



**The Corporation of the City of St. Catharines  
CITY COUNCIL AGENDA  
Regular, Monday, December 19, 2016  
Council Chambers, City Hall, 6:30 PM**

*His Worship Mayor Walter Sendzik takes the Chair and opens the meeting*

Page

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Adoption of the Minutes (Council and General Committee)**

- 3.1 [Regular Meeting of Council, Minutes of December 5, 2016](#)
- 3.2 [General Committee, Minutes of December 5, 2016](#)
- 3.3 [Budget Standing Committee, Minutes of November 28, 2016](#)

- 4. Declarations of Interest**

- 5. Public Meetings Pursuant to Planning Act**

5 - 44

- 5.1 Application to Amend the Zoning By-law to Permit Certain Accessory Uses, 368 Martindale Road; Owner: Ibtisam Kelada-Sedra; Agent: T. Johns Consulting Group  
*(At the meeting of November 21, 2016, Council held a public meeting and adjourned consideration of this application until December 19, 2016.) - **Original and Two Supplemental Reports attached***  
[Addenda]

45 - 56

- 5.2 Application for Draft Plan of Condominium (Vacant Land); 10-Unit Residential Private Road Development; 50 Dorchester Boulevard; Grey Forest Homes Ltd., Owner; Upper Canada Consultants, Agent

- 6. Delegations**

- 6.1 Tammy Giroux, Manager, Government Relations, General Motors of Canada Company  
Re: St. Catharines Glendale Avenue Plant Renewable Biogas Cogeneration Project  
[\(see General Committee Agenda, December 19, 2016, Item 3.1\)](#)

Page

- 6.2 Doug Hamilton, Chair, Matt Hill, Director, Sport & Venues, 2021 Canada Summer Games Niagara Bid Group, Niagara Sport Commission  
Re: Partnership Investment Opportunity: 2021 Canada Summer Games Niagara Bid Committee - Memorandum of Understanding  
([see General Committee Agenda, December 19, 2016, Item 3.2](#))

## 7. Presentations

57 - 70

- 7.1 James Detenbeck, Niagara District Airport Commission  
Re: 2017 Budget Presentation  
(2017-2020 Strategic Plan attached)

## 8. Call for Notices of Motion

## 9. Motions

- 9.1 **Facer Street Revitalization and Reconstruction**  
*Councillor Britton will present the following motion:*

WHEREAS a sustainable community is one that respects and embraces its heritage to create a sense of identity and pride; and

WHEREAS Policy 4.1 of the Official Plan recognizes that Urban Design principles should be based on sustainable design principles including:

- To help create a strong sense of identity and place
- To be stimulating, have an attractive and safe public realm, be a compact, walkable, bikeable and a well-connected community
- To consist of mixed use nodes and corridors
- To have complete streets of all users
- To have building design to support street life; and

WHEREAS within the Facer Street area there has been a renewed interest in improving the street and overall businesses as evidenced by the successful Facer Street European Festival held in August of 2016; and

WHEREAS it is important to seek the public's view on the ultimate vision of how Facer Street should look aesthetically and function practically at the street predesign stage;

THEREFORE BE IT RESOLVED that the City commit \$60,000 from the Civic Project Fund towards seeking public input and develop the City's vision and design phase of the Facer Street revitalization and reconstruction by the end of the first quarter of 2017.

**9.2 Long Term Care Facilities - Enhanced Funding Request**

*Councillor Sorrento will present the following motion:*

WHEREAS there is a rapidly rising senior population within St. Catharines and our province; and

WHEREAS the of lack adequate funding to provide additional front line staff can lead to injury to residents because current staff cannot respond to residents' calls in a timely manner; and

WHEREAS quality care for over 70,000 residents in long term care homes is a priority; and

WHEREAS residents have led productive lives, raised families, paid taxes in their respective communities, participated in the workforce, contributed to betterment of their communities, and are entitled to compassionate, timely and prompt care in their greatest time of need while in long term care homes; and

WHEREAS the current personal support worker ratio to residents is not adequate for the increased complex needs of residents, there is a need for three additional PSWs for a 24 hour period; and

WHEREAS the Province of Ontario provides funding to these facilities through a level of care system which is used to staff - current funding is not enough to cover the cost of adequate resident care; and

WHEREAS staffing levels in long term care homes cannot currently meet the basic daily needs of our residents, and the demand for staff assistance has increased with the complexity of residents resulting in unattainable workloads;

THEREFORE BE IT RESOLVED that Council direct the Clerk to provide correspondence to the appropriate Regional Government Commissioner, Regional Councillors, all local MPPs, leaders of the opposition, and the Minister of Health to make them aware of these critical issues and to provide further enhanced funding to deliver core and supportive services directly related to the care of residents.  
FORTHWITH

**10. Resolve into General Committee**

**11. Motion Arising from In-Camera Session**

Page

**12. Motion to Ratify Forthwith Recommendations**

**13. By-laws**

71 - 72

13.1 Reading of By-laws

**14. Agencies, Boards, Committee Reports**

14.1 Minutes to Receive:

- Recreation Master Plan Advisory Committee, [October 18, 2016](#)
- Arts and Culture Advisory Committee, [November 1, 2016](#)
- Welland Canal Fallen Workers Memorial Task Force, [November 29, 2016](#)

**15. Adjournment**

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 20, 2016

**Date of Meeting:** November 21, 2016

**Report Number:** PBS-303-2016

**File:** 60.35.939 Vol. 3, 60.46.419

**Subject:** Application to Amend the Zoning By-law to Permit Certain Accessory Uses, 368 Martindale Road; Owner: Ibtisam Kelada-Sedra; Agent: T. Johns Consulting Group

### Recommendation

That Council approve an amendment to Zoning By-law 2013-283 for the lands described as Part of Lot 1, Con. 1 and Part of the Road Allowance Between Broken Front Con. and Con. 1, St. Catharines, municipally known as 368 Martindale Road, as follows:

- a) That Section 15.1, Schedule A (A6), Zoning Maps, be amended by rezoning the subject lands from Low Density Residential – Suburban Neighbourhood (R1) to Low Density Residential – Suburban Neighbourhood (R1-138), as outlined in Appendix 1.
- b) That Section 15.2, Schedule B, Lot Specific Maps for Special Provisions, be amended by inserting an additional lot specific map (Schedule B34), as outlined in Appendix 2.
- c) That Section 13.1, List of Special Provisions, be amended to add an additional special provision, as follows:

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
138	R1	6	34	368 Martindale Road	
In addition to the permitted uses of the R1 Zone, a detached accessory dwelling unit shall be permitted in the existing barn on the property					
The following additional provisions shall also apply:					
1.	Maximum combined total floor area of a detached accessory dwelling unit and home based business			200 m <sup>2</sup>	
2.	Minimum number of parking spaces for home based business			1	
3.	Minimum Width of Landscape Buffer along the Northerly Lot Line, as shown on Schedule B34			1.0 m	

4.	Minimum Height of Landscape Buffer along the Northerly Lot Line, as shown on Schedule B34	3.0 m
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That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward an application to the Ontario Municipal Board for approval of the Zoning By-law amendment, if any appeals are received; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

## Summary

The application proposes to allow a detached accessory dwelling unit within an existing barn on the subject property, and to increase the size of such a use from 105 m<sup>2</sup> as outlined in the General Provisions of the City's Zoning By-law, to 200 m<sup>2</sup>. The application also proposes to increase the size of a home based business, which is currently permitted on the property, from 40 m<sup>2</sup> to 200 m<sup>2</sup>. Combined, the proposed two uses will not be allowed to exceed 200m<sup>2</sup> which is the existing floor area of the accessory building/barn. It is noted that if a detached accessory dwelling unit is permitted in the barn, a bed and breakfast would also become a permitted use in the building. A concept site plan of the property, which shows the existing barn as well as the location of driveway and parking spaces, is attached as Appendix 3.

The application represents an efficient re-use of an existing building. The proposed uses will take advantage of existing driveway and parking areas on site. Staff is of the opinion that if additional driveway or parking areas are required to accommodate any future accessory use, such as a bed and breakfast or other type of home occupation, the residential appearance and character of the property may be compromised. Consequently, if the residential appearance and character of the premises are not maintained, the property would not comply with provisions of the Zoning By-law.

## Report

### Proposed Development

The subject application to amend the Zoning By-law seeks to make use of an existing barn building on the subject property. The owner has applied to permit a detached accessory dwelling unit within the existing barn on the subject property, and to increase the size of such a use from 105 m<sup>2</sup> as outlined in the General Provisions of the City's Zoning By-law, to 200 m<sup>2</sup>, the existing size of the barn. The application also proposes to increase the size of a home based business, which is currently permitted on the property, from 40 m<sup>2</sup> to 200 m<sup>2</sup>.

The Planning Justification Report submitted in conjunction with the subject application states that, “there are no immediate plans for the barn, but the intent is to maximize the potential as a home occupation (business office, artisan studio, medical practitioner etc) and/or a dwelling unit”. The proposal does not include any renovations to the exterior of the barn. No new development is proposed.

Staff has added provisions in the requested site-specific Zoning By-law amendment to require a landscape buffer strip along the closest property line adjacent to the barn and driveway leading to the barn, as well as to add a parking requirement for the home based business use. The owner’s agent has agreed to the proposed additional provisions.

## Location and Site Description

The subject lands are 2319.58 m<sup>2</sup> in size and contain a detached dwelling with an accessory structure (formerly used as a barn in conjunction with the former agricultural use of the property, Stokes Seeds). The property is located on the east side of Martindale Road, between the QEW and Golden Boulevard, backing onto Martindale Pond (see Location map attached as Appendix 4). The rear of the site slopes down toward the Pond and contains mature vegetation. The property is located in the City’s North Planning District. The neighbourhood consists of detached dwellings on generously sized lots.

Surrounding land uses include:

North:	Low density residential (detached dwellings)
South:	Low density residential (detached dwellings)
East:	Conservation/Natural Area (Martindale Pond)
West:	Low density residential (detached dwellings)

## Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. There were no objections received. Further detail regarding circulation comments is provided in the Planning Analysis section of this report.

## Planning Analysis

### Planning Act

In 2011 the *Strong Communities through Affordable Housing Act, 2011* amended various sections of the *Planning Act* to facilitate the creation of second units in Ontario municipalities. Changes to the Act required municipalities to establish Official Plan policies and Zoning By-law provisions allowing second units in detached, semi-detached and townhouse dwellings, as well as in accessory structures. The fundamental change to the Act is that second units are required to be permitted in a municipality as-of-right (i.e. without needing to amend a Zoning By-law). Through the use of Official Plan policies and Zoning By-law provisions, municipalities can set parameters as to how and where second units are permitted.

## Provincial and Regional Policy Context

The lands are within a settlement area under the 2014 Provincial Policy Statement (PPS) and is within the built-up area of St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan contain policies that direct major growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents. Provincial policy specifically directs municipalities to develop strategies for intensification, including policies to encourage the creation of “secondary suites” throughout the built-up area. The subject application meets Provincial policy in this respect.

Similar to the Growth Plan, the Regional Official Plan (ROP) directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The Region’s Core Natural Heritage Mapping identifies the subject property as being with an Environmental Conservation Area (ECA), to the valley shoreline. The subject Zoning By-law amendment application is found to be consistent with the ROP as it is proposes to provide intensification in the built-up area, where existing services exist, and there is no new development being proposed within the ECA.

## Official Plan (Garden City Plan)

The City’s Official Plan, The Garden City Plan (GCP), designates the lands as Neighbourhood Residential and Natural Area (refer to Appendix 5), providing for a range of housing opportunities, types, forms and densities. Schedule E1 of the GCP (refer to Appendix 6) provides additional direction for the North Planning District and designates the lands as Low Density Residential and Natural Area, with a Natural Area Extent Line. The Low Density Residential designation permits a variety of residential uses, including detached, semi-detached, duplex, quadruplex, fourplex and townhouse dwellings.

With respect to the accessory dwelling unit, the GCP permits “accessory apartments” in detached, semi-detached and townhouse dwelling units, or in a detached structure accessory to a detached, semi-detached or townhouse dwelling unit in accordance with applicable Zoning By-law requirements and other applicable laws and requirements, including the Building Code, Fire Code and property standards. An “accessory apartment unit” is defined in the GCP as:

*A secondary apartment unit within a primary residential dwelling unit or within a detached structure accessory to a primary residential dwelling unit.*

With respect to the home based business, the GCP permits the use within a principle dwelling unit, accessory structures thereto, and accessory dwelling units in accordance with applicable By-law requirements to ensure the ancillary and subordinate nature of such use. The GCP states that home based businesses shall be small in scale in relation to the size of the principal dwelling unit, may permit outside activities but not



outdoor storage, and shall be strictly limited in the provision of on-site employees and outside signage, and the scale of the operation. A home based business is defined in the GCP as:

*An occupation, business, enterprise or service, conducted within a dwelling unit and/or accessory structures thereto, is generally undertaken only by residents of the dwelling unit, and which is secondary and subordinate to the principal residential use of the dwelling unit, is small in scale, does not create a public nuisance or adverse effect on abutting lands or the surrounding neighbourhood, and does not include outdoor storage but may include outdoor activities associated with the home based business.*

The planning analysis contained in this report will evaluate the proposal against the policies of the Official Plan, including policies related to the accommodation of growth in the municipality, scale and compatibility, built form and urban design, and the natural area.

## Zoning By-law

Approximately 2065.33 m<sup>2</sup> are zoned Low Density Residential (R1) Zone. The entire property has a size of 2319.58m<sup>2</sup>. The remaining lands are zoned Conservation/Natural Area (G1) Zone (refer to Appendix 7). Uses permitted in the R1 Zone include detached, semi-detached, quadruplex and townhouse dwellings, as well as private road development.

An interior accessory dwelling unit is a permitted use in the R1 Zone, subject to several provisions. While the Zoning By-law also contains provisions for a detached accessory dwelling unit, this use is not a permitted use in any specific zone. Rather, a Zoning By-law amendment is required to assess the merits of each proposal for a detached accessory dwelling unit.

A home based business is permitted in any zone within a principal dwelling unit (including the use of an attached garage), accessory structures thereto, and within an interior accessory dwelling unit, subject to several provisions. A home based business, with a floor area of 40 m<sup>2</sup> would currently be permitted on the subject lands.

The table below outlines the original requests by the owner and Staff alterations or caveat made to each request. The applicant is in agreement with the proposed Zoning By-law Amendment being recommended by Staff.

