

Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
 - i) A request for withdrawal without prejudice for Minor Variance Application – A-73/16 – 60.81.5117, Minor Variance Application – A-119/16 – 60.81.5162 & Minor Variance Application – A-120/16 – 60.81.5163, 189 Lockhart Drive, has been received by the Agent.
5. Adoption of the Minutes held November 16 & November 17, 2016
6. Application:
 1. 1160 Lakeshore Rd West, Minor Variance Application A-110/16 - 60.81.5153 (Deferred at October 26, 2016 Hearing)
 2. 585 Niagara Street, Land Division Application, B-63/16SC – 60.84.2082
 3. 37 Lake Street, Land Division Application, B-64/16SC – 60.84.2083
37B Lake Street, Minor Variance Application, A-122/16 – 60.81.5165
37 Lake Street, Minor Variance Application, A-123/16 – 60.81.5166
 4. 10 Spring Garden Blvd, Land Division Application, B-65/16SC – 60.84.2084
10A Spring Garden Blvd, Minor Variance Application – A-124/16 – 60.81.5167
 5. 15 Glenbarr Road, Land Division Application, B-66/16SC – 60.84.2085
15 Glenbarr Road, Minor Variance Application, A-125/16 – 60.81.5168
 6. 193 St. Paul Street West, Minor Variance Application, A-126/16 – 60.81.5169
7. New Business:
8. Date of next Hearing: January 11, 2017.
9. Adjournment

1160 Lakeshore
Road West

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 2, 2016

Date of Meeting: December 7, 2016

Submission(s): A-110/16

File: 60.81.5153

Subject: 1160 Lakeshore Road West

Recommendation

That Submission **A-110/16** by 1434340 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) The owner obtains a Work Permit from the Niagara Peninsula Conservation Authority prior to commencement of works on the subject property.
- 2) The owner obtains approval from the Niagara Region for private sewage system installation on the subject property. The system shall be designed to Level IV (Tertiary) treatment for phosphorus and a minimum of 50% nitrogen removal.

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-110/16 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-110/16** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 to vary Section 2.15.3 to permit the following:

- 1) To increase the height of the residential dwelling from 4 metres to 10 metres.
- 2) To increase the size of the building footprint from 123 m² to 181.5m².
- 3) To increase the volume of the total floor area of the dwelling to 278 m².

The variances are requested for the replacement of the existing dwelling (cottage) which was lawfully constructed prior to the passing of this By-law for the proposed

construction of a 2-storey residential dwelling.

Location and Site Description

The subject property has frontage on Firelane 400, which is not a public road. Firelane 400 is accessed from the north side of Lakeshore Road West, west of Fifth Street Louth. The property's access over Firelane 400 is established through a legal right-of-way, which is 3.7 m (12.0 ft) wide. Firelane 400 serves as access for a total of four residential properties. Surrounding land uses include residential properties to the east and west, agricultural uses to the south, with Lake Ontario to the north. A church also exists to the east of the property.

Circulation of Application

The application was circulated to all appropriate departments and agencies. Pertinent comments are summarized below.

Niagara Peninsula Conservation Authority (NPCA)

The subject property falls within the limit of the Regulated Shoreline associated with Lake Ontario. The proposed dwelling is within the erosion hazard associated with Lake Ontario, however it is setback more than 7.5 m from the Stable Slope Allowance, and is not located closer to the shoreline than the existing dwelling. The NPCA requires the submission of a coastal engineering report to confirm how the erosion hazard will be mitigated, which will be submitted through the required NPCA work permit.

The NPCA is also responsible for commenting on behalf of the Niagara Region with respect to the Region's Core Natural Heritage policies. The subject lands are within an Environmental Conservation Area (ECA) for the Valley Shoreline associated with Lake Ontario. The lake is also identified as Critical Fish habitat. The lands are also located within the Natural Heritage System of the Greenbelt Plan, and as such are classified as Environmental Protection Area (EPA). Development is permitted within an EPA if it has been demonstrated that there will be no significant negative impacts to the natural heritage features, which can be accomplished by completing an Environmental Impact Study (EIS). In this case, the NPCA has waived the requirements of an EIS because the development does not extend towards the feature, beyond the footprint of the existing dwelling. The NPCA is satisfied that there will be no significant negative impacts to the natural heritage features on site.

Lastly, the property is located within an identified Highly Vulnerable Aquifer (HVA). NPCA Staff have reviewed the materials submitted with the application and require that any sewage system be designed to Level IV (Tertiary) treatment for phosphorus removal and a minimum of 50% nitrogen removal. To this end, the NPCA would be satisfied that the proposal would not have significant adverse impacts on ground water quality or quantity.

Niagara Region Planning and Development Services

Niagara Region Staff have conducted a Private Sewage System Review for the proposed development. Changes to the existing dwelling would require a new sewage system to be installed. Regional Staff also note that the lot is in an area designated for groundwater

protection and note that the sewage system is required to be designed to Level IV (Tertiary) treatment, including phosphorus and nitrogen treatment. The Region is also satisfied that the site can accommodate a replacement system.

Fire Department

The City's Fire Department has attended the site and confirmed that current access, with a reduced width of 3.7 m (12.0 ft), is sufficient. The Fire Department has no objections to the proposed variances and does not require any upgrades to Firelane 400.

Planning Analysis

Official Plan (Garden City Plan)

The Municipal Structure Plan (Schedule D) of the Garden City Plan (GCP) illustrates the land as being within the Provincial Greentbelt Plan Area - Protection Countryside (Natural Heritage System). The policies of the GCP permit small scale expansion of existing non-farm dwellings in the Natural Heritage System, so long as the impact of the expansion on the feature and its function is minimized, and the expansion is directed away from the feature.

The General Land Use Plan (Schedule D1) of the GCP designates the land as Agriculture and Natural Area. The property is further designated on the Agriculture Area Planning District (Schedule E11) as Agriculture and Natural Area, with a Natural Area Extent Line impacting the property. The Agriculture designation permits existing detached dwellings. The Natural Area designation is in place on the subject property to protect the significant valleylands associated with Lake Ontario. A minimum setback of 7.5 m is required from the valley stable top of bank, which is provided and maintained in this instance.

The Official Plan seeks a built form that is compatible with the surrounding area in terms of scale, height, massing, spacing and several other matters. The Official Plan does not speak to the requirement for a property to have frontage on a public road.

The general intent of the Official Plan is being maintained in that the proposed building expansion is not going any closer to the natural heritage feature, and it has been determined by the NPCA that there will be no negative impacts on the feature as a result of the development, subject to the conditions of approval. Further, the proposed built form is compatible with the surrounding land uses, being a typical sized two-storey dwelling.

Zoning By-law (2013-283)

The subject land is zoned Agriculture (A1) and Conservation/Natural Area (G1). The Conservation/Natural Area (G1) Zone does not permit development. The subject application does not propose development in the G1 Zone on the property. The A1 zone permits detached dwellings on a lot area of 4,050 m² (1.0 ac) and a minimum lot frontage of 40 m. The existing lot does not comply with these requirements. However, subsection 2.15.1 states that existing lots that do not meet the minimum lot area or minimum lot frontage requirements of the By-law, may be used for a detached dwelling provided that all other provisions of the By-law are met. Section 2.6 of the By-law states that no person shall develop or construct a building or structure or otherwise use any lot

unless the lot has frontage on a public road. As Firelane 400 is not a public road, the subject lot does not comply with Section 2.6 of the By-law, and therefore a new dwelling cannot be built utilizing subsection 2.15.1.

However, a dwelling can be built on the property utilizing subsection 2.15.3 'Rebuilding' which states:

Nothing in this By-law shall apply to prevent the restoration, repair, renovation or the replacement of any lawfully constructed building or structure existing prior to the passing of this By-law, provided that such restoration, repair, renovation or replacement will not increase the height, size, volume or change the use of such building or structure unless in compliance with this By-law.

