variance 1 of Application A-118/16 requests an increase of the maximum density from 99 units per hectare to 101 units per hectare. The variance is required as a result of a road widening on Carlton Street that has been requested by the City. The road widening reduces the site area by 178m². Without the road widening, the property would have had a large enough area to accommodate 85 units at a density of 99 units per hectare.

Staff is supportive of maximizing the amount of affordable housing provided on site, provided that the proposal maintains appropriate setbacks, landscaping and is designed in a context sensitive manner. These features will be enforced through the site plan approval process. The increase in density is considered to be generally in keeping with the density permitted in the Medium Density Residential designation of the Official Plan. The increase in density by 2 units per hectare is considered to be minor in nature. No adverse impacts are anticipated as a result of the variance.

Variance 2 of Application A-118/16 requests a reduction in the minimum setback from the westerly interior lot line for the balcony from 7.3 metres to 6.9 metres. The variance would permit the proposed balconies on the west side of the building to extend beyond the building face. Staff note that the west side of the proposed building will face an existing trail. Staff is satisfied that there will not be any overlook or privacy concerns on adjacent uses as a result of the variance. The reduction in setback by 0.4 metres is

considered to be minor in nature. No adverse impacts are anticipated as a result of the variance.

Conclusion

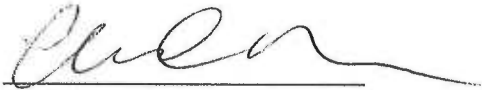
Staff is satisfied that application A-118/16 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is Staff's recommendation that the requested variances be approved.

Prepared by:



Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

From: Motchka, Adam [mailto:Adam.Motchka@niagararegion.ca]

Sent: Friday, November 11, 2016 11:50 AM

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

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (2 of 2 emails)

Hi Elaine

I have no comments in regards to the minor variances for 527 Carlton Street

Thanks

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

Munro, Elaine

Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Friday, November 04, 2016 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Notices of Hearing - November 17, 2016 Committee of Adjustment, City of St. Catharines (1 of 2 emails)

Hi again Elaine
Email One... Cogeco has no issues or concerns for this Notices..

Email 2 Cogeco has no issues or concerns for this Notices..

Have a great weekend too

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
Niagara Falls Ontario L2G 3H2 Canada
Doug.Crown@cogeco.com



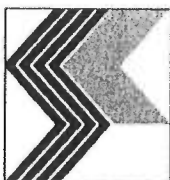
The information in this message, including in all attachments, is confidential or privileged. In the event you have received this message in error and are not the intended recipient, you are hereby advised that any use, copying or reproduction of this document is strictly forbidden. Please notify immediately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

L'information apparaissant dans ce message électronique et dans les documents qui y sont joints est de nature confidentielle ou privilégiée. Si ce message vous est parvenu par erreur et que vous n'en êtes pas le destinataire visé, vous êtes par les présentes avisé que toute utilisation, copie ou distribution de ce message est strictement interdite. Vous êtes donc prié d'en informer immédiatement l'expéditeur et de détruire ce message, ainsi que les documents qui y sont joints, le cas échéant.

Ce courriel provient de Doug.Crown@cogeco.com. Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à desabonnement@cogeco.com. Merci!

Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3



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: November 8, 2016

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Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\33 bcoa memo-mv-Nov17, 2016.docx

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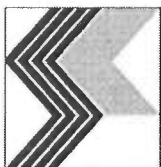
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Project & Development Planner
Email: ksullivan@stcatharines.ca
Tel: 905.688.5601 x3145



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

Cc: Charlotte McEwan, Planner I
Hailey McWilliam, Planning Co-op Student

From: Brad Johnston, C.E.T., Development Engineering Technologist
Planning and Building Services

Date: November 4, 2016
Hearing Date: November 16, 2016

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Development Engineering Technologist



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To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 4, 2016

Subject: Committee of Adjustment
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