Provision	Zoning Requirement	Proposed Amendment	Staff Alteration
<b>2.2.2 Detached Accessory Dwelling</b>			
Maximum floor area	105 m <sup>2</sup> or 40% of the floor area of principal dwelling, whichever is less	200 m <sup>2</sup>	Total of a maximum of 200 m <sup>2</sup> for a detached accessory dwelling

Provision	Zoning Requirement	Proposed Amendment	Staff Alteration
			and/or a home based business
<b>2.2.4 Home Based Business</b>			
Maximum floor area	40 m <sup>2</sup> (25% of the floor area of principal dwelling, to a maximum of 40 m <sup>2</sup> )	200 m <sup>2</sup>	Total of a maximum of 200 m <sup>2</sup> for a detached accessory dwelling and/or a home based business
Minimum parking spaces required	0	-	1
<b>Landscape Buffer (Staff Addition)</b>			
Minimum width of landscape buffer	None	-	1.0 m along northerly lot line (as illustrated on Schedule B34)
Minimum height of landscape buffer	None	-	3.0 m along northerly lot line (as illustrated on Schedule B34)

The total floor area of the existing accessory structure is 200 m<sup>2</sup>. The applicant requested an amendment to the Zoning By-law to allow both a detached accessory dwelling unit and a home based business with floor areas of 200 m<sup>2</sup>. Staff has added language to the proposed Special Provisions for this site to ensure that in total, the two uses combined do not exceed 200 m<sup>2</sup>, which is the existing floor area of the accessory building/barn.

Staff has also added a parking space requirement for a home based business, as well as a landscape buffer requirement along the northerly lot line.

The maximum height of an accessory structure in the R1 Zone is 4.5 m. The height of the existing barn building is 7.75 m and is considered to be legal non-complying to the height provision of the Zoning By-law. This is an existing situation and is not required to be recognized in the Special Provisions.

The following subsections detail the merits of the Zoning By-law Amendment in greater detail.

### **Accommodation of Growth**

The Garden City Plan recognizes that the City has a finite Urban Area, and a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth. The Plan aims to accommodate growth by efficiently using vacant and occupied lands, develop a more compact built form and

density, and through the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment.

The subject application proposes to repurpose an existing accessory building (barn) on the property for uses that support the growth policies of the Official Plan – both residential and employment. The proposal represents an efficient use of an existing accessory building to a residential use in the built-up area, which will help achieve growth targets and provide a new housing option.

Recognizing that the Plan prefers a mix and interaction of new and existing uses within the built-up area, the urban design policies of the plan become ever more important to assist in evaluating development proposals.

### **Built Form and Urban Design**

The existing accessory building on the property is a charming barn structure that dates back to the time when the site and surrounding area was used for farming. The barn was once part of the Stokes Seeds operation and is the only remaining building of the farm in this location. The reuse of the building as a detached accessory dwelling unit and/or home based business will help ensure the preservation of this building.

From an urban design perspective, the Official Plan seeks to achieve development that is compatible with surrounding buildings in the vicinity, and that respects and enhances the existing character of the area. The form of the building itself, even at 7.75 m tall, is compatible at the present time. The building sits on a large property with other large properties in the vicinity for a considerable amount of time and forms part of the character of the area.

### **Scale and Compatibility**

The floor area of the existing dwelling, including the basement, is approximately 443.5 m<sup>2</sup>. The total lot area is 2319.58 m<sup>2</sup>. The total floor area of the existing accessory structure is 200 m<sup>2</sup>, which equals 45% of the floor area of the existing dwelling. The general provisions of the Zoning By-law contemplate a home based business which is 25% of the size of the principal dwelling, and a detached accessory dwelling unit that is 40% of the principal dwelling. Generally, these size would be appropriate for a standard sized residential lot (e.g. maximum lot size in the R1 Zone is 490 m<sup>2</sup>) with an average sized house. The proposed floor area increase for accessory uses on the subject property is considered to be appropriate with regard to scale, given the larger size of the subject lot and dwelling, as well as the surrounding lots and dwellings.

From a design perspective, the accessory structure itself is compatible with the surrounding area. Staff are also of the opinion that the use of the building for a detached accessory dwelling unit and/or a home based business, including a bed and breakfast is compatible with surrounding uses. The applicant proposes to be able to make use of all of the floor area of the existing building. The application is an efficient re-use of an existing structure.

The General Land Use policies of the Garden City Plan state that development shall be evaluated having regard for building, site and streetscape context sensitive design to ensure, “adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimate conditions, and protection of the natural features, function and hazards”. This policy is the basis for the following analysis.

### *Parking*

The scale of uses (i.e., size and floor area) will dictate the number of parking spaces required on site, which is a factor to examine when considering possible impacts on surrounding properties.

The concept site plan submitted with the application (Appendix 3) shows four parking spaces on site, which are all existing. There are two legal spaces in the main driveway of the principal dwelling and two legal parking spaces in front of the accessory structure, at the rear of the property. A small area for vehicles to turnaround exists for the two spaces near the barn. Additionally, the principal dwelling has a side-facing garage with two other parking spaces inside. However, the garage spaces do not conform to the Zoning By-law because they are in tandem with the two spaces in the main driveway. The surface treatment of the parking areas and driveway is a combination of asphalt and gravel.

The existing dwelling requires one parking space. The proposed detached accessory dwelling unit also requires one parking space. These two spaces will be accommodated in existing areas on site. There will not be any impacts on adjacent properties in this respect.

The City’s Zoning By-law does not contain a parking requirement for a home based business use. However, because of the proposed increased size for an accessory dwelling unit and/or home based business, and since there is a possibility that both uses could exist at the same time on the site, Staff recommends that the home based business requires one parking space. This will ensure that there is no conflict between uses on site with respect to parking. The parking can be accommodated within the existing parking areas on site.

It should be noted that a bed and breakfast is permitted in the R1 Zone, to a maximum of four rented rooms. If the proposed accessory dwelling unit is permitted, a bed and breakfast would also be permitted within the accessory structure, with a maximum of four rented rooms on the property. One parking space is required per rented room. Whether a bed and breakfast would be feasible on the property in conjunction with a detached accessory dwelling and/or another type of home based business, is a function of parking availability and possibly further zoning approvals.

The Zoning By-law provisions for home based business state that “the residential appearance and character of the premises shall be maintained”. It is Staff’s opinion that

if new parking is needed to accommodate secondary uses on the site, the residential appearance and character of the property would be degraded. In other words, there is a tipping point at which point the size and number of home based businesses on site would cause the property to lose its residential character.

There is an existing cedar hedge along the north property line which provides a buffer between the driveway/parking areas on the subject property and the adjacent residential property to the north. To maintain this buffer, Staff recommends that the existing cedar hedge be maintained as indicated in Appendix 3, and that additional plantings be added to extend the landscape buffer along the northerly side of the accessory structures. Staff recommend that the minimum width of the buffer be 1.0 m and minimum height be 3.0 m, as outlined in the proposed Special Provisions. The recommended landscape buffer helps to minimize any visual or auditory impacts on the adjacent property to the north. There are no concerns with respect to mitigating impacts on the adjacent residential property to the south.

In summary, Staff are satisfied that the site can accommodate parking for a detached accessory dwelling unit and/or home based business, as proposed, utilizing existing surfaced parking and driveway areas. Should any future use require additional parking, such use would not meet the intent of the above noted zoning provisions related to residential appearance and character.

#### *Privacy*

It is a policy of the Official Plan to ensure that adverse impacts on adjacent properties are minimized in regard to privacy, among other matters. Maintaining privacy is therefore a consideration when reviewing a Zoning By-law amendment application. The accessory structure, as existing, has a second storey window that faces the rear yard of the property to the north. The building is setback 1.26 m from this property line. This type of side yard setback to a residential building is not uncommon in an urban environment. Staff does not consider overlook in this situation to cause an adverse impact on the neighbouring residential use.

To ensure that a level of privacy exists in perpetuity between the existing residential use to the north and the proposed uses on the subject property, Staff recommends that the Special Zoning Provisions for the site contain a requirement for a 1.0 m wide, 3.0 tall landscape buffer. The existing cedar hedge fulfills this provision along a portion of the property line. The owner will be required to extend the buffer along the northerly side wall of the accessory structure. This buffer minimizes privacy concerns from the residential use to the north.

There are no privacy concerns with regard to the adjacent residential use to the south.

#### **Natural Area**

The subject lands are impacted by a valley slope and fish habitat associated with Martindale Pond. The Niagara Peninsula Conservation Authority (NPCA) regulates all development and site alteration within 15 m of a steep slope. Generally, new

development and site alterations would be required to be set back a minimum of 7.5 m from the stable top of slope. The existing barn on the property is within this 7.5 m setback, however since there is no expansion or alteration to the barn proposed, the NPCA is satisfied there will be no impact on the stability of the slope as a result of the subject Zoning By-law amendment application. The fish habitat feature of Martindale Pond requires a 30 m vegetated buffer from the bank of the water. This 30 m buffer is entirely within the lands zoned Conservation/ Natural Area on the property. The existing barn building is within the R1 Zone.

The subject application will not affect the valley lands nor the fish habitat feature, since no physical development is being proposed.

## **Public Open House**

A Public Open House was held on Thursday, September 22, 2016 at City Hall. There were six members of the public in attendance. One written submission has been made from a member of the public, which is included as Appendix 8 to this report. The major themes of the discussion at the Open House, and of the written submission, have been addressed in the Planning Analysis section of this report.

## **Public Notice**

In accordance with established procedures, notices for the public meeting have been circulated.

## **Second Planning Opinion Advisory**

Should Council consider not supporting the Staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

## **Financial Implications**

Not applicable.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

The approval of this Zoning By-law amendment will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

### **Social Sustainability**

The approval of this residential infill proposal will support the goals of social sustainability by:

- Increasing the housing type and tenure options in the neighbourhood (Goal 4).

## Environmental Sustainability

The approval of this Zoning By-law amendment will serve to support the goals for environmental sustainability by:

- Protecting the state of the natural features on site (Goal 7).

## Conclusion

In summary, staff is supportive of the proposal to allow a detached accessory dwelling unit within an existing barn on the subject property. Staff recommends that a detached accessory dwelling unit and home occupation shall not exceed 200 m<sup>2</sup>, combined. Staff also recommends that a home occupation require one parking space, and that the northerly property line contain a landscape buffer. The application represents an efficient re-use of an existing building. The proposed uses will take advantage of existing driveway and parking areas on site. Staff is of the opinion that if new driveway or parking areas are required to accommodate any accessory use, such as a bed and breakfast or other type of home occupation, the residential appearance and character of the property will begin to degrade. This would make the property non-compliant with provisions of the Zoning By-law.

The Zoning By-law amendment proposal is consistent with provincial, regional and municipal policies, providing for intensification within an established neighbourhood.

## Notification

It is in order to advise Upper Canada Consultants, 261 Martindale Road, Unit 1, St. Catharines, ON, L2W 1A1, the owner's agent.

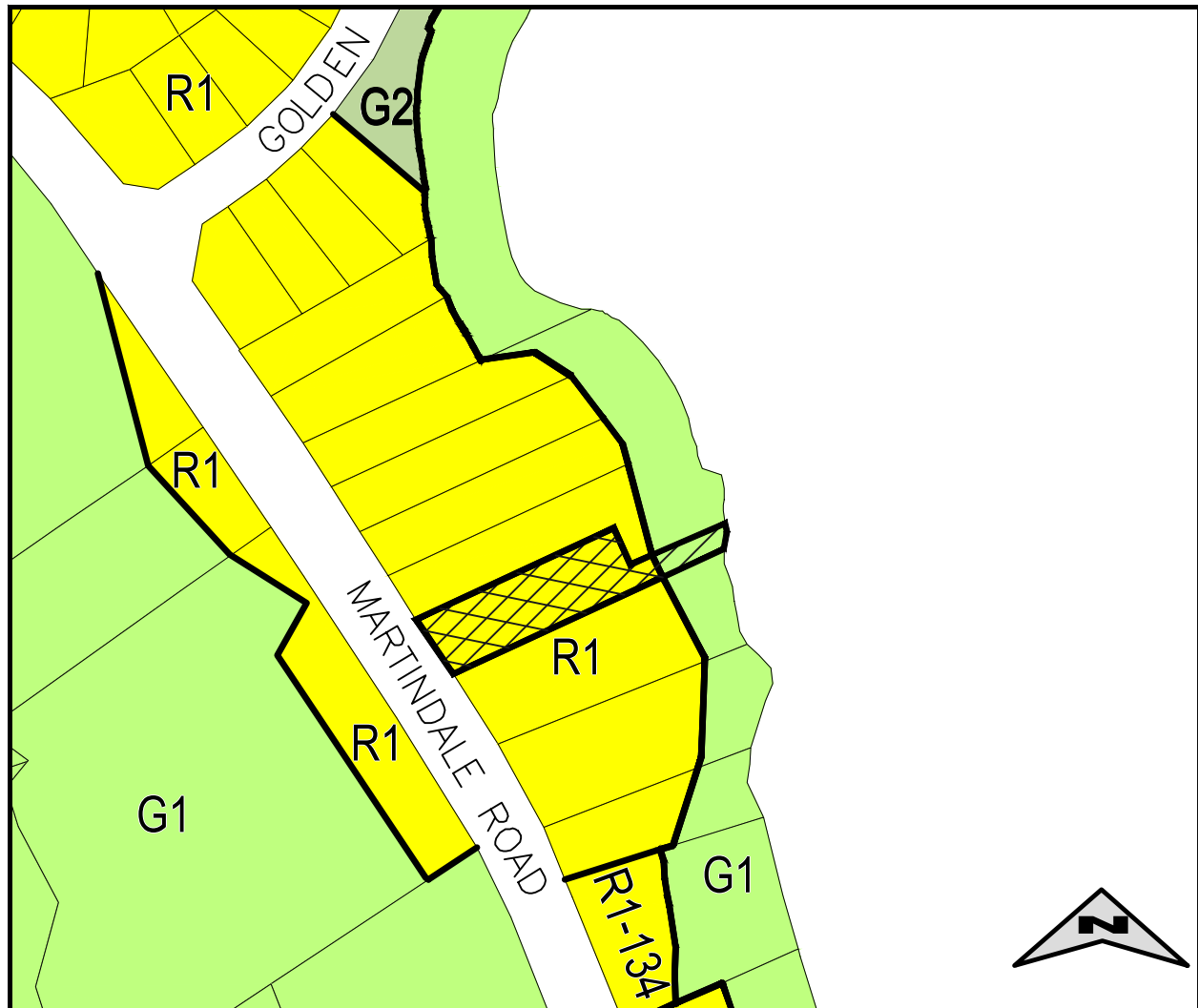
## Prepared and Submitted by:

Aaron Butler, MCIP, RPP  
Planner I

## Approved by:

James N. Riddell, M.P.L., MCIP, RPP  
Director of Planning and Building Services

# Proposed Amendment to Zoning By-Law 2013 - 283





 368 Martindale Road

 Subject Lands

Subject lands to be re-zoned from  
Low Density Residential - Suburban Neighbourhood (R1) to  
Low Density Residential - Suburban Neighbourhood (R1-138)