Notwithstanding that the property does not have frontage on a public road, the owner has the right to rebuild a dwelling on the property, so long as the building does not increase the height, size or volume of the building, and does not change the use of the building unless in compliance with the By-law, in accordance with subsection 2.15.3 above. The applicant has applied to apply to vary Section 2.15.3 in order to permit a dwelling that is larger than the existing dwelling.

Part of the intent of this provision is to allow uses that have been legally established prior to the passing of the By-law to continue to be in existence, and to allow the replacement of any building for that use. The intent of limiting the size of a replacement building to be the same size as the existing building, is to ensure that there are no further impacts on adjacent land uses. For example, the replacement of a legal non-conforming commercial building in a Residential Zone, with a larger commercial building, could have impacts on surrounding residential land uses. In this hypothetical case, it could be argued that the intent of the Zoning By-law is not being maintained because permitting a larger commercial use may create further impacts on surrounding land uses.

In the case of the subject property, the property is non-complying to the By-law because the lot does not have frontage on a public road. It is the opinion of Staff that the intent of the Zoning By-law is being met in this case, since the expansion of the residential land use will not further offend Section 2.6 of the Zoning By-law, which requires a building lot to have frontage on a public road. The property will continue to be served by Firelane 400, and the variances do not increase the number of properties served by the Firelane. There are no increased impacts on surrounding properties or the subject property, as a result of the variances. Therefore, the intent of the Zoning By-law is being maintained in this instance.

The building is being replaced on top of the existing footprint, with an expansion approximately 8 m (26.2 ft) to the west and 2 m (6.5 ft) to the south. A second storey could also be added to the dwelling. The proposed variances to Section 2.6 of the By-law do not cause negative impacts on surrounding properties. Therefore, the variances can be considered minor.

The variances are considered appropriate and desirable for the use of the land in that the proposed increase to height, footprint and floor area would all be in compliance with the provisions of the A1 Zone, if the lot had frontage on a public road. The proposed dwelling size, even with a reduced lot area, is appropriate subject to the recommended conditions of approval. The lot can be developed safely with an appropriately designed private sewage system.

Conclusion

Staff is satisfied that application A-110/16 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.

Submitted by:



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

Approved by:



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

Via Email Only

December 1, 2016

Our File: MV-16-052

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

Dear Ms. Munro,

Re: Application for Minor Variance
Applicant: Doug & Denise Pickard
Location: 1160 Lakeshore Road, St. Catharines
Town File: A-110/16

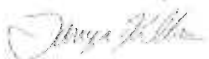
Niagara Region Development Services Division has reviewed the information circulated for the above-noted application and provides the following comments to assist the City in its consideration of this application.

Private Sewage System Review

We have reviewed the proposed minor variance application to permit increases to the existing one storey dwelling for replacement with a 2-storey dwelling. No record of the existing sewage system was found but the proposed changes to the dwelling would require a new sewage system to be installed. Due to existing site restrictions (lot size, environmental constraints) there is very limited land area available on the lot for a replacement sewage system. The lot is also in an area designated for groundwater protection and a Level IV/tertiary sewage system, including nitrate and phosphorus treatment, will need to be installed to service any development. However, a sewage system design plan for a replacement system was submitted for our review and meets with current Building Code requirements.

Therefore, our staff have no objections to the proposed minor variance application, provided the proposed development meets with the approved sewage system design plan as submitted.

Yours truly,



Tanya Killins
Inspector, Private Sewage Systems (BCIN #36235)

c: Adam Motchka, Development Approvals Technician
Aaron Butler, Planner, City of St. Catharines



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

December 1, 2016

File No. PLMV201600229

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

Attn: Elaine Munro, Secretary-Treasurer

Subject: A-110/16
1160 Lakeshore Road West, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has previously provided comments (dated October 20, 2016) on the subject application which was deferred on October 26, 2016. The application has since been recirculated for review. NPCA staff offer the following for your information.

The application is made pertaining to the City of St. Catharine's By-law 2013-283 to vary Section 2.15.3 to permit the following:

- i) To increase the height of the residential dwelling from 4 metres to 10 metres.
- ii) To increase the building footprint from 123 m² to 181.5 m².
- iii) To allow a total floor area of 278 m².

The variances are requested for the replacement of the existing dwelling (cottage) which was lawfully constructed prior to the passing of this By-law for the proposed construction of a 2 storey residential dwelling.

Niagara Peninsula Conservation Authority Regulations:

The subject property falls within the limit of the Regulated Shoreline associated with Lake Ontario. It is the Conservation Authority's mandate to ensure protection to life and property for development in or adjacent to flood prone areas and erosion hazards. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (**O. Reg. 155/06**).

In accordance with Policy 3.26.4.2 c), the construction of habitable dwellings is permitted within the Erosion Allowance provided:

- i) It meets the requirements of the shore protection work standard to the maximum extent and level possible based on site-specific conditions;
- ii) It utilizes maximum lot depth and width;
- iii) As a minimum, uses a setback from the Stable Slope Allowance of 7.5 metres;
- iv) The NPCA is satisfied that no practical alternative exists to locate the proposed structure outside of the erosion hazard.

The plan submitted indicates proposed development of a 2 storey residential dwelling within the erosion hazard associated with the Lake Ontario shoreline. The proposed development is shown to be located more than 7.5 metres from the stable slope allowance and no closer to the shoreline than existing development on site. An NPCA work permit will be required for the proposed development and through the review of the work permit, the NPCA will require the submission of a coastal engineering report to confirm how the erosion hazard will be mitigated (to the satisfaction of the Conservation Authority).

Niagara Region Natural Heritage Comments:

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

The Region's Core Natural Heritage Mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline associated with Lake Ontario. These lands also fall within the Natural Heritage System of the Greenbelt Plan, and as such are classified as an Environmental Protection Area (EPA). In accordance with Regional Policy 7.B.1.11, no development is permitted within an EPA and development may be permitted adjacent to (within 120 metres) an EPA if it has been demonstrated that there will be no significant negative impact to the natural heritage features. This can be accomplished through the completion of an Environmental Impact Study (EIS).

Lake Ontario has been identified as Critical Fish Habitat by the Ministry of Natural Resources and Forestry (MNRF). In accordance with Regional Policy 7.B.1.15, a naturally vegetated buffer a minimum 30 metres in width is required adjacent to Critical Fish Habitat.

In accordance with Policy 7.B.1.12, EIS requirements may be waived in accordance with the EIS guidelines. The proposed works are shown to be located within the waiving zone (within 30 metres of a significant natural heritage feature within the Greenbelt NHS), and does not extend towards the feature beyond existing development on site (footprint of existing dwelling). As such, NPCA staff are satisfied that the proposed works meet the waiving criteria as outlined in Section 1.1 of the EIS Guidelines and there will be no significant negative impact to the natural heritage features as a result of the proposed development.

The subject property is located within an identified Highly Vulnerable Aquifer (HVA). In accordance with Regional Policy 7.A.2.9, development and site alteration shall not have significant adverse impacts on ground water quality or quantity. NPCA staff have reviewed the materials submitted and will require that Level IV (Tertiary) treatment for phosphorus and a minimum 50 % nitrogen removal be installed for the proposed development.

Conclusion:

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

- a. That Level IV (Tertiary) treatment for phosphorus and a minimum 50% nitrogen removal be installed for the proposed development; and,
- b. That an NPCA work permit be obtained prior to commencement of works on site.

Please note, through the review of the work permit, the NPCA will require the submission of a coastal engineering report to confirm how the erosion hazard will be mitigated (to the satisfaction of the Conservation Authority).

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

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

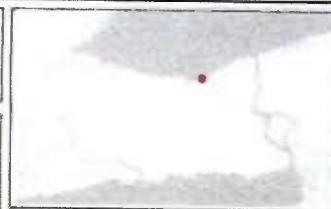
Yours truly,

A handwritten signature in black ink, appearing to read "Taya Devlin".

Taya Devlin

Watershed Planner (ext. 262)

cc: Aaron Butler, Planner I, City of St. Catharines
Craig Rohe, Planner, Niagara Region
Adam Motchka, Development Approvals Technician, Niagara Region
Connie Mancuso, Programs Assistant, Niagara Region
Darren MacKenzie, Supervisor, Construction Permits and Compliance, NPCA



Legend

-  Campsites
-  Contours 2010 (1m)
- Shoreline Flood/Erosion Invent**
 -  Regulatory Flood Hazard Limit
 -  Great Lakes Regulatory Flood Level
 -  Toe of Bluff
 -  Stable Slope Allowance
 -  Regulatory Erosion Hazard Limit
 -  Regulatory Dynamic Beach Reach
- Top of Slope Features**
 -  Stable
 -  Unstable
-  Top of Slope Allowance
- OWES WETLANDS**
 -  Non-Provincially Significant Wetland
 -  Provincially Significant Wetland
 -  Regulation Wetlands
 -  Wetland Allowance
 -  EPA: Regional Local Amendm
 -  EPA: Provincially Significant W
 -  EPA: Provincial Life ANSI
 -  EPA: Greenbelt NHS
 -  ECA: Valley Shoreline Buffer
 -  ECA: Public Conservation Lan
 -  ECA: Other Life ANSI
 -  ECA: Other Evaluated Wetland

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIQ, MPAC & Teranet

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

Notes

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--
This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

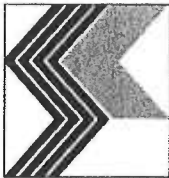
Privacy Policy and Anti-spam Commitment

- Contact us

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



Memorandum

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


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

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

Date: November 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 7, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-110/16	1160 Lakeshore Road West	No Comment
A-122/16	37B Lake Street	No Comment
A-123/16	37 Lake Street	No Comment
A-124/16	10A Spring Garden Blvd.	No Comment
A-125/16	15 Glenbarr Road.	No Comment
A-126/16	193 St. Paul Street West	No Comment


Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\35 bcoa memo-mv-Dec17, 2016.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

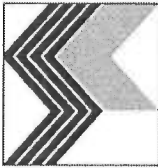
From: Sullivan, Kristen
Sent: Friday, November 25, 2016 1:33 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; McWilliam, Hailey <hmcwilliam@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

Charlotte and Hailey,

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

- 1160 Lakeshore W.
- 37A Lake (mv)
- 37B Lake (mv)
- 10 Spring Garden (ld)
- 10A Spring Garden (mv)
- 15 Glenbarr (mv)
- 193 St Paul W (mv)

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc: Development Technologist

From: Steve Bittner
Transportation Technologist

Date: November 24, 2016

Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/

585 Niagara Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 1, 2016

Date of Meeting: December 7, 2016

Submission(s): B-63/16SC

File: 60.84.2082

Subject: 585 Niagara Street

Recommendation

That Submission **B-63/16SC** by Greek Orthodox Church of St. Catharines and District, as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That the existing site plan agreement for 585 Niagara Street be amended to remove Part 2.

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

Staff recommends that the requested consent be approved, subject to the condition outlined in the recommendation.

Proposed Development

Application **B-63/16SC** is requesting a partial discharge of mortgage and consent to sever 3,286.2m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 42 Maplewood Drive for the purpose of selling the lot for future residential development by others. A 17,747.7m² remnant parcel of land with the existing church and cultural centre (Part 1) would be retained for continued Institutional use.

Location and Site Description

The subject property has frontage on Maplewood Drive, Linwell Road, and Niagara Street. The subject property is surrounded by Grantham United Church, apartment buildings, and a dental office with residential dwelling units to the north, detached dwellings to the south and west, and detached dwellings and a parkette to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated 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 GCP.

Zoning By-law (2013-283)

The subject land is zoned Community Institutional (I2-2). The I2 zone permits cultural facilities, day cares, emergency services facilities, long-term care facilities, places of assembly, places of worship, indoor and outdoor recreation facilities, elementary and secondary schools and the uses permitted in the Medium Density Residential (R3) zone. The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, and quadruplex dwellings, townhouses, private road developments, apartment buildings and long-term care facilities.

Special Provision 2 provides site specific provisions for apartment buildings, private road developments and townhouse dwellings, however, only a private road development and townhouse dwellings are permitted on Part 2. Private road developments and townhouses with 4 or more attached units are subject to site plan control. In order to meet the minimum density set out in Special Provision 2 of 20 units per hectare, more than 4 townhouse dwellings will need to be constructed, which means that all development on the site will be subject to site plan control.

The purpose of the consent application is to create a lot for future residential development.

Background

In 2010, Council approved an amendment to Zoning By-Law 64-207 to rezone the property to permit future residential development in the form of apartment buildings, private road developments and/or townhouse dwellings. The provisions of the amendment were carried forward into the City's Zoning By-law 283-2013 in 2013 through Special Provision 2.

All of the dwelling types permitted by the current zoning will trigger site plan control at some point in the future when a specific development proposal is presented. The applicant, the Greek Orthodox Church, simply wants to sever Part 2 and others will pursue development.

Consent B-63/16SC

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

- b) They contribute to the infilling of areas that are already substantially developed.

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

The subject lot is currently underutilized and staff consider the parcel of land to be an ideal candidate for residential redevelopment. The subject property is in close proximity to Walkers Creek Trail, a commercial plaza, elementary and secondary schools and is serviced by public transportation. Staff is satisfied that the proposed consent would create a lot that would be appropriate for future residential redevelopment and that the redevelopment would contribute to the infilling of a substantially developed area.

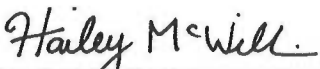
Staff note that there is an existing site plan agreement on the property, which will be required to be amended to remove Part 2. Additionally, future residential development on Part 2 will be subject to a site plan agreement, which will address details related to urban design and landscaping, among other elements. Standard conditions of consent require that the applicant submit a payment for deposit in the general tree planting reserve fund and 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 lands for parks purposes. Since there is no new development at this time, these conditions will instead be addressed at the site plan agreement stage.

As part of the site plan agreement, the applicant will be required, amongst other site plan matters, to make a payment of 5% of the appraised value of the new lot (Part 2) in lieu of dedication of land for parks purposes.

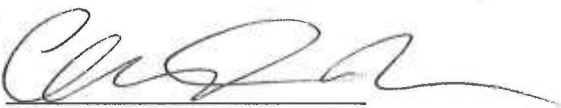
Conclusion

Staff is satisfied that the consent requested through application B-63/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. It is staff's recommendation that the requested consent be approved subject to the condition outlined in the recommendation.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:



Judy Pinach MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--
This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

Privacy Policy and Anti-spam Commitment

- Contact us

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



November 28, 2016

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

Attention: Elaine Munro

File# 60.84.2082

Re: 585 Niagara St

In response to your correspondence(s) dated November 22, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

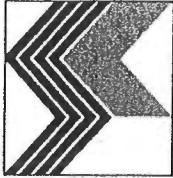
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Beaudrie". The signature is fluid and cursive, with a large, sweeping loop at the end.

Scott Beaudrie
Supervisor, Engineering Design



Memorandum

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

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

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

Date: December 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – December 7, 2016 hearing - File No.: 300-036

B-63/16SC – 585 Niagara Street

Comment:
- No Comment

Condition:
- No Comment

B-64/16SC – 37 Lake Street

Comment:
- No Comment

Condition:
- No Comment

B-65/16SC – 10 Spring Garden Boulevard

Comment:
- No Comment

Condition:
- No Comment

B-66/16SC – 15 Glenbarr Road

Comment:

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

Condition:

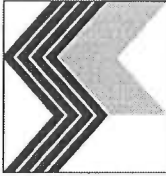
- The garage crossing parts 1 and 2 is to be removed. A building permit for the alteration of the existing dwelling to remove the garage shall be obtained and completed to the satisfaction of the Chief Building official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling unit.