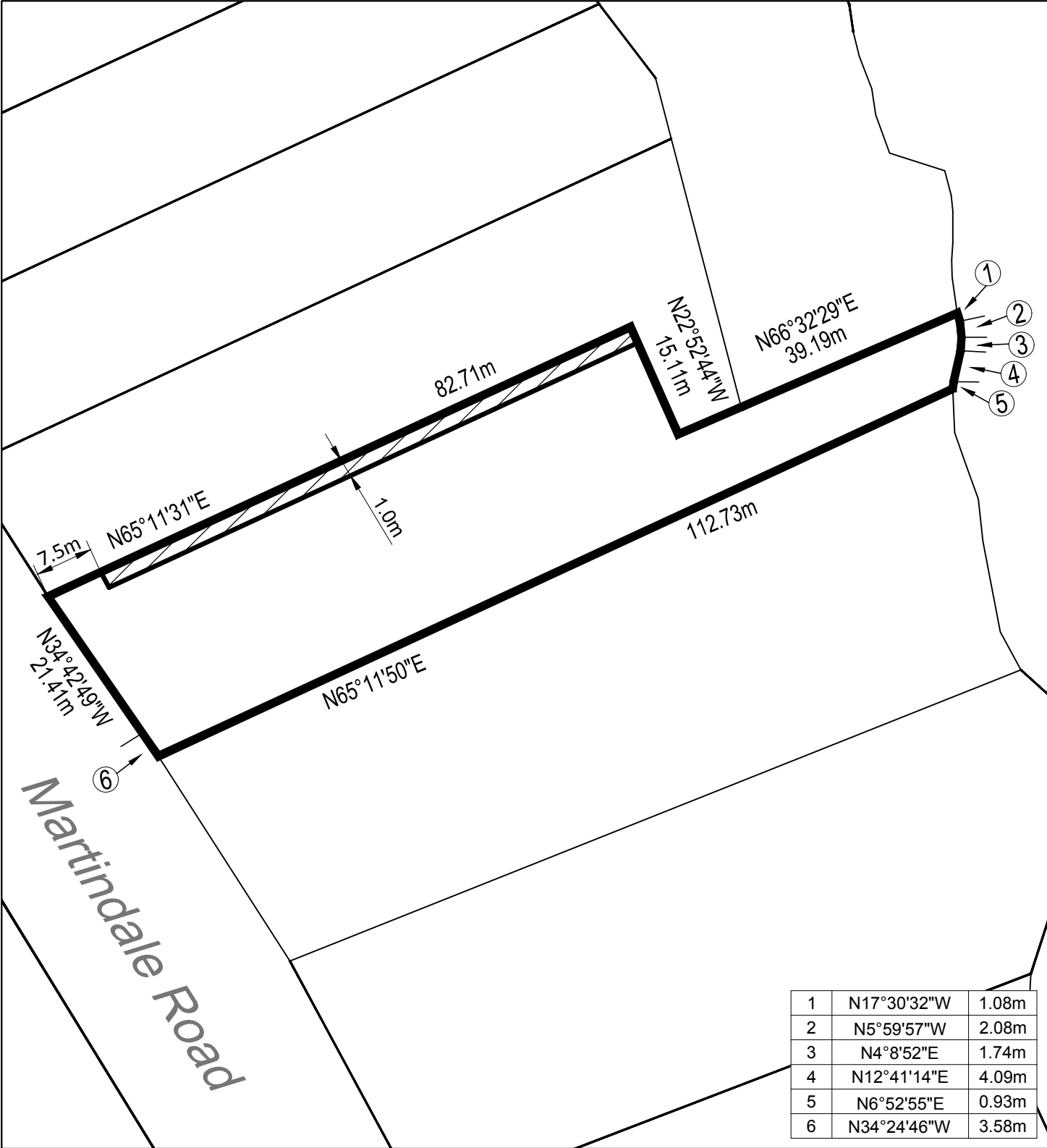
## Zones

 Low Density Residential  
- Suburban Neighbourhood

 Conservation / Natural Area  
 Minor Green Space



SPECIAL PROVISION	SCHEDULE A	SCHEDULE B	LOCATION	BY-LAW
138	6, 7	34	368 Martindale Road	

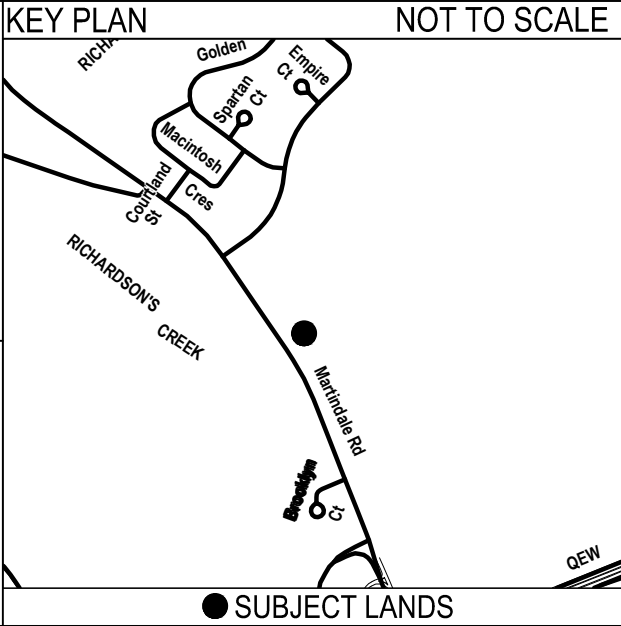


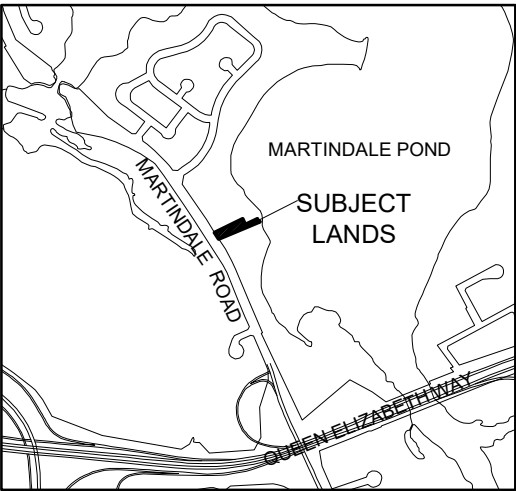
AN ILLUSTRATION SHOWING

Concession 1 Part Lot 1 and Part of Road Allowance between Broken Front Concession and Concession 1

IN THE CITY OF ST.CATHARINES REGIONAL MUNICIPALITY OF NIAGARA

DISTANCES SHOWN ARE IN METRES  
NOT TO SCALE





PART OF LOT 1 CON 1 AND  
PART OF THE R/A BETWEEN  
BROKEN FRONT CON AND CON 1  
IN THE  
**CITY OF ST. CATHARINES**  
REGIONAL MUNICIPALITY OF NIAGARA



## REVISIONS

C	RE-SUBMISSION	17-OCT-2016	JW
B	RE-SUBMISSION	12-OCT-2016	JW
A	SUBMISSION	28-JUL-2016	PV
REV.	DESCRIPTION	DATE	INIT.

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DEVELOPMENT MANAGEMENT & PLANNING SERVICES

310 LIMERIDGE ROAD WEST  
HAMILTON ONTARIO, L9C 2V2

P 905-574-1993  
F 905-527-9559

## PROJECT TITLE

368 MARTINDALE ROAD

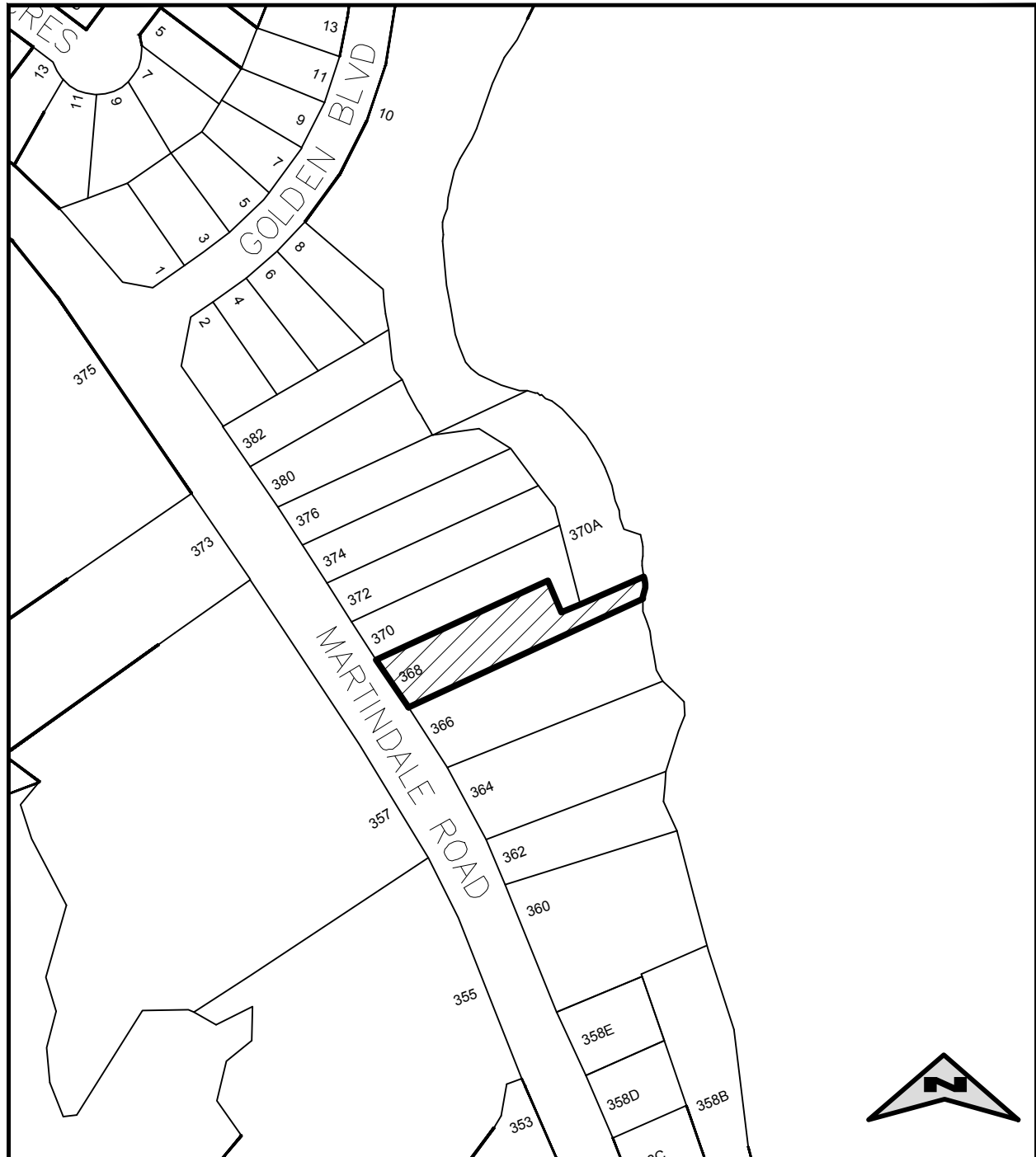
ST. CATHARINES, ONTARIO

## DRAWING TITLE

# SITE PLAN

DRAWN BY JW	DESIGNED BY JW
PRINT DATE 17-Oct-2016	PROJECT NUMBER 4801
REVISION C	DRAWING NUMBER SP-1
SCALE 1:500	

# Location Map



368 Martindale Road  
File: 60.35.1015

## Existing Land Use Designation

(General Land Use Plan D1 - Garden City Plan)