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2016\36 bcoa memo-sev-Dec7, 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 585 Niagara St.
File No: 60.84.2082

Please be advised that we have reviewed the above-noted application. There are a number of existing mature trees along the Maplewood Dr. road allowance. Future townhouse construction along Maplewood Dr. will impact these trees, and likely require removals; this impact cannot be evaluated until a development proposal is received. The applicant should be advised that there may be siting restrictions and tree protection requirements placed on future applications. When tree removal is approved the applicant will be responsible for the cost of tree removal and replacement, in accordance with the Schedule of Rates and Fees

PRCS requests the following condition of severance:

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

The applicant should be advised that additional tree planting payments will be required if additional severance or planning applications are approved 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 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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-63/16SC



November 18, 2016

ENGINEERING FILE 300-36

Hearing Date: December 7, 2016

Applicant: Greek Orthodox Church of St. Catharines & District

Location: 585 Niagara Street

MUNICIPAL SERVICES

Maplewood Drive

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

Sanitary Sewer: 375mm (15")

Storm Sewer: 900mm (36") stub for Maplewood Drive at Linwell Road

Sidewalks: Yes

Road Allowance Width: 20.0m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 from Part 1 creating a new Block for freehold townhouse dwelling development along Maplewood Drive. A remnant parcel of land would be retained (Part 1) for continued institutional use of the Greek Orthodox Church of St. Catharines and District.

Roads

Maplewood Drive and Linwell Road are designated Local and Arterial roads as per the City's Official Plan with desired rights-of-way widths of 20.0m (66') and 26.2m (86') respectively. Their current widths along the Applicant frontages are satisfactory and the City shall not be pursuing any further widenings via this application.

Niagara Street along this section is designated as a Regional Collector road as per the City's Official Plan, with a desired right-of-way width of 26.2m. The Regional Municipality of Niagara shall have final say as to whether a need for a further widening is required along the Applicant frontage, according to their Region of Niagara Policy Plan for rights-of-ways.

Engineering Services

There are no local storm sewer services on Maplewood Drive available at this time. Drainage of the lands must be addressed to convey flows on each property to a sufficient outlet, while at the same time not adversely affecting abutting properties. No flows shall be allowed to be conveyed using the rear, vacant 'remnant' property, once severed. The Applicant shall be responsible to submit to the City for review and approval a Master Grading Control Plan for the entire development addressing the grading of the individual lots, a Stormwater Management Report addressing the development's ability to control post-development

stormwater flows to that of pre-development rates, and a Geotechnical Soils Report addressing soil characteristics for building lots. It may be determined through the Master Grading Control Plan that storm sewer laterals and rear yard catch basins may be required to achieve a suitable storm drainage outlet and conveyance system, to which the Applicant would be required to extend the above noted municipal storm sewer in order to service these lots adequately, and gain the required approvals and prepare the designs for.

A local 150mm watermain and a 375mm sanitary sewer both exist on Maplewood Drive to which the future lots will be required to tie into independently for services. The Applicant would be required to enter into an agreement with the City to address all of the individual townhouse servicing needs, lot grading, stormwater management, geotechnical requirements, driveway accesses, and storm sewer extension (if necessary), the costs of the design and construction of these requirements at the sole cost of the Applicant.

Site

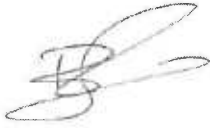
The existing site is currently subject to a Site Plan Control agreement, which would be required to be amended to address the relocation of the existing chain link fence along the Maplewood Drive frontage. The amendment would also be required to address the removal of the existing Site Plan Agreement from the title of the lands proposed to be severed and developed.

Condition(s):

Prior to final consent, the Applicant shall;

- Enter into an Agreement with the City of St. Catharines to address the servicing, lot grading, stormwater management, geotechnical requirements, driveway accesses and storm sewer extension (if necessary) for the proposed Block, and register the agreement on title of the lands
- Remove and relocate the existing chain link fence along the frontage of Maplewood Drive within the road allowance as required by the Site Plan Agreement registered on title and to accommodate the proposed Block development

Prepared By: _____


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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk
Cc: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: November 24, 2016
Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/

37 Lake Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 1, 2016

Date of Meeting: December 7, 2016

Submission(s): B-64/16SC
A-122/16
A-123/16

File: 60.84.2083
60.81.5165
60.81.5166

Subject: 37 Lake Street

Recommendation

That Submission **B-64/16SC** by Grant Terrance McArthur, as outlined in the Notice of Hearing, be approved subject to the following conditions:

- 1) That the Owner submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2016 Schedule of Rates and Fees.
- 2) That the applicant dedicate approximately 3.50m across the frontage of Lake Street to the City of St. Catharines, gratuitously for a nominal fee of two dollars (\$2). The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Reference Plan must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.
- 3) That final approval for the necessary minor variances be received.

And that Submission **A-122/16** by Grant Terrance McArthur, as outlined in the Notice of Hearing, be approved.

And that Submission **A-123/16** by Grant Terrance McArthur, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is of the opinion that the consent is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that variances A-122/16 and A-123/16 are minor in nature, are desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **B-64/16SC** is requesting a consent to sever 211m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 37B Lake Street for the recently constructed semi-detached dwelling. A 211m² remnant parcel (Part 2) would be retained for the other half of the existing semi-detached dwelling. The application would allow each unit of the existing semi-detached dwelling to be owned and/or sold separately.

Application A-122/16 and A-123/16 request a reduction of the minimum lot frontage from 7.5 metres to 6 metres for each half of the semi-detached dwelling.

Location and Site Description

The subject property is located on the west side of Lake Street. The property is surrounded by detached dwellings to the north and south, detached, semi-detached and triplexes to the east, and a triplex 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 Downtown as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Medium Density Residential as per Schedule E10 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.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, and quadruplex dwellings, townhouses, private road developments, apartment buildings and long-term care facilities.

Consent (B-64/16SC)

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

Staff is satisfied that the proposed lots, at 211m² in size, are appropriate for the area, as the immediate neighbourhood consists of parcels that range in size from 160.5m² to 693m² for low and medium density residential uses. Further, staff consider the shape and

size of the proposed lots to be appropriate for the residential use proposed and in terms of the optimum development of the surrounding area. Staff is of the opinion that the proposal upholds the policies of Section 16.11.3 b) and c) of the Garden City Plan. No adverse impacts are anticipated as a result of the proposed consent.

Minor Variances (A-122/16 and A-123/16)

The variances proposed through applications A-122/16 and A-112/16 request a reduction of the minimum lot frontage per dwelling unit from 7.5 metres to 6.0 metres. Staff note that the semi-detached dwelling is existing. Section 2.15.1.1 of the Zoning By-law allows a building permit to be issued on a lot held in separate ownership from adjoining parcels on the date of this passing of the By-law that is not in compliance with the minimum lot frontage for any purpose permitted in the By-law, provided that all other provisions are met.

The property is within the City's Downtown area, and is in a neighbourhood that features a lot fabric comprised of lots of varying shapes and sizes. As a result, frontages in the immediate area range from approximately 22.6 metres to 7.5 metres. Although the proposed frontage is narrower than what currently exists in the area, Staff is of the opinion that the reduction in frontage will not negatively impact the streetscape, as the dwelling appears to fit in well with the surrounding neighbourhood. Additionally, the reduction in frontage by 1.5 metres is considered to be minor in nature.

Conclusion

Staff is satisfied that the consent requested through application B-64/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that the variances requested through applications A-122/16 and A-123/16 are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is Staff's recommendation that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pinach MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Glofcheskie, Christopher (MTO) <Christopher.Glofcheskie@ontario.ca>
Sent: Wednesday, November 23, 2016 3:08 PM
To: Munro, Elaine
Subject: RE: Committee of Adjustment Applications for December 7, 2016 Hearing - City of St. Catharines

Ms. Elaine Munro,

The Ministry has reviewed the following file and has no comment as it is outside of our permit control.

Address: 37 Lake Street
File No. 60.84.2083
Submission No. B-64/16SC
Roll No. 2629040009072000000

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

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

From: Munro, Elaine [<mailto:emunro@stcatharines.ca>]
Sent: November-22-16 2:59 PM
To: Glofcheskie, Christopher (MTO)
Subject: Committee of Adjustment Applications for December 7, 2016 Hearing - City of St. Catharines

Hi Mr. Glofcheskie:

Attached please find the Notices of Hearing for 37 Lake Street, St. Catharines which will be heard at the December 7, 2016 Committee of Adjustment Hearing.

I will be out of the office for the balance of the week, however, I will be back Monday, should you have any questions.

Thanks,

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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--
This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

Privacy Policy and Anti-spam Commitment

- [Contact us](#)

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



November 28, 2016

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

Attention: Elaine Munro

File# 60.84.2083, 60.81.5166 & 60.81.5165

Re: 37 & 37B Lake St

In response to your correspondence(s) dated November 22, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

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

Sincerely,

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

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

To: Vasko, Dennis
Subject: RE: Committee of Adjustment Applications - 37 Lake Street - December 7, 2016 Hearing

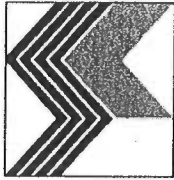
From: Vasko, Dennis
Sent: Thursday, November 24, 2016 8:07 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Applications - 37 Lake Street - December 7, 2016 Hearing

Good morning Elaine,

There are no concerns with this property in respect to closed landfills.

Regards,

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



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: December 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – December 7, 2016 hearing - File No.: 300-036

B-63/16SC – 585 Niagara Street

Comment:
- No Comment

Condition:
- No Comment

B-64/16SC – 37 Lake Street

Comment:
- No Comment

Condition:
- No Comment

B-65/16SC – 10 Spring Garden Boulevard

Comment:
- No Comment

Condition:
- No Comment

B-66/16SC – 15 Glenbarr Road

Comment:

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

Condition:

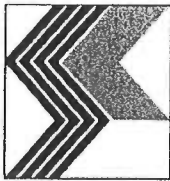
- The garage crossing parts 1 and 2 is to be removed. A building permit for the alteration of the existing dwelling to remove the garage shall be obtained and completed to the satisfaction of the Chief Building official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling unit.



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2016\36 bcoa memo-sev-Dec7, 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

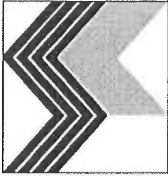
Date: November 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 7, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-110/16	1160 Lakeshore Road West	No Comment
A-122/16	37B Lake Street	No Comment
A-123/16	37 Lake Street	No Comment
A-124/16	10A Spring Garden Blvd.	No Comment
A-125/16	15 Glenbarr Road.	No Comment
A-126/16	193 St. Paul Street West	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\35 bcoa memo-mv-Dec17, 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 37 Lake St.
File No: 60.84.2083

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

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-64/16SC



November 18, 2016

ENGINEERING FILE 300-36

Hearing Date: December 7, 2016

Applicant: Grant McArthur

Location: 37 Lake Street

MUNICIPAL SERVICES

Lake Street

Water: 300mm (12") C.I.
Sanitary Sewer: 250mm (10") Clay
Storm Sewer: None. Combined
Sidewalks: Yes – Curb-faced
Road Allowance Width: 10.3m±

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

Comment(s): It is noted that the Applicant proposes to sever the lot to create two semi-detached dwellings in order to sell them separately.

Roads

Lake Street is designated an Arterial road per the City's Official Plan with a desired right-of-way width of 26.2m (86'). Its current width is severely deficient at roughly 10.3m (33.8'), however understanding we would require approximately 7.9m of widening to comply with the Official Plan, it has been decided that the City would be satisfied with a 3.50m (11.5') widening along the Applicant frontages, to remain consistent with similar widenings obtained on Lake Street north of Wellington Street.


Site

The existing site is currently under construction for a semi-detached dwelling. There are no further comments from Development Engineering at this time.

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

- Dedicate approximately 3.50m across the frontage of Lake Street to the City of St. Catharines, gratuitously for a nominal fee of two dollars (\$2). The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Reference Plan must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

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 21, 2016
Hearing Date: December 7, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-122/16SC – 37B Lake Street
A-124/16SC – 10A Spring Garden Boulevard
A-125/16SC – 15 Glenbarr Road
A-126/16SC – 193 St. Paul Street West

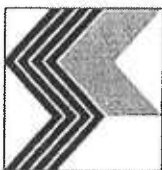
Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, save A-126/16SC – 193 St. Paul Street West being subject to the following:

- the Applicant/Owner be required to obtain and submit to the City written verification from Horizon Utilities regarding whether the existing Hydro pole location is required to be relocated in order to accommodate the existing/proposed parking arrangement fronting the building; and
- the Applicant/Owner be required to submit to the City written verification of their required obligations to pay all costs associated with the Hydro pole's relocation, if deemed necessary by Horizon Utilities

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: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: November 24, 2016
Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/

10 Spring Garden
Boulevard

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 1, 2016

Date of Meeting: December 7, 2016

Submission(s): B-65/16SC
A-124/16

File: 60.84.2084
60.81.5167

Subject: 10 Spring Garden Boulevard

Recommendation

That Submission **B-65/16SC** by Vincenzo Torelli and Marco Torelli, as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) That final approval for the necessary minor variance be received.

And that Submission **A-124/16**, by Vincenzo Torelli, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, Staff is satisfied that consent B-65/16SC is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, Staff is of the opinion that variance A-124/16 is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consent and variance be approved subject to the condition outlined in the recommendation.

Report

Proposed Development

Application **B-65/16SC** is requesting a consent to sever 36.8m² of land (Part 4 on the submitted sketch) which will be added to the abutting easterly and southerly lot known as 10A Spring Garden Boulevard (Parts 2 & 3). A 709m² remnant parcel with the existing detached dwelling (Part 1) would be retained. The application would result in a boundary adjustment between the two properties.

Application **A-124/16** requests an increase of the maximum lot area per dwelling unit from 490m² to 1,197.4m² (Parts 2, 3 and 4).

Location and Site Description

The subject lands are located on the southeast side of Spring Garden Boulevard. The lands are surrounded by detached dwellings to the north, south, and west, and a ravine to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential as per Schedule E1 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law (2013-283)

The subject 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, and quadruplex dwellings, townhouses and private road developments.

Background

Applications B-03/16SC, A-03/16 and A-04/16 were previously heard by the Committee of Adjustment at the January 6, 2016 hearing. Staff was supportive of the previous application to sever 10 Spring Garden Boulevard (Parts 1, 2, 3 and 4) in two, to create 10A Spring Garden Boulevard (Part 3), as it brought the oversized lot closer into conformity with the maximum lot area requirements of the Zoning By-law. Although the density of the proposal was below the target density identified in the Garden City Plan, staff was of the opinion that the density was suitable for the established suburban residential neighbourhood and that the proposal maintained the character of the surrounding area. Minor variances were required to facilitate the requested consent, as both lots would remain oversized. Staff recommended that the applications be approved. The Committee of Adjustment approved the applications.

Applications B-44/16SC, A-74/16, and A-81/16 were heard by the Committee of Adjustment at the August 24, 2016 hearing. The purpose of these applications were to request a boundary adjustment between the two lots created at the January 6, 2016 hearing. The consent application required a minor variance for an increase in lot area, as both lots would remain oversized. A minor variance was also requested for a reduction of the minimum required interior side yard for the dwelling on Part 3 from 1.2 metres to 1.15 metres. This variance was requested as a result of a measurement error.

Staff was supportive of the applications as the boundary adjustment and the associated minor variance would not result in any adverse impacts and were considered to be compatible with the surrounding neighbourhood. Staff was supportive of the reduction in interior side yard as the variance was considered to be minor in nature.

Report

Application B-65/16SC, the current application, would result in a further boundary adjustment between the subject lots. The boundary adjustment would be facilitated by severing Part 4 from Part 1 and adding it to Parts 2 and 3. The boundary adjustment is requested by the applicant, as it would allow the detached dwelling on Part 3 to have a better view of the ravine.