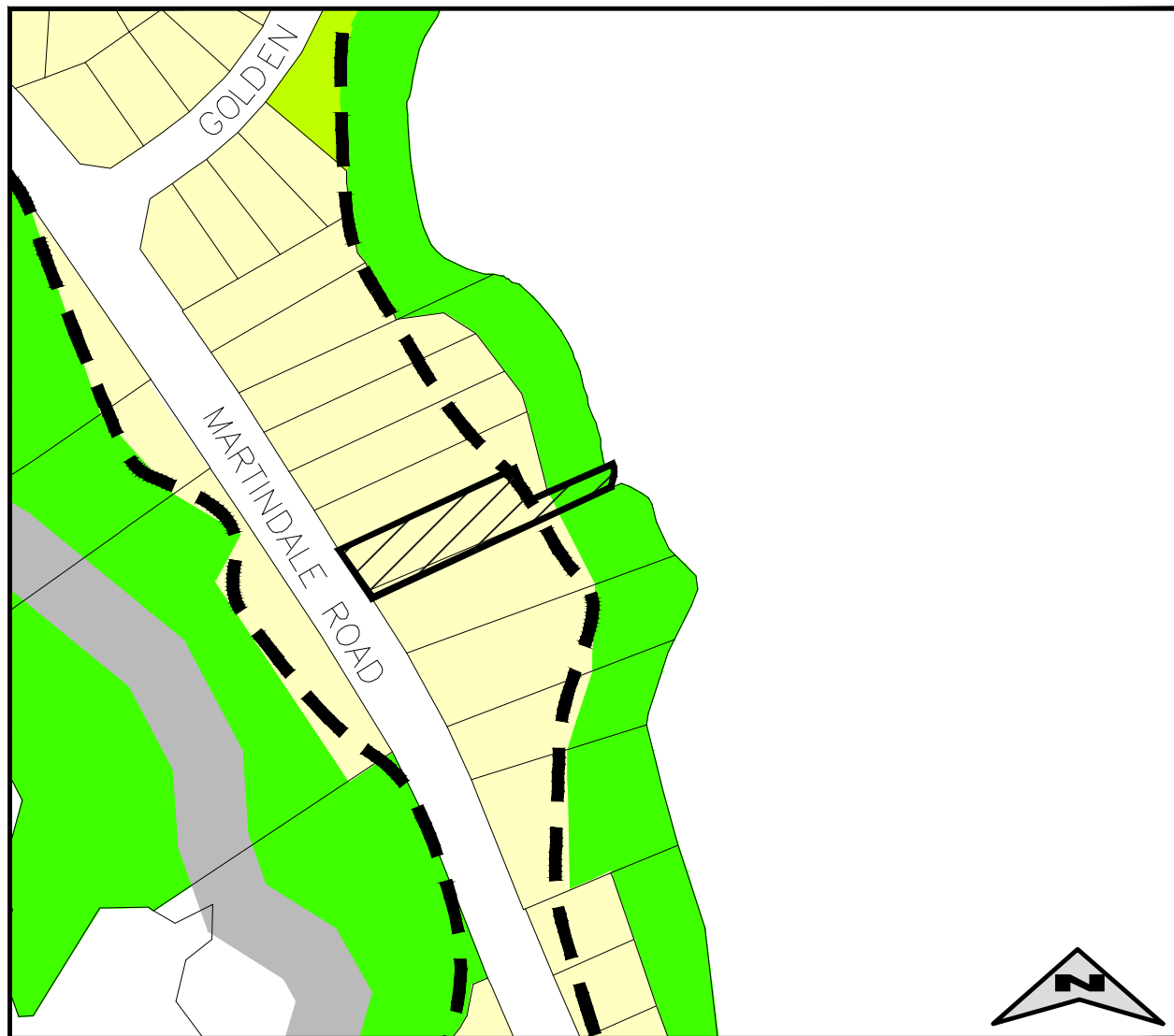
368 Martindale Road

### Land Use Designations

 Neighbourhood Residential  
 Natural Areas

 Parkland & Open Space  
 Urban Area Boundary



## Existing Land Use Designation (North Planning District E1 - Garden City Plan)



 368 Martindale Road

### Natural Area Extents

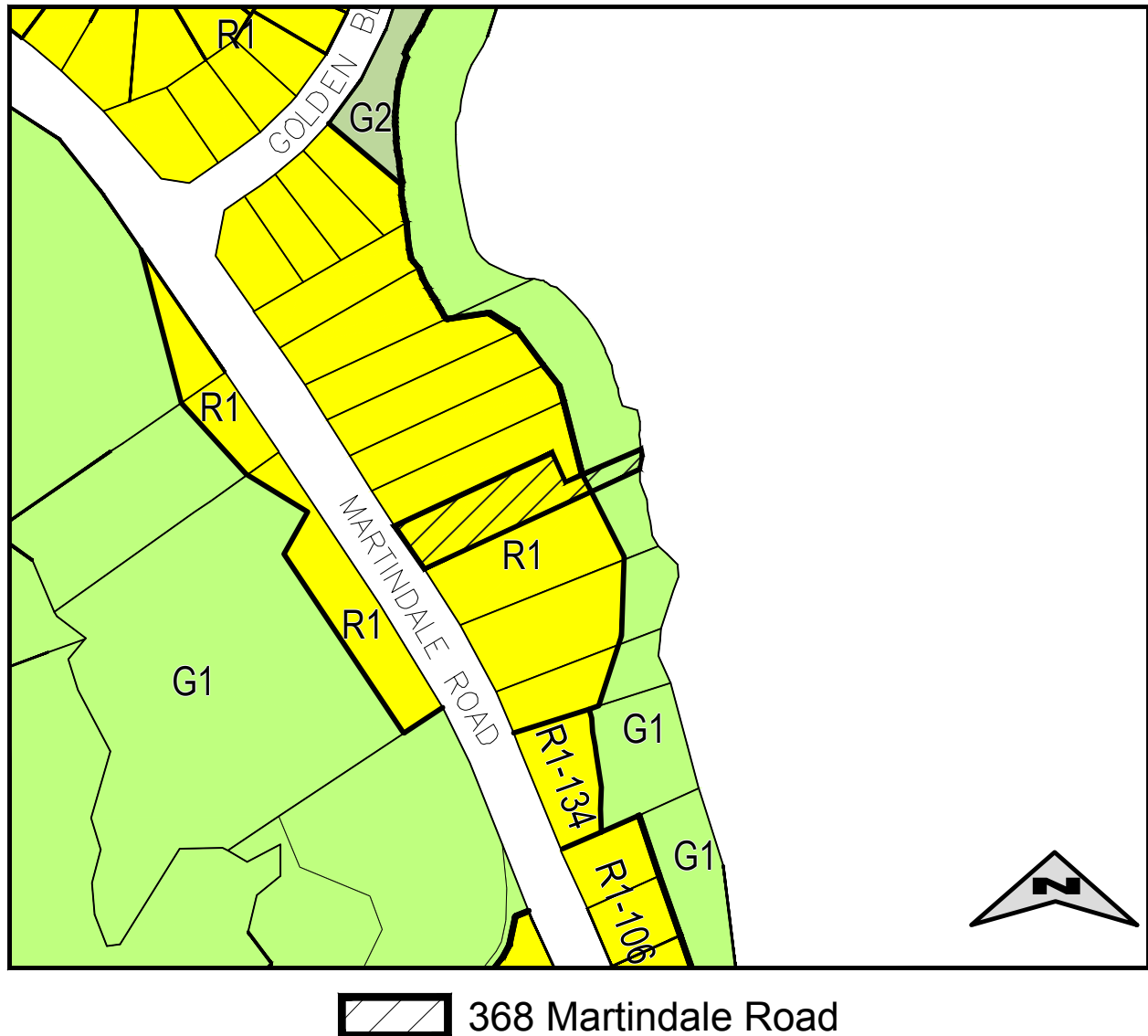
 Low Density Residential  
 Natural Areas

 Parkland & Open Space  
 Natural Area Extent Line

File: 60.35.1015

## Existing Zoning

(Schedule A - Zoning By-law 2013-283)



### Zones

**R1** Low Density Residential  
- Suburban Neighbourhood

**G1** Conservation / Natural Area  
**G2** Minor Green Space

**COMMENTS REGARDING THE ZONING BY-LAW  
AMENDMENT APPLICATION FOR:**

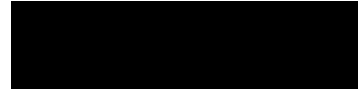
368 Martindale Road

St. Catharines

FILE 60.35.1015

**Submitted By:**

Marco & Susan Marrone



October 14, 2016

## SUMMARY

A Zoning By-law Amendment (ZBA) application has been submitted by the owner of 368 Martindale Road to:

- Expand the land use permitted for an existing barn to allow for an accessory dwelling unit and further a home based business and bed and breakfast.

We are providing rationale for our position that the ZBA application be DENIED.

The summary of the rationale to DENY the application is as follows:

- The Official Plan outlines policies related to land use and the Zoning By-Law 2013-283 implements these policies by setting standards and limits.
- The application for the Zoning By-Law Amendment (ZBA) grossly exceeds the standards and limits that the Zoning By-Law has outlined and has material impacts on adjacent properties and the neighbourhood. Specifically, the size and scale of the proposed dwelling unit/accessory structure contravenes certain policies within the Official Plan.
- The application is not specific to a particular use for the property, but rather is wide in scope. Additionally the application states that there are no plans for the barn at the present time (page 4 of the Planning Justification Report).

Therefore the proposed amendment DOES NOT:

- Conform to the Official Plan, and
- Meet the intent of Zoning By-law 2013-283.

If the application is approved, then the result will be an accessory structure that:

1. Is an accessory dwelling unit (which is not the case at present)

PLUS

2. Allows for the size of the accessory dwelling unit to be almost double the maximum allowed under the by-law (199 vs 105 square metres)

PLUS

3. Allows the height of the structure to be well above the maximum 4.5 metres outlined in the by-law.

PLUS



4. Allows the maximum space for a home based business to be 5 times the maximum allowed in the by-law (ie 199 vs 40 square metres)

PLUS

5. Covers more than the maximum 10% of the lot area outlined in the by-law.

PLUS

6. Has material negative impact on the adjacent properties and neighbourhood including, but not limited to, privacy, security, noise pollution, light pollution, dust and vehicle congestion.

PLUS

7. Does not fit with the character of the neighbourhood where there are no other accessory dwelling units located at the rear of the properties.

PLUS

8. Provides for potential loopholes in the zoning by-law thereby increasing the negative impacts on the adjacent properties and neighbourhood: example: the size of the rooms in the bed and breakfast would be larger than contemplated in the by-law and therefore a greater number of individuals could stay in the room thus increasing the negative impacts on adjacent properties.

## **FACTS**

Address: 368 Martindale Road, St. Catharines  
Lot Area: i) Including G1 lands = 2,320 square metres  
ii) Excluding G1 lands = 2,065 square metres

Accessory Structure: Size: 199 square metres  
- main floor = 99 square metres  
- second level = 100 square metres  
Height: Not supplied at this time.

Area of accessory structure as a % of lot area:  
i. Including G1 lands = 8.6%  
ii. Excluding G1 lands = 9.6%

Principal Dwelling is set back approximately 30 metres from front lot line.

## **ANALYSIS**

### **Official Plan Definitions**




- Development (page 107) - means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act....
- Redevelopment (page 110) – means the creation of new units, uses or lots on previously developed lands, including brownfield and greyfield sites.


Therefore, this application would be considered a redevelopment and even a development and would covered under the Official Plan.

The following pages provide detailed analyses of the application and how it contravenes relevant sections of the Official Plan and Zoning By-Law 2013-283. The analyses supports the position that the application should be DENIED.

## ANALYSIS

### Current Official Planning & Zoning By-Law Requirements (pertinent sections only listed)

Use	Official Plan & Zoning By-Law	Comments
Accessory Structure 	Zoning by-law Section 2.1 states that accessory structures shall not: 2.1a) Be used as a dwelling unit 2.1d) Exceed a building height of 4.5m 2.1e) Exceed 10% of total lot area, excluding in-ground swimming pools.	Presently the structure is not an accessory dwelling unit. The building <b><u>exceeds</u></b> the height maximum by a large amount (the height of the structure has not been provided in the application) and the building covers close to 10% of lot area (excluding the G1 lands). In fact, given the substantial area that has been excavated to allow for a basement walk out, which is similar to an in-ground pool, the structure <b><u>covers more than 10%</u></b> of the lot area.
Accessory Dwelling Unit 	Section 2.2.2 of the by-law states “where permitted by Section 13 Special Provision, a detached accessory dwelling unit shall be subject to Section 2.1b) to f), Section 2.1.1 <b><u>and</u></b> the following provision:  a) The floor area shall not exceed 105 square metres or 40% of the floor area of the principal dwelling unit including the basement, <b><u>whichever is less</u></b> ”  Section 3.12.1 requires 1 additional parking spot for the accessory dwelling unit.	The proposed accessory dwelling unit does not meet the requirements of Section 2.2.2 as it does not meet the requirements of Section 2.1b) <b><u>and</u></b> 2.1e) <b><u>and</u></b> exceeds the second requirement of 2.2.2 limiting the size to 105 square metres. The accessory dwelling is almost <b><u>DOUBLE</u></b> the size of the maximum allowed under this section ie 199 square metres versus the 105 square metres maximum.
Home Based Business 	Official Plan Section 7.11 states that the home based business shall be <b>small in scale</b> in relation to the size of the principal dwelling unit. Additionally, the definition of home based business in the Official Plan (page 108) requires the resident of the dwelling unit to undertake the business <b><u>and</u></b> it should not have an adverse effect on abutting lands or the surrounding neighbourhood.	If the application is approved, the home based business would occupy <b><u>5 TIMES</u></b> the maximum square footage allowed under the zoning by-law Section 2.2.4c) ie <b>199</b> square metres versus the <b>40</b> square metres maximum. The home based business is <b><u>NOT</u></b> small in scale. The size and scale of this business is <b><u>substantially</u></b> larger than contemplated under the Official Plan and Zoning by-law.

Use	Official Plan & Zoning By-Law	Comments
	<p>Zoning By-law Section 2.2.4</p> <p>2.2.4c) limits size of business to 25% of gross floor area of principal dwelling unit (excluding garage and accessory structure) to a maximum of 40m<sup>2</sup>.</p> <p>2.2.4e) requires business to be conducted by person residing in the dwelling unit and may include 1 non-resident employee or volunteer or assistant.</p> <p>2.2.4h) states that the cumulative number of on-site clients shall be limited to a maximum of 5 at any one time.</p>	<p>As stated on the previous page, if the application is approved, the home based business would occupy <b>200</b> square metres, which is <b>5 TIMES</b> the maximum allowed in the by-law.</p> <p>Given the layout of the lot there is insufficient parking for an employee or assistant or volunteer <b>and</b> for up to 5 clients visiting at any time. Additionally, the size and scale of this business <b>will</b> have an adverse effect on abutting lands and neighbourhoods (see following section titled Official Plan-Context).</p>
Bed & Breakfast	<p>Zoning By-Law Section 2.2.4.1a) allows for a maximum of 4 rooms. Section 3.12 requires 1 parking space per rental room.</p>	<p>The definition of a bed and breakfast in the zoning by-law “means a home based business wherein rooms or beds are rented for a period not exceeding 28 consecutive days, and meals are served to overnight guests”.</p> <p>The by-law puts limits on the size of the home based business which in this case is 40 square metres. (Section 2.2.4c). In this application, the home based business would be 5 times the maximum allowed under the by-law.</p> <p>Additionally, City staff have advised that the bed and breakfast can be run out of both the primary dwelling unit and the accessory dwelling unit, up to a maximum of 4 rooms. However, there are no limits to the size of the rooms in the by-law, except the maximum of 40 square metres in total. This could mean that the applicant can have 2 rooms within the principal dwelling unit and 2 rooms in the accessory dwelling unit, with each room being on a single</p>

Use	Official Plan & Zoning By-Law	Comments
		<p>floor resulting in extremely large rooms. These large rooms could then be rented to a family, for example.</p> <p>We don't believe this is the intent of the Official Plan and the zoning by-law.</p> <p>The size and scale of this structure and/or businesses <b><u>will</u></b> lead to greater noise, vehicle traffic, light pollution and a substantial reduction in privacy, thereby negatively impacting the adjacent lands and the neighbourhood.</p> <p>Furthermore, the total additional parking requirements, per Section 3.12 would be <b><u>5 additional</u></b> parking spots – one for each room (ie 4) plus one required for the accessory dwelling unit.</p> <p>Given the set back of the principal dwelling unit from the front property line <b><u>plus</u></b> the area excavated to allow access to the basement walkout <b><u>plus</u></b> not being able to use the G1 lands for parking, there is not sufficient space for the parking requirements contrary to the assertion of the ZBA application as stated on pages 7 and 14 that parking is not a concern.</p>

**CONCLUSION**

The proposal to permit an accessory dwelling unit within the detailed accessory barn **DOES NOT** meet the intent of Zoning By-law 2013-283 **AND DOES NOT** conform to the Official Plan.

## OFFICIAL PLAN

Official Plan Section	Comments
<p>Part D Land Use Policies Section 7.1 Development / Redevelopment</p> <p>Development and redevelopment within the Urban Area shall be evaluated having regard for the following: 7.1c) Building, site and streetscape context sensitive design to ensure:</p>	
<p>ii. Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards;</p>	<p>The size and scale of the accessory dwelling unit and/or home based business and/or bed and breakfast (size well above the limits in the by-law) causes substantial negative impacts on adjacent properties and the neighbourhood.</p> <p>The increase in people, vehicle traffic, pedestrian traffic and commercial activity will result in:</p> <ul style="list-style-type: none"> <li>– Increased noise pollution</li> <li>– Increased light pollution</li> <li>– Increase level of dust and dirt given the unfinished driveway that abuts along the length of the adjacent property</li> <li>– Increased property and personal security risks</li> <li>– Loss of privacy given the set back and height of the accessory structure thus allowing for visibility in the rear of existing homes (which have a substantial amount of windows to take advantage of the views and vista).</li> </ul>
<p>iii. Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;</p>	<p>The size and scale and nature of the accessory structure will have negative impacts as outlined above plus alters the land use and character of the neighbourhood.</p>

Official Plan Section	Comments
iv. Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;	<p>The size and scale of the proposed home business and bed and breakfast requires substantial space for parking which the lot cannot accommodate given:</p> <ul style="list-style-type: none"><li>i. That the G1 lands cannot be utilized</li><li>ii. The large setback of the principal dwelling from the front property line</li><li>iii. The large area that has been excavated in the rear of the principal dwelling to allow for a basement walk out.</li></ul> <p>This results in a small area being available for parking and vehicle turning.</p>
v. Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.	See 7.1iv) above.



Official Plan Section	Comments
<p>4. Urban Design</p> <ul style="list-style-type: none"><li>– “Is the art of shaping communities. It is concerned with how buildings, landscapes and public spaces look and function together to create an overall character that reflects unique aspects of a community’s history and culture.”</li><li>– “Urban design applies to individual sites, neighbourhoods, as well as the whole community...”</li></ul>	<p>The proposed application results in an accessory dwelling that has a negative impact on the character and unique aspects of the neighbourhood given its size and scale and location at the rear of the property.</p>
<p>4.5 Built Form</p> <ul style="list-style-type: none"><li>– “Refers to the arrangements of buildings and their relationship to each other and to the natural environment. It plays a role in defining the character of an area.”</li></ul>	<p>The proposed application, due to its size and scope, does not fit the character of the area.</p>

**CONCLUSION**

The proposal DOES NOT conform to the Official Plan.

## **ADDITIONAL COMMENTARY**

When we purchased our property in 2006 (and when the applicant purchased their property slightly after), the lots were zoned Agriculture. That zoning did not allow a home based business or an accessory dwelling unit.

The City in 2013 changed the zoning to R1 which allows for home based businesses and accessory dwelling units with limits (which the application for the ZBA substantially exceeds). The change in zoning took away attributes of our property which caused concern. We are assuming that the City in its analyses determined that the positives for the residents outweighed the negatives. In other words, it was a move to increase the greater good.

What we now have is an application that substantially exceeds the limits and standards set in the by-laws, all to the benefit of 1 resident at the expense of multiple residents and the neighbourhood. This does not add to the greater good of the residents of St. Catharines.

**From:** [Marco's Gmail](#)  
**To:** [Butler, Aaron](#)  
**Subject:** RE: 368 Martindale Rd By-Law Amendment Application  
**Date:** Sunday, October 16, 2016 5:11:15 PM

---

Aaron,

Per my email on Friday, I do have some additional comments and some additional questions. One question pertains as to whether you have conducted a site visit?

My additional comments are as follows:

Part D (Land Use Policies), Section 7.1 c)ii) states that adverse impacts on adjacent properties from development and redevelopment are to be minimized.

Section 7.11 states that a home based business should be small in scale to the size of the principal dwelling and the definition of home based business (page 108 of the Official Plan) states that it should not have an adverse effect on abutting lands or the surrounding neighbourhood.

The ZBA application is broad in its intended use:

(ie Page 4 of the application: "The proposal is to expand the land use permitted for the existing barn to allow for an accessory dwelling unit and to further a home based business and bed and breakfast". There are no immediate plans for the barn, but the intent is to maximize the potential use as a home occupation and/or dwelling unit").

The size and scale of the proposed application and the non-compliance of the application to the by-law has raised numerous issues. Has the applicant submitted site plans for each intended use in order to assess the impacts on abutting lands? If so can I review them? If the applicant has not submitted site plans, when will they be submitted?

Thanks for your time.

---

**From:** Marco's Gmail [REDACTED]  
**Sent:** Friday, October 14, 2016 7:22 AM  
**To:** 'Butler, Aaron' <[abutler@stcatharines.ca](mailto:abutler@stcatharines.ca)>  
**Subject:** 368 Martindale Rd By-Law Amendment Application

Aaron,

Please find attached my comments regarding the above noted application.

As we discussed yesterday, I may have some additional comments to provide as I am still conducting research on this matter.

I appreciate the time you have spent answering my questions and helping me understand the process.

If you have any questions and/or comments regarding the attached document please let me know.

Thanks.

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2016.0.7858 / Virus Database: 4664/13205 - Release Date: 10/13/16



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** December 8, 2016

**Date of Meeting:** December 19, 2016

**Report Number:** PBS-345-2016

**File:** 60.35.939 Vol. 3, 60.46.419

**Subject:** Supplemental Report - Application to Amend the Zoning By-law to Permit Certain Accessory Uses, 368 Martindale Road; Owner: Ibtisam Kelada-Sedra; Agent: T. Johns Consulting Group

### Recommendation

That Council approve an amendment to Zoning By-law 2013-283 for the lands described as Part of Lot 1, Con. 1 and Part of the Road Allowance Between Broken Front Con. and Con. 1, St. Catharines, municipally known as 368 Martindale Road, as follows:

- a) That Section 15.1, Schedule A (A6), Zoning Maps, be amended by rezoning the subject lands from Low Density Residential – Suburban Neighbourhood (R1) to Low Density Residential – Suburban Neighbourhood (R1-138), as outlined in Appendix 1 attached.
- b) That Section 15.2, Schedule B, Lot Specific Maps for Special Provisions, be amended by inserting an additional lot specific map (Schedule B34), as outlined in Appendix 2 attached.
- c) That Section 13.1, List of Special Provisions, be amended to add an additional special provision, as follows:

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
138	R1	6	34	368 Martindale Road	
In addition to the permitted uses of the R1 Zone, a detached accessory dwelling unit shall be permitted in the existing barn on the property					
The following additional provisions shall also apply:					
1.	Maximum floor area of a detached accessory dwelling unit			200 m <sup>2</sup>	
2.	Maximum floor area of a home based business			100 m <sup>2</sup>	
3.	Maximum combined total floor area of a detached accessory dwelling unit and home based business			200 m <sup>2</sup>	

4.	Minimum number of parking spaces for home based business	1
5.	Maximum number of parking spaces for home based business	2
6.	Minimum width of Landscape Buffer as shown on Schedule B34	1.0 m
7.	Minimum height of Landscape Buffer (Areas A and C) as shown on Schedule B34	2.5 m
8.	Minimum height of Landscape Buffer (Areas B and D) as shown on Schedule B34, as of July 31, 2017	1.5 m
9.	Minimum height of Landscape Buffer (Areas B and D) as shown on Schedule B34, as of July 31, 2020	2.5 m
10.	Maximum height of Landscape Buffer as shown on Schedule B34	3.0 m

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward an application to the Ontario Municipal Board for approval of the Zoning By-law amendment, if any appeals are received; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

## Summary

At its November 21, 2016 meeting, Council approved the following motions with respect to the application for Zoning By-law Amendment at 368 Martindale Road:

*That Council adjourn consideration of this application until December 19, 2016, to allow additional time for Mr. Marrone to consult with a professional planner; and*

*That the public meeting remain open until December 19, 2016, in the event additional public input is warranted.*

Planning Staff have since facilitated communications between the applicant and the neighbour to the north. There were four main items of discussion between the two parties:

1. Maximum floor area of a home occupation
2. Maximum number of parking spaces for a home occupation

3. Consideration of additional windows on the north and west side of the accessory building
4. Minimum and maximum height of the recommended landscape buffer

The two parties have mutually agreed on all four items. The proposed By-law being recommended by Staff reflects the agreements.

## Report

Staff is supportive of the following agreements between the applicant and the neighbour to the north:

1. Limit the size of the home occupation to 100 m<sup>2</sup>
2. Restrict the maximum number of parking spaces for a home occupation to 2 spaces
3. Windows will not be regulated through the Zoning By-law Amendment
4. The landscape buffer will have a required minimum height of 2.5 m and a required maximum height of 3.0 m. The sections of the landscape buffer which are not currently planted must be in place by July 31, 2017, at a minimum height of 1.5 m. The minimum height of 2.5 m must be achieved by July 31, 2020.

### 1. Size of the Home Occupation

The floor area of a home occupation use will be limited to 100 m<sup>2</sup>. Staff is supportive of this proposed reduction.

### 2. Number of Parking Spaces for Home Occupation

The maximum number of parking spaces allowed for a home occupation use will be limited to 2 spaces. Staff is supportive of this proposed limit.

### 3. Additional Windows on the Accessory Building

The applicant and the neighbour have agreed not to regulate the placement of additional windows on the accessory building. The applicant states that they are committed to maintaining the appearance and character of the barn but some changes may be required in order to repurpose the barn. The exact changes are not known at this time and the Ontario Building Code may in fact require additional windows when the building is re-purposed. Staff continues to be supportive of this approach.

### 4. Height of Landscape Buffer

The applicant and the neighbour have agreed to a height range for the recommended landscape buffer. The landscape buffer will have a required minimum height of 2.5 m and a required maximum height of 3.0 m. The sections of the landscape buffer which are not currently planted must be in place by July 31, 2017, at a minimum height of 1.5 m. A minimum height of 2.5 m must be achieved by July 31, 2020 for these sections. Planning Staff is supportive of the reduced minimum height (from 3.0 m to 2.5 m) and the addition of a maximum height. A minimum height of 2.5 m will be a suitable buffer between the driveway/parking areas on the subject property and the adjacent residential

property to the north. The buffer will also minimize privacy concerns from the residential use to the north.

## Financial Implications

Not applicable.

## Relationship to Strategic Plan

### Economic Sustainability

The approval of this Zoning By-law amendment will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

### Social Sustainability

The approval of this residential infill proposal will support the goals of social sustainability by:

- Increasing the housing type and tenure options in the neighbourhood (Goal 4).

### Environmental Sustainability

The approval of this Zoning By-law amendment will serve to support the goals for environmental sustainability by:

- Protecting the state of the natural features on site (Goal 7).

## Conclusion

Planning Staff have since facilitated communications between the applicant and the neighbour to the north. Staff believes that there are no outstanding concerns from the two parties.

Further to Report Number PBS-303-2016, Staff is supportive of the proposal to allow a detached accessory dwelling unit within an existing barn on the subject property. Staff recommends that a detached accessory dwelling unit and home occupation shall not exceed 200 m<sup>2</sup>, combined, with the home occupation use not exceeding 100 m<sup>2</sup>. Staff also recommends that a home occupation require a minimum of one parking space and that a maximum of two parking space be permitted for the use. Further, Staff recommends that the northerly property line contain a landscape buffer with a minimum and maximum height of 2.5 m and 3.0 m, respectively.

The application represents an efficient re-use of an existing building. The proposed uses will take advantage of existing driveway and parking areas on site. Staff is of the opinion that if new driveway or parking areas are required to accommodate any accessory use, such as a bed and breakfast or other type of home occupation, the residential appearance and character of the property will begin to degrade. This may make the property non-compliant with provisions of the Zoning By-law.

The Zoning By-law amendment proposal is consistent with provincial, regional and municipal policies, providing for intensification within an established neighbourhood.

## **Notification**

It is in order to advise T. Johns Consulting Group Ltd., 310 Limeridge Road West, Hamilton, ON, L9C 2V2, the owner's agent.

### **Prepared and Submitted by:**

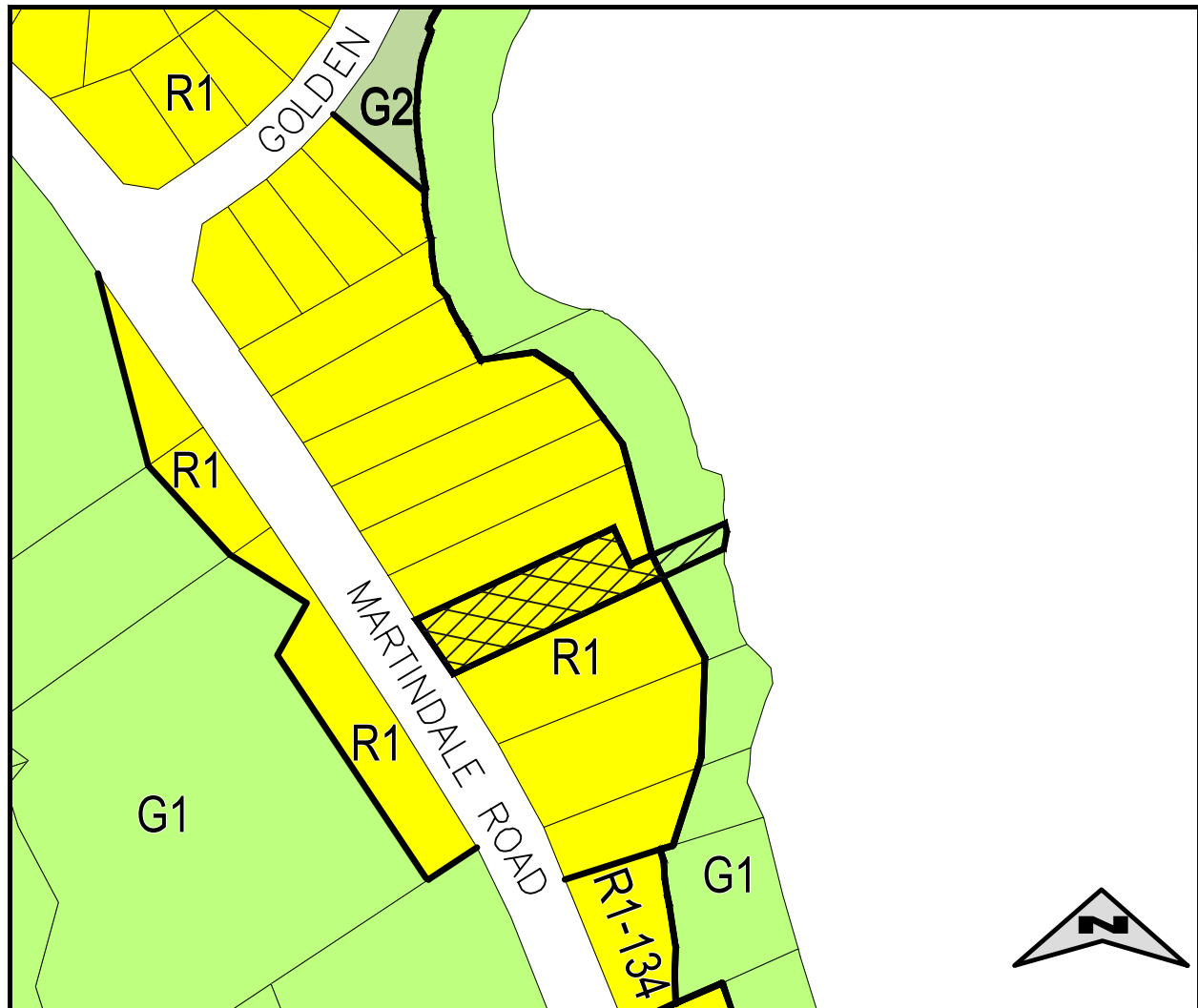
Aaron Butler, MCIP, RPP  
Planner I

### **Approved by:**

James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services



# Proposed Amendment to Zoning By-Law 2013 - 283



 368 Martindale Road

 Subject Lands

Subject lands to be re-zoned from  
Low Density Residential - Suburban Neighbourhood (R1) to  
Low Density Residential - Suburban Neighbourhood (R1-138)