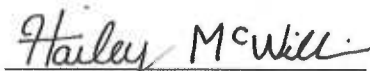
Application A-124/16 is required to facilitate the requested consent since, together, Parts 2, 3 and 4, as proposed, exceed the maximum lot area requirement for a detached dwelling unit as set out in the Zoning By-law.

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

Conclusion


Staff is satisfied that the consent requested through application B-65/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that application A-124/16 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is Staff's recommendation that the requested consent and variance be approved subject to the condition outlined in the recommendation.

Prepared by:



Hailey McWilliam
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

December 1, 2016

File No. PLCON201600357

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

Attn: Elaine Munro, Secretary-Treasurer

Subject: A-124/16 and B-65/16SC
10 & 10A Spring Garden Boulevard, St. Catharines

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

The consent application (B-65/16SC) has been made to sever 36.8 m² of land (Part 4) which will be added to the abutting easterly and southerly parcel known as 10A Spring Garden Boulevard (Parts 2 & 3). A 709 m² remnant parcel with the existing single detached dwelling (Part 1) would be retained for continued residential use. The variance application A-124/16 has been made for an increase of maximum lot area per dwelling unit from 490 m² to 1,197.4 m² (10A Spring Garden Boulevard).

Niagara Peninsula Conservation Authority Regulations:

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

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

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

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

Niagara Region Core Natural Heritage Comments:

In addition to commenting on proposals with respect to the Conservation Authority's regulations noted above, this agency has entered into a Memorandum of Understanding (MOU) with the Region of Niagara. In accordance with this MOU, the Conservation Authority has a responsibility to review and provide

comments on planning applications as they relate to the Natural Environment on the Region's behalf. As such, the following comments pertain to the Core Natural Heritage System Policies within the Regional Official Plan.

The Region's Core Natural Heritage Mapping identifies the subject property as being an Environmental Conservation Area (ECA) for Valley Shoreline. Policy 7.B.1.11 of the Region's Policies permits development within and adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact to the Core Natural Heritage System. NPCA staff are satisfied that since the property is not considered a regulated valley, and since the proposed development is located no closer to the feature than the existing development, there will be no significant negative impact on the ECA feature.

Conclusion:

Based on the above, the NPCA offers no objections to the proposed severance and increase of maximum lot area.

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

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

Yours truly,



Taya Devlin
Watershed Planner (ext. 262)

Cc: Connie Mancuso, Niagara Region
Adam Motchka, Development Approvals Technician, Niagara Region
Craig Rohe, Planner, Niagara Region



Legend

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

Notes

Property Inquiry

57.3 0 28.65 57.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--
This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

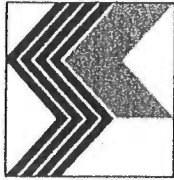
Privacy Policy and Anti-spam Commitment

- Contact us

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



Memorandum

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

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

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

Date: December 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – December 7, 2016 hearing - File No.: 300-036

B-63/16SC – 585 Niagara Street

Comment:
- No Comment

Condition:
- No Comment

B-64/16SC – 37 Lake Street

Comment:
- No Comment

Condition:
- No Comment

B-65/16SC – 10 Spring Garden Boulevard

Comment:
- No Comment

Condition:
- No Comment

B-66/16SC – 15 Glenbarr Road

Comment:

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

Condition:

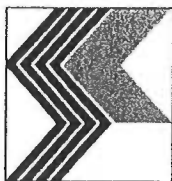
- The garage crossing parts 1 and 2 is to be removed. A building permit for the alteration of the existing dwelling to remove the garage shall be obtained and completed to the satisfaction of the Chief Building official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling unit.



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2016\36 bcoa memo-sev-Dec7, 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 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 7, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-110/16	1160 Lakeshore Road West	No Comment
A-122/16	37B Lake Street	No Comment
A-123/16	37 Lake Street	No Comment
A-124/16	10A Spring Garden Blvd.	No Comment
A-125/16	15 Glenbarr Road.	No Comment
A-126/16	193 St. Paul Street West	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\35 bcoa memo-mv-Dec17, 2016.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, November 25, 2016 1:33 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 December 7/16 CofA Hearing

Charlotte and Hailey,

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

- 1160 Lakeshore W.
- 37A Lake (mv)
- 37B Lake (mv)
- 10 Spring Garden (ld)
- 10A Spring Garden (mv)
- 15 Glenbarr (mv)
- 193 St Paul W (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-65-16SC



November 21, 2016

ENGINEERING FILE 300-36

Hearing Date: December 7, 2016

Applicant: Vince Torelli

Location: 10 Spring Garden Boulevard

MUNICIPAL SERVICES **Spring Garden Boulevard**

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

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

Storm Sewer: None Available

Sidewalks: None

Road Allowance Width: 20.0m±

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

Comment(s):

It is noted that the Owner proposes to acquire Part 4 between 10 & 10A Spring Garden Blvd to accommodate sight lines for the green-space area in the rear-yard.

Condition(s): None

A handwritten signature in black ink, appearing to read 'Brad Johnston', is positioned above the printed name of the preparer.

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 21, 2016
Hearing Date: December 7, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-122/16SC – 37B Lake Street
A-124/16SC – 10A Spring Garden Boulevard
A-125/16SC – 15 Glenbarr Road
A-126/16SC – 193 St. Paul Street West

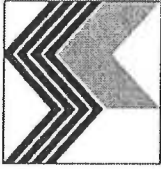
Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, save A-126/16SC – 193 St. Paul Street West being subject to the following:

- the Applicant/Owner be required to obtain and submit to the City written verification from Horizon Utilities regarding whether the existing Hydro pole location is required to be relocated in order to accommodate the existing/proposed parking arrangement fronting the building; and
- the Applicant/Owner be required to submit to the City written verification of their required obligations to pay all costs associated with the Hydro pole's relocation, if deemed necessary by Horizon Utilities

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: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: November 24, 2016
Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/

15 Glenbarr Road

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 1, 2016

Date of Meeting: December 7, 2016

Submission(s): B-66/16SC
A-125/16

File: 60.84.2085
60.81.5168

Subject: 15 Glenbarr Road

Recommendation

That Submission **B-66/16SC** by Ries Vahrmeyer, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the garage crossing Parts 1 and 2 be removed. A building permit for the alteration of the existing dwelling to remove the garage shall be obtained and completed to the satisfaction of the Chief Building Official.
- 2) The sewer and water service for Part 2 must be independent and not cross an adjacent property line. If either or both sewer and water services servicing Part 2 cross onto Part 1, separate services must be installed to the satisfaction of the City Engineer.
- 3) That the applicant remove the portion of the existing driveway present on Part 1 and that the area be graded to match the existing grade.
- 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.

And that Submission **A-125/16** by Ries Vahrmeyer, as outlined in the Notice of Hearing, be approved.

Summary

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

the matters under Section 45 (1) of the Planning Act, staff is of the opinion that variance A-125/16 is minor in nature, is desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consent and variance be approved.

Report

Proposed Development

The purpose of the consent and minor variance applications is to create a new lot to be known as 17 Glenbarr Road for the purpose constructing a detached dwelling.

Application **B-66/16SC** is requesting a consent to sever 435.9m² of land (Part 1 on the submitted sketch) to create a new lot to be known as 17 Glenbarr Road for the purpose of constructing a detached dwelling. As a result, a 469m² remnant parcel of land with the existing detached dwelling (Part 2) would be retained for residential use.

Application **A-125/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction of the minimum required rear yard setback to dwelling from 7.5 metres to 1.97 metres.

Location and Site Description

The subject property is located on the northeast corner of Glenbarr Road and East Hampton Road. The property is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule E1 of the Garden City Plan (GCP). The property is further designated Low Density Residential as per Schedule E8, which permits detached, semi-detached, triplex, fourplex, quadruplex and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the Garden City Plan.

Zoning By-law (2013-283)

The subject 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.