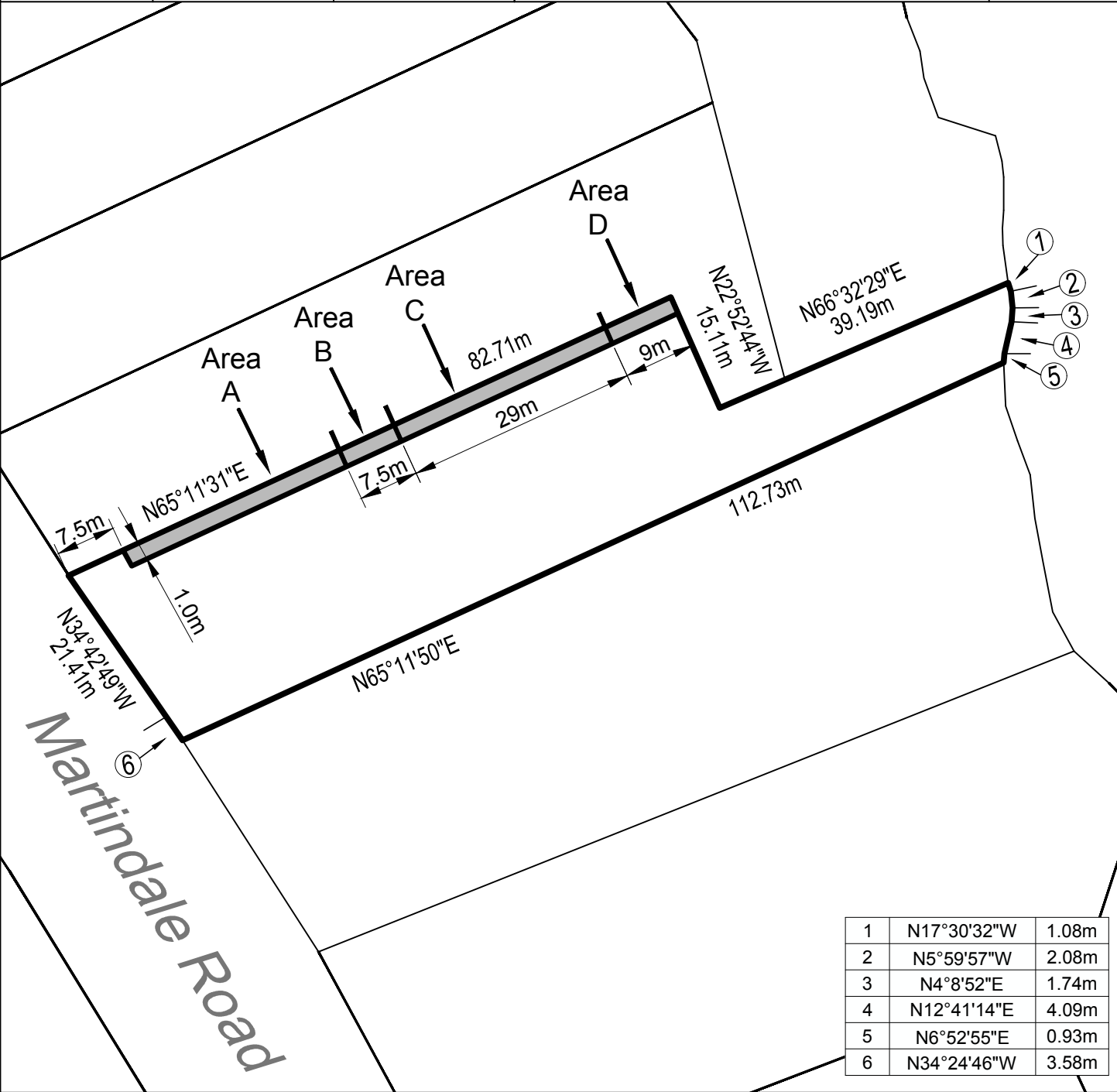
## Zones

 Low Density Residential  
- Suburban Neighbourhood

 Conservation / Natural Area  
 Minor Green Space

SCHEDULE B TO BY-LAW NO. \_\_\_\_\_  
PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016


SPECIAL PROVISION	SCHEDULE A	SCHEDULE B	LOCATION	BY-LAW
138	6, 7	34	368 Martindale Road	



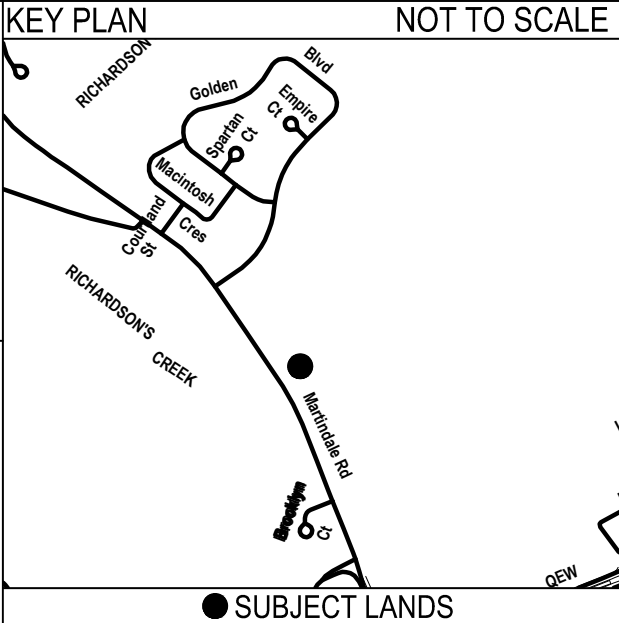
AN ILLUSTRATION SHOWING

Concession 1 Part Lot 1 and Part of Road Allowance between Broken Front Concession and Concession 1

IN THE CITY OF ST.CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA



DISTANCES SHOWN ARE IN METRES  
NOT TO SCALE





CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** December 14, 2016

**Date of Meeting:** December 19, 2016

**Report Number:** PBS-349-2016

**File:** 60.35.939 Vol. 3, 60.46.419

**Subject:** Supplemental Report No. 2 - Application to Amend the Zoning By-law to Permit Certain Accessory Uses, 368 Martindale Road; Owner: Ibtisam Kelada-Sedra; Agent: T. Johns Consulting Group

## Recommendation

Further to the recommendations of Report Number PBS-345-2016:

That Council approve an amendment to Zoning By-law 2013-283 for the lands described as Part of Lot 1, Con. 1 and Part of the Road Allowance Between Broken Front Con. and Con. 1, St. Catharines, municipally known as 368 Martindale Road, with the following revisions:

- a) That Section 13.1, List of Special Provisions, be amended to add an additional special provision, as per Report Number PBS-345-2016, with the following revisions:

8.	Minimum height of Landscape Buffer (Areas B and D) as shown on Schedule B34, as of December 31, 2017	1.5 m
9.	Minimum height of Landscape Buffer (Areas B and D) as shown on Schedule B34, as of December 31, 2020	2.5 m

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision. FORTHWITH

## Summary

The applicant and the neighbour to the north of the subject property have agreed to a further revision to the proposed Zoning By-law Amendment. The revisions relate to the timing requirement for the installation of the new landscape buffer as well as the timing requirement for full minimum height of the landscape buffer.

## Report

Following the completion of Report Number PBS-345-2016 with respect to the application for Zoning By-law Amendment at 368 Martindale Road, the applicant has requested a

further revision to the By-law with regard to the timing requirement for the planting of the new landscape buffer. The applicant and the neighbour to the north previously agreed that the new section of landscape buffer had to be planted by July 31, 2017. This was included in the Zoning By-law Amendment recommended by Staff. Subsequently, the applicant has requested to change this date to December 31, 2017 in order to ensure that the new plantings are not damaged while work to the outside of the accessory structure is being completed. The neighbour to the north is in agreement with this change. The date at which the landscape buffer is required to be its full minimum height is also being changed from July 31, 2020 to December 31, 2020 (three years after the landscape buffer is installed). There is currently full agreement with this approach.

## Financial Implications

Not applicable.

## Relationship to Strategic Plan

### Economic Sustainability

The approval of this Zoning By-law amendment will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

### Social Sustainability

The approval of this residential infill proposal will support the goals of social sustainability by:

- Increasing the housing type and tenure options in the neighbourhood (Goal 4).

### Environmental Sustainability

The approval of this Zoning By-law amendment will serve to support the goals for environmental sustainability by:

- Protecting the state of the natural features on site (Goal 7).

## Conclusion

Planning Staff have continued to facilitate communications between the applicant and the neighbour to the north. A request has been made by the applicant to change the timing requirements for the planting of the new landscape buffer. The neighbour to the north has agreed. Staff recommends that this change be incorporated into the final By-law.

## Notification

It is in order to advise T. Johns Consulting Group Ltd., 310 Limeridge Road West, Hamilton, ON, L9C 2V2, the owner's agent.

### Prepared and Submitted by:

Aaron Butler, MCIP, RPP  
Planner I

### Approved by:

James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** November 29, 2016

**Date of Meeting:** December 19, 2016

**Report Number:** PBS-336-2016

**File:** 60.46.420

**Subject:** Application for Draft Plan of Condominium (Vacant Land); 10-Unit Residential Private Road Development; 50 Dorchester Boulevard; Grey Forest Homes Ltd., Owner; Upper Canada Consultants, Agent

### Recommendation

That, as required by Section 51 (20) of the Planning Act, R.S.O. 1990, c.P. 13, as amended, the report from Planning and Building Services, dated November 29, 2016, concerning a draft plan of condominium approval (vacant land) be referred to City Council for consideration at the Council meeting of January 16, 2017, after the Public Meeting scheduled for December 19, 2016. FORTHWITH

### Staff Recommendation

That Council grant Draft Plan of Condominium Approval (vacant land) for the lands described as Block G, Registered Plan 626, St. Catharines, municipally known as 50 Dorchester Boulevard, as illustrated on Appendix 2 of this report, subject to the Conditions of Draft Plan Approval as outlined in Appendix 6 of this report; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That after notice of Council's decision has been given, the Clerk be authorized to endorse the plan as "Draft Approved" on the day after the appeal period has expired, in accordance with the Planning Act, provided that no appeals have been lodged; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Ontario Municipal Board for consideration and final decision; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

### Summary

The purpose of the application is to request approval of a draft plan of condominium (vacant land) for one detached dwelling unit and nine townhouse dwelling units situated on a common private road, as illustrated on Appendix 2. The plan of condominium will allow each of the units to be sold individually. Staff is recommending approval of this draft plan of condominium, subject to the Conditions of Draft Plan Approval outlined in

Appendix 6. The proposal conforms to Provincial, Regional and local Official Plan policies.

## Report

### Proposed Development

The applicant proposes to construct 1 detached and 9 townhouse dwellings, as illustrated on Appendix 2. Each of the 10 dwellings will have frontage along a common private road with parking provided in private driveways and attached garages. The applicant has requested Draft Plan of Condominium Approval (vacant land) so that each of the 10 units can be sold individually.

### Location and Site Description

The subject lands are located on the east side of Dorchester Boulevard and on the south side of Meredith Drive, in the City's North Planning District. A location map is attached as Appendix 1.

The subject lands are 0.42 hectares in size, with approximately 34 metres of frontage along the east side of Dorchester Boulevard, and approximately 38 metres of frontage on Meredith Drive.

Surrounding land uses include:

North:	Detached dwellings, townhouse dwellings
South:	Vacant land (medium density residential development expected in the future)
East:	Detached dwellings, townhouse dwellings
West:	Unopened Dorchester Boulevard road allowance, townhouse dwellings, vacant land

### Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. Overall, there were no objections received. The conditions of Draft Plan approval will address City and agency comments. Further detail regarding circulation comments is provided in the Planning Analysis section of this report.

## Planning Analysis

### Provincial and Regional Policy Context

The subject property is located within a settlement area under the 2014 Provincial Policy Statement (PPS) and the Built-Up Area for St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents. Land use patterns shall be based on densities and a mix of land uses that efficiently use land,

resources, infrastructure, and public service facilities which are planned or available to settlement areas.

Similarly to the Growth Plan, the Regional Official Plan (ROP) directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above and establishes a residential intensification target of 95 % for the St. Catharines Built-Up Area. This proposal serves to meet that target.

The proposed private road development contributes to the mix of housing types available in the area to meet the needs of existing and future residents of the community. At a density of 23.9 units per hectare, the development of this property makes efficient use of the lands and existing infrastructure. The site is in close proximity to public transit, commercial and community facilities, and parks and active transportation opportunities such as the Welland Canal Trail. The proposal complies Provincial and Regional policies.

### **Official Plan (Garden City Plan)**

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (Appendix 3). The lands are further designated as Medium Density Residential (Appendix 4) as per Schedule E3 of the Garden City Plan. The GCP provides further direction within the Medium Density Residential designation providing for a range of housing types, including townhouse and single dwellings, at a density range generally between 25 and 99 units per hectare.

The applicant proposes to construct 1 detached dwelling and 9 townhouse dwellings on the lands at a density of 23.9 units per hectare. The proposed private road development is a permitted use under the existing Medium Density Residential designation and complies with the applicable land use policies. Staff have considered the proposed density through an application to the Committee of Adjustment for a minor variance. Staff is satisfied that the current site design, with a density of 23.95 units per hectare, provides for the optimum and desirable development of the site. Staff is of the opinion that attempts to increase the density may reduce the overall quality of the development. Reduction in density is in keeping with the general intent of the Official Plan. An Official Plan Amendment is not required.

The GCP supports residential infill and intensification and emphasizes the provision of a variety of housing types. It provides that growth will be accommodated through, among other means, the redevelopment and efficient use of underutilized lands, and more compact building form and densities (2.3.3).

The proposed development will implement the growth management objectives of the GCP by providing a greater mix of housing types and by promoting the more efficient use of the City's urban land supply.

The GCP provides that all development and redevelopment within the urban area be evaluated having regard for urban design principals and policies set out in the Plan to ensure building, site and streetscape design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands (7.1).

Staff is satisfied that the built form - that is the height and massing of the proposed dwellings - will be compatible with surrounding residential dwellings. Units 7, 8 and 9, which back onto the unopened Dorchester Boulevard right-of-way, are designed so that the rear facades appear to front onto the future street to avoid backlotting. The rear walls of these three units will include architectural detail and porches to ensure a pleasant streetscape is maintained. Potential impacts of the development will be mitigated through the site plan approval process.

### **Zoning By-law**

By-law 2013-283 zones the lands as Medium Density Residential (R3) (refer to Appendix 5). The R3 zone permits a range of residential uses, including detached, semi-detached, quadruplex and townhouse units, and private road developments comprising any of the preceding housing forms.

The proposed townhouse development is a permitted use under the property's existing R3 zoning. A Zoning By-law Amendment is not required.

The Zoning By-law requires development within the R3 zone to have a density between 25 and 99 units per hectare. The Committee of Adjustment recently granted the applicant approval for a reduced density of 23.9 units per hectare. This approval by the Committee of Adjustment has not been appealed and is now final.

### **Draft Plan of Condominium**

The applicant has filed an application for Draft Plan of Vacant Land Condominium, for 10 dwelling units (1 detached and 9 townhouse units), plus common element areas, which include a private road, visitor parking, servicing, landscaped areas and access for maintenance. Upon assumption, the condominium corporation will be bound by the site plan agreement.

Subsection 51(24) of the Planning Act guides staff in assessing plans of condominium and outlines certain criteria to be considered. This includes, among other matters, the effect of the development on matters of Provincial and public interest; its conformity with the Official Plan; the conservation of natural resources; the availability of adequate services; and the overall suitability of the lands for development.

Staff are satisfied that the proposed vacant land condominium development fulfills these criteria, subject to the Conditions of Draft Plan Approval outlined in Appendix 6.



## Site Plan Control

The proposed development of the site will be subject to the Developer entering into a site plan agreement with the City, which will address matters such as access, parking, lighting, buffering, servicing, stormwater management, tree preservation, façade finishes and treatments, and noise mitigation. The applicant has submitted an application for site plan approval, which includes the detailed designs for access, parking, waste collection, building location and elevations, landscaping, site servicing, grading and drainage, and lighting, among other similar matters. Additionally, studies relating to stormwater management have been submitted. Staff has reviewed the submission of plans and studies and have provided comments to the owner. The designs have been found acceptable. The applicant will now be required to enter into a site plan agreement with the City and post securities to ensure the required works are satisfactorily completed.

To bind the future condominium corporation to the terms of the site plan agreement, the applicant and future condominium corporation will also be required to enter into a condominium assumption agreement with the City. Additional securities for incomplete primary services within common elements may be required.

Staff recommends that the requirement to enter into the site plan and condominium assumption agreements be included as conditions of draft plan approval (Appendix 6).

## Public Open House

A public open house was hosted by Planning and Building Services on August 9, 2016. A representative from the owner company, together with its consultants, and three neighbourhood residents attended. The following is a discussion of the questions raised at that meeting:

### **Will the unopened portion of Dorchester Boulevard be completed?**

The full construction of Dorchester Boulevard linking the north and south sections is not a condition of this development. Abutting lands to the south of this site are subject to a development proposal and, when those plans proceed, the linking of the north and south sections of Dorchester Boulevard will be a condition of development.

### **Is there sufficient servicing capacity to service the proposed development?**

City Development staff have reviewed this application and are satisfied that sufficient servicing exists to accommodate the proposed development.

## Public Notice

In accordance with established procedures, notices for the public meeting have been circulated.

## Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning

opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

## **Financial Implications**

Not applicable.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

The approval of this Zoning By-law amendment will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

## **Conclusion**

In summary, staff is supportive of the application for Draft Plan of Vacant Land Condominium Approval, subject to the Conditions of Draft Plan Approval outlined in Appendix 6. A plan of condominium will allow each of the proposed townhouse dwellings to be sold individually. The proposal is consistent with Provincial, Regional and local Official Plan policies.

## **Notification**

It is in order to advise Jennifer Vida of Upper Canada Consultants, 261 Martindale Road, Unit 1, St. Catharines, ON L2W 1A1, the owner's agent.

### **Prepared by:**

Charlotte McEwan  
Planner I

### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services

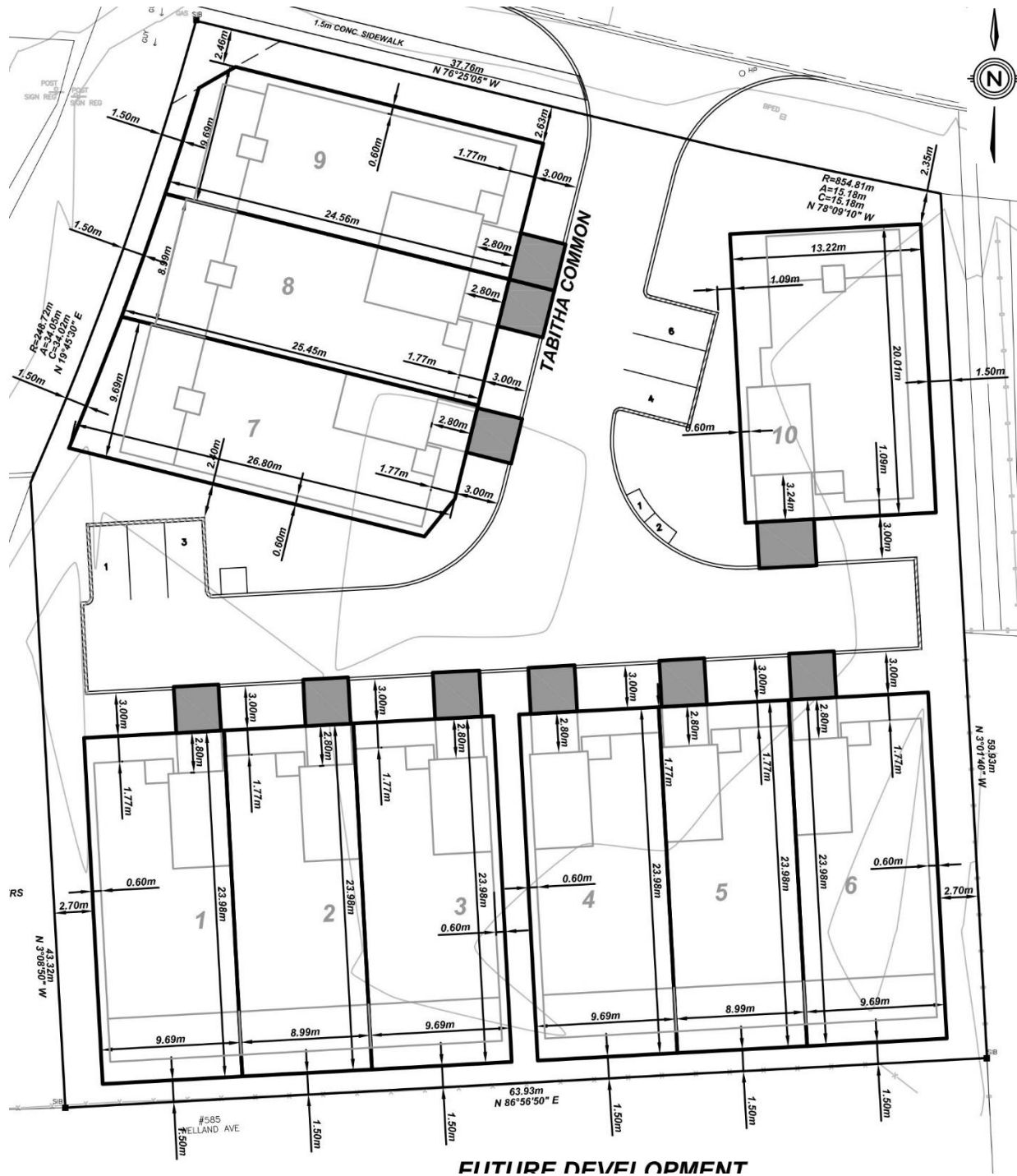
## Location Map



## Subject Lands

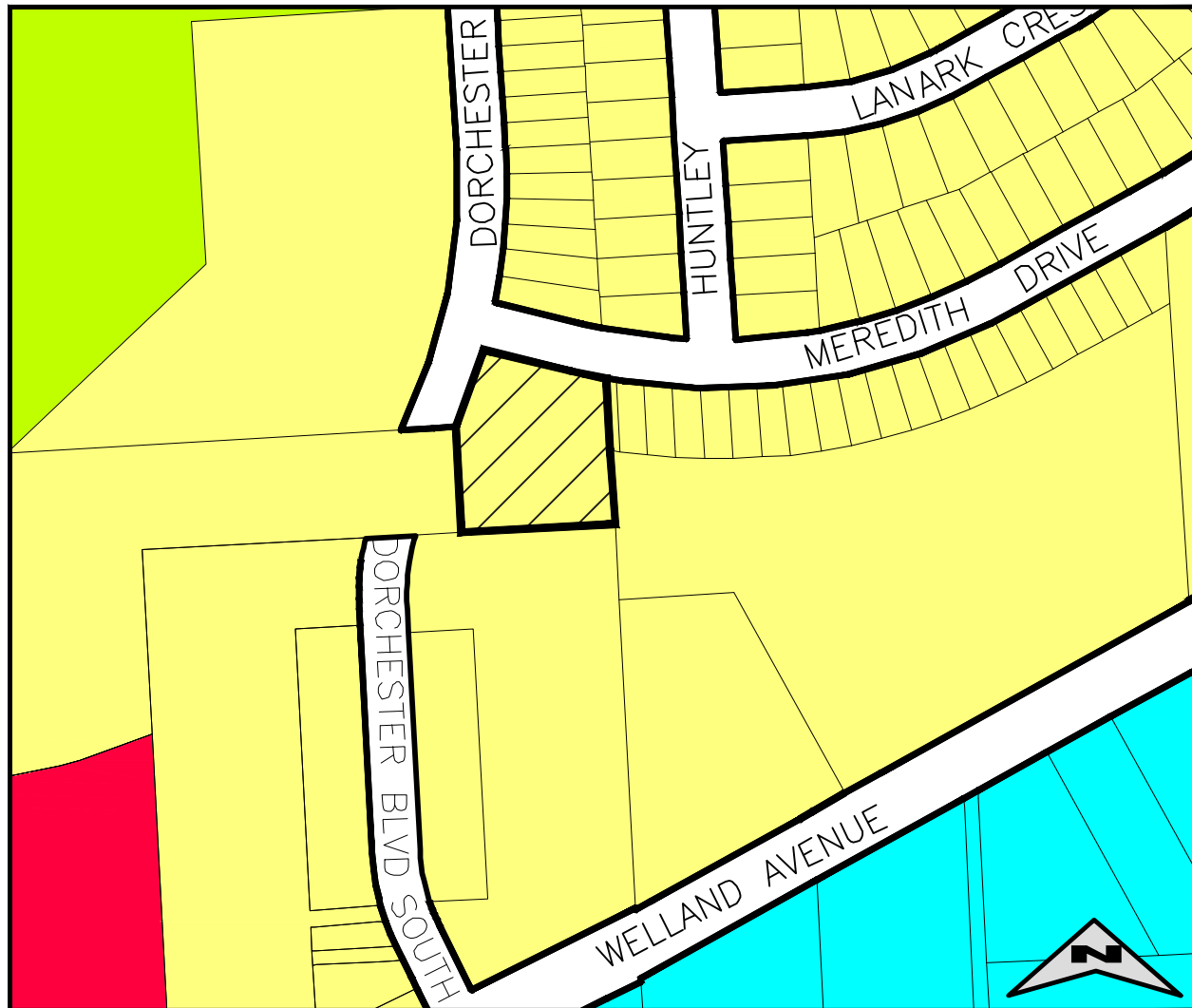
50 Dorchester Boulevard

File: 60.46.420



## Existing Land Use Designation

(General Land Use Plan D1 - Garden City Plan)



50 Dorchester Boulevard

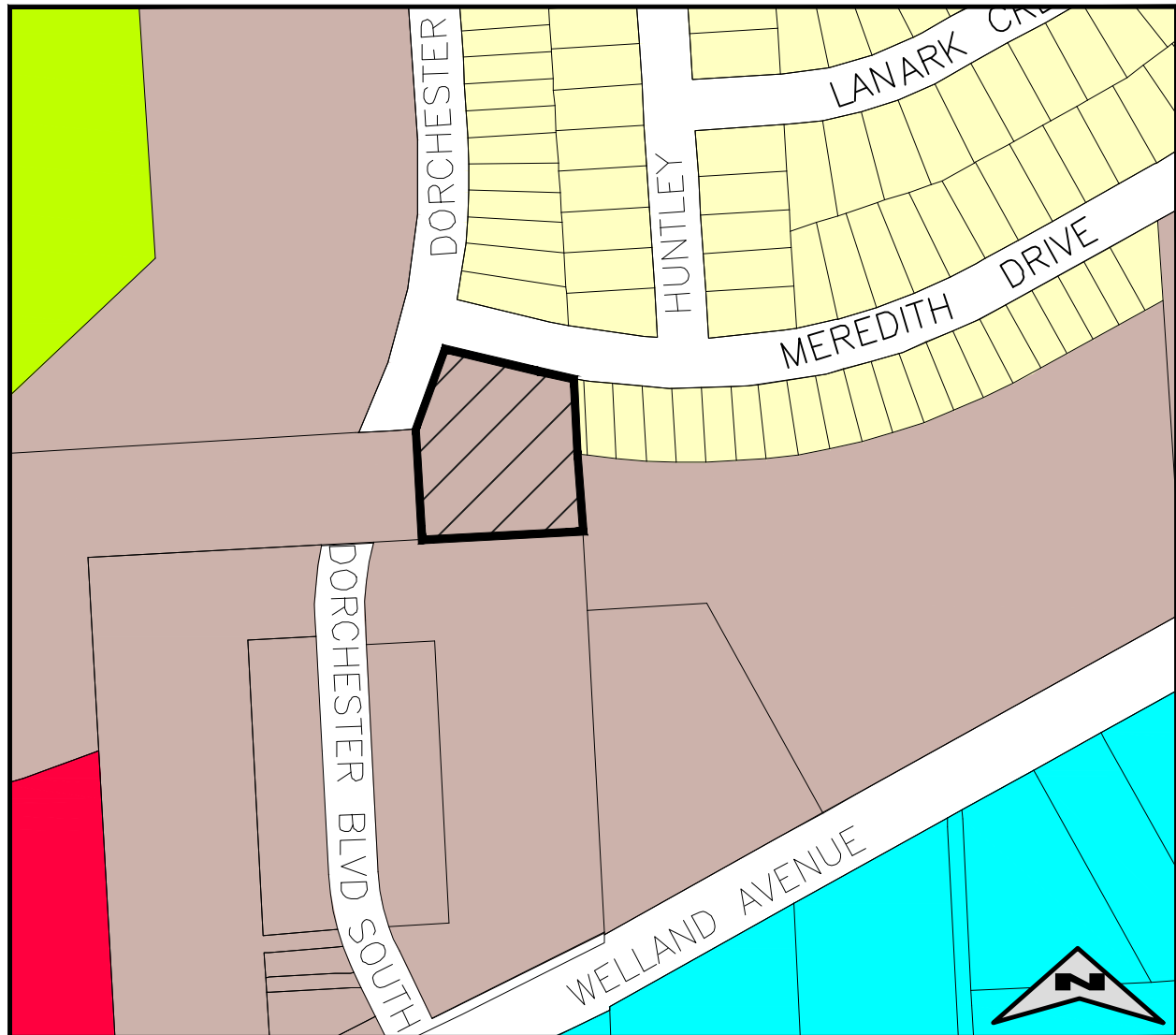
### Land Use Designations

Neighbourhood Residential  
Commercial

Employment  
Parkland & Open Space



# Existing Land Use Designation

(North Planning District E1 - Garden City Plan)