Consent (B-66/16SC)

Application B-66/16SC is requesting a consent to sever 435.9m² of land (Part 1) for the proposed construction of a detached dwelling. A remnant lot of 469m² (Part 2) would be retained for continued residential use. Both the new and remnant lots will meet the zoning by-law requirements for lot size. However, as a result of the consent, a variance is required for the minimum required rear yard setback to dwelling on Part 2, as the proposed setback of 1.97 metres does not meet the Zoning By-law requirement of 7.5 metres.

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

The neighbourhood in which the subject lands are located is considered to be a stable, suburban neighbourhood. The area is substantially developed and is considered to be an appropriate area for intensification in the form of infill development to take place, provided that the proposal is compatible with the surrounding neighbourhood.

Both proposed lots meet the minimum lot size requirements for a detached dwelling in the R1 zone. The only variance required is for the rear yard setback for the existing dwelling on Part 2. Staff consider the lots to be of an appropriate shape and size for the detached dwelling proposed, and that the proposal does not compromise the potential for development in the surrounding area.

Part D, Section 7.1 c) i) of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site and streetscape context sensitive design to ensure: integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood.

Staff is satisfied that the proposal will result in the creation of a lot that allows for the construction of a detached dwelling that is compatible in terms of building setbacks, spacing, siting and orientation with the dwellings in the immediate area.

The creation of the lots is in general keeping with the Provincial Policy Statement and Places to Grow legislation, as well as Regional and local Official Plan policies.

Staff note that when a building permit is applied for, the applicant will be required to satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and the wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling unit.

Minor Variance (A-125/16)

The variance requests a reduction in the rear yard setback for Part 2 from 7.5 metres to 1.97 metres. The variance is required as a result of the proposed consent.

Staff note that if the lot is severed, the frontage on Part 2 would remain the lot line abutting East Hampton Road, as the Zoning By-law defines frontage as the shortest lot line abutting a public road. This means that the dwelling's front yard would technically be the yard on East Hampton Road, despite the fact that the current functional front yard is the yard along Glenbarr Road.

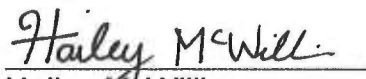
The dwelling's front yard setback is 9.19 metres, which exceeds the 6 metre requirement. Additionally, the dwelling's exterior side yard setback of 9.45 metres far exceeds the exterior side yard requirement of 4 metres.

Staff is satisfied that, if the consent is granted, the technical front yard of 9.11 metres will allow for adequate outdoor amenity space. The proposal is considered to be compatible with the surrounding neighbourhood, as the proposed lots are similar in size and shape to those that exist in the immediate area. Additionally, the proposal is in keeping with the intent of the Official Plan and Zoning By-law.

Conclusion

Staff is satisfied that the consent requested through application B-66/16SC is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is of the opinion that application A-125/16 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variance be approved, subject to the conditions outlined in the recommendation.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Monday, November 28, 2016 1:28 PM
To: Munro, Elaine
Cc: Rohe, Craig; Motchka, Adam; Mancuso, Connie (connie.mancuso@niagararegion.ca)
Subject: 15 Glenbarr Road, St. Catharines
Attachments: 15 Glenbarr Road Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed Application A-125/16 and B-66/16SC for 15 Glenbarr Road, St. Catharines 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 a Natural Heritage System (NHS) Potential Corridor adjacent to the south of the property. Development should be located, designed and constructed to maintain and, where possible, enhance the ecological functions of the Corridor in linking Core Natural Areas. NPCA staff are satisfied that the corridor is located south of the property and there is existing development located between the subject property and the identified corridor. 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

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



1: 1,000



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- NIAGARA NATURAL ENVIRO
INFORMATION SCREENING
- NPCA APPROXIMATE REGU
- 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



November 28, 2016

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

Attention: Elaine Munro

File# 60.81.5168 & 60.84.2085

Re: 15 Glenbarr Rd

In response to your correspondence(s) dated November 22, 2016, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.horizonutilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Horizon Utilities Standard 3-105. Please consult with Horizon Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Horizon Utilities to facilitate this.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)

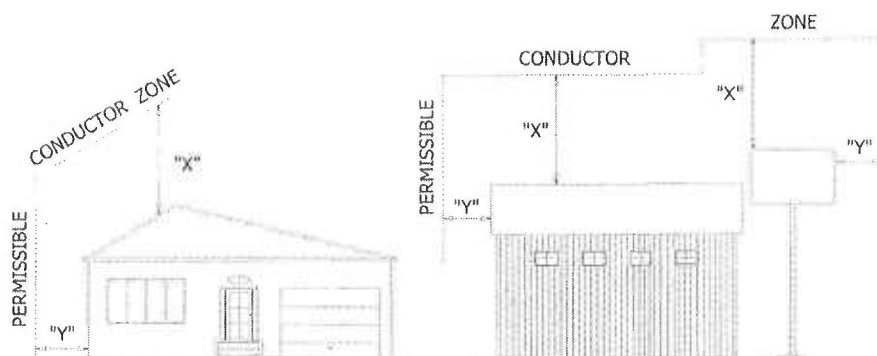
- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Beaudrie", with a stylized, flowing script.

Scott Beaudrie
Supervisor, Engineering Design



- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE, TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.

horizon
UTILITIES *Looking beyond...*

DRAWING STATUS	BY	DATE DD/MM/YY
REDRAWN:	JM	12/06/07
CHECKED:	ND	26/04/05
APPROVED:	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET #

1

REVISION #

0

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--
This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

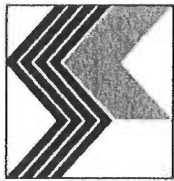
Privacy Policy and Anti-spam Commitment

- Contact us

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



Memorandum

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

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

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

Date: December 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – December 7, 2016 hearing - File No.: 300-036

B-63/16SC – 585 Niagara Street

Comment:
- No Comment

Condition:
- No Comment

B-64/16SC – 37 Lake Street

Comment:
- No Comment

Condition:
- No Comment

B-65/16SC – 10 Spring Garden Boulevard

Comment:
- No Comment

Condition:
- No Comment

B-66/16SC – 15 Glenbarr Road

Comment:

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

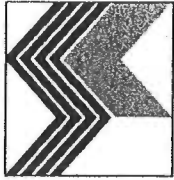
Condition:

- The garage crossing parts 1 and 2 is to be removed. A building permit for the alteration of the existing dwelling to remove the garage shall be obtained and completed to the satisfaction of the Chief Building official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling unit.



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

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

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

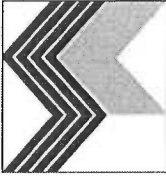
Date: November 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 7, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-110/16	1160 Lakeshore Road West	No Comment
A-122/16	37B Lake Street	No Comment
A-123/16	37 Lake Street	No Comment
A-124/16	10A Spring Garden Blvd.	No Comment
A-125/16	15 Glenbarr Road.	No Comment
A-126/16	193 St. Paul Street West	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2016\35 bcoa memo-mv-Dec17, 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 22, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 15 Glenbarr Rd.
File No: 60.84.2085

Please be advised that we have reviewed the above-noted application. There is an existing mature tree along the Glenbarr Rd. road allowance in front of the new lot. The applicant may be required to implement tree protection measures during the building permit. If this tree needs to be removed to accommodate the construction, the applicant will be responsible for the cost of tree removal and replacement in accordance with the Schedule of Rates and Fees.

PRCS requests the following condition of severance:

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

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

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

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, November 25, 2016 1:33 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 December 7/16 CofA Hearing

Charlotte and Hailey,

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

- 1160 Lakeshore W.
- 37A Lake (mv)
- 37B Lake (mv)
- 10 Spring Garden (ld)
- 10A Spring Garden (mv)
- 15 Glenbarr (mv)
- 193 St Paul W (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-66/16SC



November 21, 2016

ENGINEERING FILE 300-36

Hearing Date: December 7, 2016

Applicant: Ries Vahrmeyer

Location: 15 Glenbarr Road

MUNICIPAL SERVICES

Water: 150mm (6") P.V.C.

Sanitary Sewer: 250mm (10") Concrete

Storm Sewer: No storm sewer along GlenBarr Road

Sidewalks: None

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 15 Glenbarr Road to create a lot for the construction of a single-detached dwelling unit.

Roads

Glenbarr Road 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 sufficient for the City's needs, therefore a widening will not be required. It must be noted that Glenbarr Road currently has concrete driving lanes, therefore increased costs may be experienced for servicing needs to address trench restorations as a result of service provisions.

Increased drainage challenges occur in these types of in-fill lot developments where existing lots within established plans of subdivision typically do not have suitable drainage outlets in place. Individual lot grading plans are required for review and approval for each dwelling at the time a building permit application has been made with the City.

Sump pump flows are typically discharged to grade when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does not exist on Glenbarr Road, sump pump flows shall be directed to discharge foundation weeping tile drainage to grade at the front yard only.

The proposed driveway location must meet the required minimum clearances from the existing hydro pole and guy wire to the satisfaction of Horizon Utilities. Utility relocations and incurred costs are the entire responsibility of the Applicant/Owner.

Condition(s): None

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 21, 2016
Hearing Date: December 7, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-122/16SC – 37B Lake Street
A-124/16SC – 10A Spring Garden Boulevard
A-125/16SC – 15 Glenbarr Road
A-126/16SC – 193 St. Paul Street West

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, save A-126/16SC – 193 St. Paul Street West being subject to the following:

- the Applicant/Owner be required to obtain and submit to the City written verification from Horizon Utilities regarding whether the existing Hydro pole location is required to be relocated in order to accommodate the existing/proposed parking arrangement fronting the building; and
- the Applicant/Owner be required to submit to the City written verification of their required obligations to pay all costs associated with the Hydro pole's relocation, if deemed necessary by Horizon Utilities

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: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: November 24, 2016
Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/

193 St. Paul Street
West

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 1, 2016

Date of Meeting: December 7, 2016

Submission(s): A-126/16

File: 60.81.5169

Subject: 193 St. Paul Street West

Recommendation

That submission **A-126/16SC** by 1584405 Ontario Inc., 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 variance requested through application A-126/16 is minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variance be approved.

Report

Proposed Development

Application **A-126/16** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

- 1) A reduction in the amount of required parking spaces from 19 to 10.

The variance is requested to permit the conversion of the building from an industrial use to an indoor recreational use.

Location and Site Description

The subject property is located on the south side of St. Paul Street West, west of Merigold Street. The property is surrounded by industrial uses to the north and west, detached dwellings to the south, and billboards erected on vacant land to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Mixed Use as per Schedule E7 of the Garden City Plan. The Mixed Use designation is intended to provide for a broad array and mix of medium and higher density housing, work live accommodation, commercial, local office, institutional, indoor recreation and cultural uses. Recreation buildings shall generally not exceed 1860 square metres in gross floor area. The area of the existing building is 495.5m².

Zoning By-law (2013-283)

The subject land is zoned Medium Density Mixed Use (M1). The M1 zone permits apartment buildings, cultural facilities, emergency service facilities, offices, places of assembly, recreation facilities, elementary and secondary schools, and service commercial uses, among other uses.

The variance application requests a reduction in the number of parking spaces provided for the proposed indoor recreation use. The applicant intends to convert the existing mechanical garage to a goalie school with two small ice rinks. Currently the area at the rear of the building is used for storage purposes and access is restricted by a metal gate, however, the applicant intends to remove the existing structures to provide adequate space for 5 parking spaces in the area.

Part D, Section 12.1 vi) of the GCP states that for the Mixed Use designation, parking requirements may be minimized, and shared parking and access is encouraged in order to reduce street front parking area and support transit friendly development.

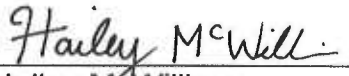
The applicant has provided a breakdown of the proposed use and occupancy of the building, and believes that ten parking spaces is sufficient to service the building. The justification provided by the applicant states that the building would not likely be occupied by more than two coaches, two goalies and two shooters (one per ice rink) plus one attendant/rink maintenance personal at one time. Staff agrees that the proposed use would be adequately serviced by the proposed 10 parking spaces. The reduction in parking spaces from 19 to 10 is minor in nature, appropriate for the use proposed, and maintains the intent of the GCP.

Staff note that a utility pole is located at the front of the property, which may inhibit access to one or two of the proposed parking spaces. Staff recommend that the accessible space be relocated so that the hatched area aligns with the utility pole, in order to maximize the amount of parking that can be provided.


Conclusion

Staff is satisfied that the variance requested by application A-126/16 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:


Hailey McWilliam
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

To: Raymond Beshro
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016
Hearing - 193 St. Paul Street West

From: Raymond Beshro [mailto:Raymond.Beshro@cn.ca]
Sent: Thursday, November 24, 2016 1:48 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing - 193 St. Paul Street West

Hi Elaine,

No comment or objection from CN.

Regards.

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, November 23, 2016 9:41 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for December 7, 2016 Hearing (Part 1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this adjustment applications for Dec 7 2016.

Try to stay warm ... Talk soon

Thanks

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

--

This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

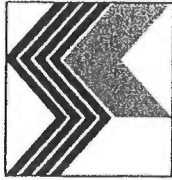
Privacy Policy and Anti-spam Commitment

- [Contact us](#)

Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, November 22, 2016 3:39 PM



Memorandum

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

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

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

Date: November 24, 2016

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 7, 2016 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-110/16	1160 Lakeshore Road West	No Comment
A-122/16	37B Lake Street	No Comment
A-123/16	37 Lake Street	No Comment
A-124/16	10A Spring Garden Blvd.	No Comment
A-125/16	15 Glenbarr Road.	No Comment
A-126/16	193 St. Paul Street West	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2016\35 bcoa memo-mv-Dec17, 2016.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

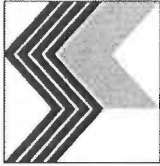
From: Sullivan, Kristen
Sent: Friday, November 25, 2016 1:33 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; McWilliam, Hailey <hmcwilliam@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the December 7/16 CofA Hearing

Charlotte and Hailey,

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

- 1160 Lakeshore W.
- 37A Lake (mv)
- 37B Lake (mv)
- 10 Spring Garden (ld)
- 10A Spring Garden (mv)
- 15 Glenbarr (mv)
- 193 St Paul W (mv)

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 21, 2016
Hearing Date: December 7, 2016

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-122/16SC – 37B Lake Street
A-124/16SC – 10A Spring Garden Boulevard
A-125/16SC – 15 Glenbarr Road
A-126/16SC – 193 St. Paul Street West

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, save A-126/16SC – 193 St. Paul Street West being subject to the following:

- the Applicant/Owner be required to obtain and submit to the City written verification from Horizon Utilities regarding whether the existing Hydro pole location is required to be relocated in order to accommodate the existing/proposed parking arrangement fronting the building; and
- the Applicant/Owner be required to submit to the City written verification of their required obligations to pay all costs associated with the Hydro pole's relocation, if deemed necessary by Horizon Utilities

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: Development Technologist
From: Steve Bittner
Transportation Technologist
Date: November 24, 2016
Subject: Committee of Adjustment
Public Hearings – December 7, 2016
File No. 305-17-01

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

193 St. Paul Street West

We question the suitability of some of the parking spaces identified on the plan, specifically the parking at the rear of the building. We were unsure if there was sufficient space to access the back of the building. Additionally, there is a utility pole located at the front of the property which could inhibit access to one or two of the spaces in the front.

Our recommendation would be to relocate the accessible space so that the hatched area aligns with the utility pole. Additionally, if the applicant can demonstrate that the parking in the rear is not needed, the reduction to 10 spaces should be reduced to 5 spaces, which represents the parking in the front of the building. The parking in the rear can still be utilized, however, it won't count as required parking.

We have no concerns or requirements with the remaining applications.

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

Steve Bittner
Transportation Technologist
SB/