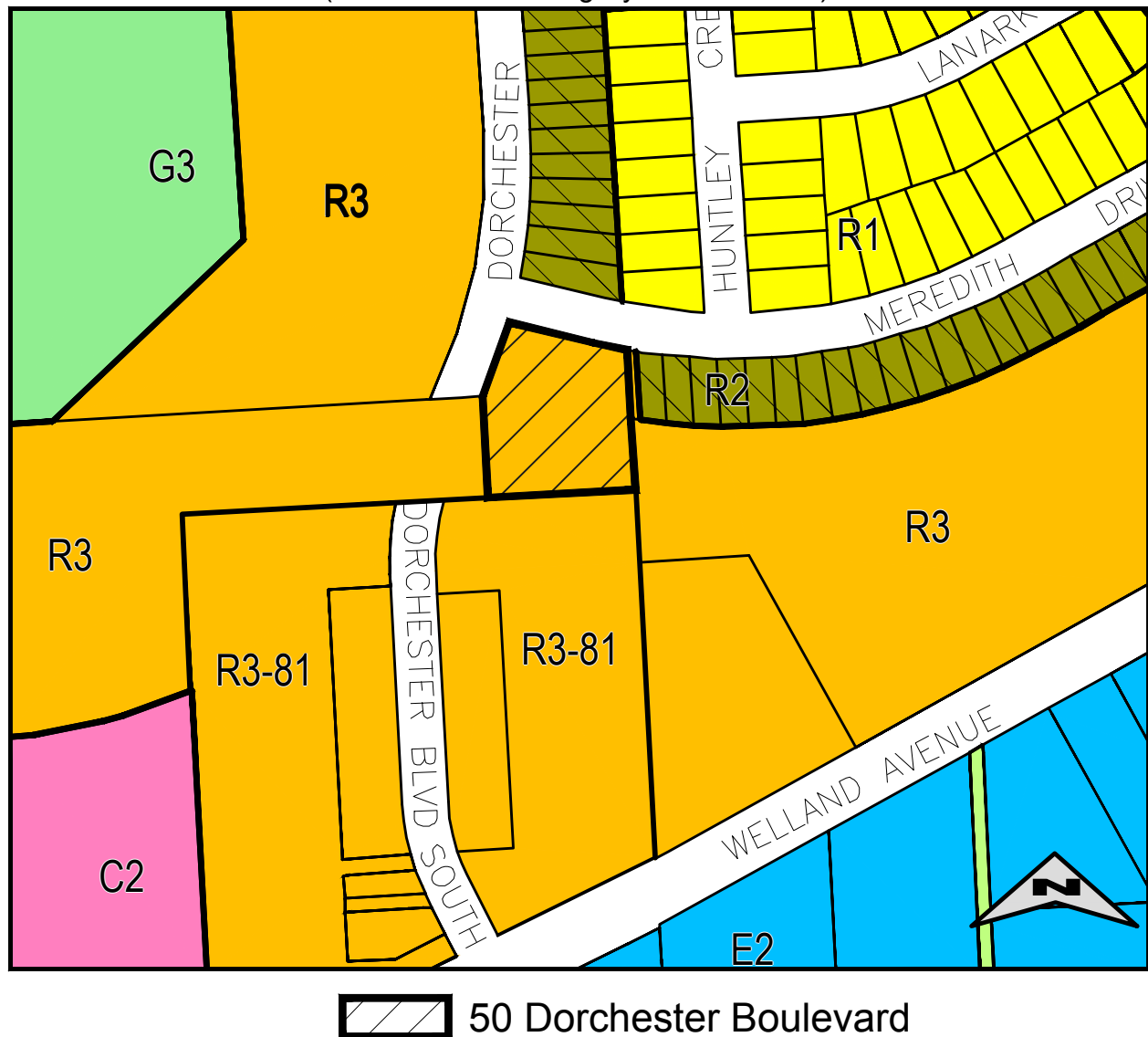
50 Dorchester Boulevard

## Zones

- |  |   |
|--|---|
|  Low Density Residential    |  Employment            |
|  Medium Density Residential |  Parkland & Open Space |
|  Community Commercial       |   |

## Existing Zoning

(Schedule A - Zoning By-law 2013-283)



### Zones

- |  |                                       |
|--|---------------------------------------|
| <b>R1</b> Low Density Residential<br>- Suburban Neighbourhood    | <b>C2</b> Community Commercial        |
| <b>R2</b> Low Density Residential<br>- Traditional Neighbourhood | <b>G1</b> Conservation / Natural Area |
| <b>R3</b> Medium Density Residential                             | <b>G3</b> Major Green Space           |

**Conditions of Draft Approval  
50 Dorchester Boulevard  
File No. 60.46.420  
Submission No. 16 108704 00 SP**

**General Approval**

1. That this approval applies to lands described as Block G, Registered Plan 626, City of St. Catharines, municipally known as 50 Dorchester Boulevard, for 10 residential units comprising 9 townhouse units and one detached unit, and common element areas for a private road, servicing, parking, landscaping, and access for maintenance as illustrated on the plan prepared by Kerry T. Howe Surveying Ltd., and dated March 22, 2016.

**Site Plan Agreement**

2. That prior to final approval of the plan of condominium, the owner shall enter into a Site Plan Agreement with the City of St. Catharines, which shall be registered against the title of the lands. The Site Plan Agreement shall address certain matters including, but not limited to landscaping, fencing, parking, lighting, waste collection, noise mitigation, and servicing.

*(City of St. Catharines)*

**Condominium Assumption Agreement**

3. That the owner and condominium corporation to-be-formed shall enter into a Condominium Assumption Agreement with the City of St. Catharines, which shall be registered against the title of the lands immediately following registration of the final plan of condominium.

*(City of St. Catharines)*

**Administration**

4. That if final approval is not given to this plan within three years of the approval date and no extension has been granted, draft plan approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required shall be submitted to the Director of Planning and Building Services.

Prior to granting approval to the final plan of condominium, the City of St. Catharines shall be satisfied that all conditions have been satisfactorily met.





## 2017-2020 Strategy Plan

**VISION:** *What do we aspire to be in the future? The statement needs to be: unique to our airport; measurable; and memorable.*

We are Niagara Region's hassle-free aviation hub offering VIP service to leisure and business travelers, and recreational flyers.

**MISSION:** *Why do we exist?*

To contribute to the economic prosperity of the Niagara Region by providing air connectivity for business and leisure travelers.

**VALUES AND GUIDING BEHAVIOURS:** *What we stand for? What are our guiding behaviours?*

Our Core Values:

- Integrity
  - We maintain the highest aviation safety standards
  - We do business in an honest, fair, open and respectful manner.
  - We live up to our responsibilities, meet our objectives, and fulfill our commitments.
  - We maintain our credibility through timely communication with customers, employees and stakeholders.
  - We instill confidence in all who deal with our organization that we can be depended to act with the highest moral and ethical standards.

- Fiscal Responsibility
  - o We make sound financial decisions that balance the interests of the community, partners, stakeholders and customers.
  - o We make decisions that help to drive the economic vitality of this region.
  - o We maintain policies to provide adequate revenues to operate without general tax support or the exercising of our authority to levy taxes.
- Innovation and Excellence
  - o We seek creative and innovative solutions to complex challenges.
  - o We set high standards in all aspects of our organization and focus on continuous improvement.
- Commitment to the Community and the Environment
  - o We are responsive to the environmental concerns of the community.
  - o We demonstrate leadership in sound environmental management.
  - o We promote open and honest communication about environmental concerns.
- Teamwork
  - o We reach common goals through strong relationships based on trust.
  - o We commit ourselves to open and respectful communication.

**SWOT ANALYSIS:**

<b>STRENGTHS (internal)</b> <ul style="list-style-type: none"> <li>– <i>Characteristics that give our business an advantage over others</i></li> <li>– <i>What is our value proposition, how does it differentiate with our competitors?</i></li> <li>– <i>What do others perceive as our strengths?</i></li> </ul>	<b>WEAKNESSES (within our control)</b> <ul style="list-style-type: none"> <li>– <i>Characteristics that place the business at a disadvantage relative to others</i></li> <li>– <i>What do your competitors do better than you?</i></li> <li>– <i>What do others perceive as your weaknesses?</i></li> </ul>
<ul style="list-style-type: none"> <li>• Proximity to diverse and quality tourism experiences</li> <li>• Easy access from highway and centrally located in the Niagara Region</li> <li>• Agreeable climate</li> <li>• Certified airport with 5000 foot runway</li> <li>• 24/7 365 access</li> <li>• Commission members and dedicated staff – committed to taking the airport to the next level</li> <li>• Small is beautiful. No crowds. No hassle.</li> </ul>	<ul style="list-style-type: none"> <li>• Poorly funded</li> <li>• Lack of staff</li> <li>• Aging equipment</li> <li>• Governance in limbo</li> <li>• Fragmented ownership and control by municipalities that may not fully appreciate the potential importance of the airport</li> <li>• Lack of communication</li> <li>• Area development constraints due to prime agricultural lands</li> <li>• Lack of space for parking lot expansion</li> <li>• FBO has control over service at the airport</li> </ul>
<b>OPPORTUNITIES (external)</b> <ul style="list-style-type: none"> <li>– <i>What are the elements our business could exploit to its advantage?</i></li> <li>– <i>What trends or conditions might positively impact us?</i></li> </ul>	<b>THREATS (outside of our control)</b> <ul style="list-style-type: none"> <li>– <i>What are the elements in the environment that cause trouble for our business?</i></li> <li>– <i>What trends or conditions might negatively impact us?</i></li> </ul>
<ul style="list-style-type: none"> <li>• Demand for scheduled service</li> <li>• Demand for hangars</li> <li>• Partnership opportunities with tourism industry – develop a strategic plan that includes them and create marketing campaign</li> <li>• Self serve fuel dispensing</li> <li>• Time pressed consumers looking for convenient, easy, hassle-free travel</li> <li>• Growth in the Niagara Region</li> </ul>	<ul style="list-style-type: none"> <li>• Funding decisions out of our control</li> <li>• Governance – politicians not understanding the needs of the airport</li> <li>• Population revolt – not in my backyard</li> <li>• Tough competitive environment with surrounding airports offering greater capacity</li> <li>• Large number of retirees moving to Niagara</li> <li>• Runway length</li> <li>• New sky bridge project</li> </ul>

**GOAL:** *What is our driving goal during the life of this plan?*

- 15% growth in revenue within the next 3 years by introducing scheduled passenger service and increasing the number of tenants at the airport

**KEY PRIORITIES:** *What will we focus on to get there?*

1. Implement scheduled service year round to domestic and international destinations
2. Construct hangars to meet the demand for lease space
3. Offer outstanding VIP airside service to differentiate ourselves with our target customers
4. Engage partners to promote the airport
5. Build our reputation for organizational excellence and strive for financial self-sufficiency in the operations of the airport

**SHIFTS IN THE PLAN:** *What's different about this plan in comparison to past plans? What will we start and stop?*

FROM ...	TO ...
A focus on infrastructure development	A focus on scheduled service
Municipally run	Regionally run
Adequate service	Outstanding VIP service
Small group of tenants	Bustling airport with many more tenants
No partners	Tourism and business community partners promoting the airport
Underfunded	Progress toward self-sufficiency
Unplanned	Planned

## OBJECTIVES, STRATEGIES, TACTICS AND PERFORMANCE MEASURES

<b>OBJECTIVE: To increase aviation revenue</b>			
<b>Strategies</b> <i>How we achieve our objectives and goals</i>	<b>Tactics</b> <i>How to achieve strategies</i>	<b>Initiatives</b> <i>The details</i>	<b>Measures</b> <i>Targets to be reached with milestones</i>
1. Implement scheduled passenger service	A. Secure funding B. Secure CATSA C. Secure CBSA D. Improve infrastructure E. Secure airlines	Year 1: <ul style="list-style-type: none"> <li>Work with group of allied airports to negotiate for reasonable CATSA fees</li> <li>Work with municipalities and regional government on governance transition and secure infrastructure funding and funding for airport equipment</li> </ul> Year 2: <ul style="list-style-type: none"> <li>Construct airport improvements to accommodate CATSA and CBSA</li> </ul> Year 3: <ul style="list-style-type: none"> <li>Secure scheduled international flights</li> </ul>	<ul style="list-style-type: none"> <li>5% annual increase in aviation revenue</li> </ul>
2. Secure excess capacity from Toronto Pearson and work with other Regional Airports in the group	A. Raise awareness of NDA capacity B. Formally establish system of small airports C. Undertake joint marketing, advocacy and stakeholder engagement	Year 1 to 3: <ul style="list-style-type: none"> <li>Participate on GTAA working group and sub committees</li> </ul> Year 2: <ul style="list-style-type: none"> <li>Regional group approach airlines</li> </ul>	<ul style="list-style-type: none"> <li>10 outreach activities</li> </ul>

3. Construct hangars	A. Finalize business plan B. Secure funding C. Build hangars	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Seek funding from NOTL and/or the Region</li> <li>• Publicize an EOI</li> <li>• Issue a RFP</li> <li>• Begin construction</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>• Create a brochure for development</li> <li>• Solicit tenants</li> </ul>	<ul style="list-style-type: none"> <li>• Master plan for land use developed</li> <li>• 5% annual increase in stakeholder revenue</li> </ul>
4. Investigate air freight service	A. Explore feasibility of offering freight service	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Contact companies who use air freight to gauge level of interest</li> </ul> <p>Year 2:</p> <p>If sufficient interest, develop a freight service plan</p> <p>Year 3:</p> <ul style="list-style-type: none"> <li>• Work with Allied Aviation to promote air freight</li> </ul>	<ul style="list-style-type: none"> <li>• Determine level of interest</li> <li>• If sufficient interest, master plan developed</li> </ul>

5. Flight training schools	A. Engage stakeholders e.g. St. Catharine's Flying Club, universities and colleges in Southern Ontario, and flight schools who might want to expand	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Develop communication material explaining necessary investments, annual economic upside of establishing a flight school at a regional airport and demand for pilots over 15 years</li> <li>• Develop a system wide outreach to each University and College explaining the benefits of adding/expanding flight training programs</li> <li>• Identify potential system wide initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Master plan developed</li> </ul>
6. Aviation Maintenance	A. Explore possibilities of attracting aviation maintenance, MROs (maintenance, overhaul and repair)	Year 1-3: Develop a plan and strategy	<ul style="list-style-type: none"> <li>• AMO plan developed in 3 years</li> </ul>

<b>OBJECTIVE: To increase non-aviation revenue</b>			
<b>Strategies</b> <i>How we achieve our objectives and goals</i>	<b>Tactics</b> <i>How to achieve strategies</i>	<b>Initiatives</b> <i>The details</i>	<b>Measures</b> <i>Targets to be reached with milestones</i>
1. Solar power farm	A. Generate revenue from solar farming	Year 1: Construction of 1 <sup>st</sup> FIT solar Farm  Year 2: Submit 2nd application  Year 3: Construction of 2 <sup>nd</sup> solar farm	<ul style="list-style-type: none"> <li>\$44K/yr</li> <li>+35K/yr</li> </ul>
2. Communications 2 <sup>nd</sup> tower	A. Signum to build a second communications tower	Year 1: Be receptive	<ul style="list-style-type: none"> <li>\$10K plus \$10K for 2<sup>nd</sup> tower</li> </ul>
3. Airport Communications	A. Business plan to be developed B. Generate revenue by offering internet and phone service to airport users C. Develop a service provider brochure for airport users D. Selling of service to users	Year 1: Business plan development  Year 2: Set up internet and phone service for airport users	<ul style="list-style-type: none"> <li>3-5K per year</li> </ul>
4. Events	A. Promote the airport terminal as an event space	Year 1: <ul style="list-style-type: none"> <li>Establish pricing for renting the terminal for events</li> <li>Develop digital brochure advertising the event space and pricing and post on our website</li> </ul> Year 2 and ongoing: <ul style="list-style-type: none"> <li>Promote the event space through social media and our network</li> </ul>	<ul style="list-style-type: none"> <li>Generate \$5k in event space revenue</li> </ul>



5. Catering	<p>A. Generate revenue by offering VIP catering services</p> <p>B. Increase Terminal traffic</p> <p>C. Promote catering via our website and through social media</p>	<p>Year 1: Issue an RFP to local caterers</p> <p>Year 2: Secure caterer</p>	<ul style="list-style-type: none"> <li>• Generate revenue in year 2</li> </ul>
6. Advertising	<p>A. Terminal advertising on LED screens</p> <p>B. Groundside advertising</p> <p>C. Airport sign LED screen on Hwy. 55 advertising</p>	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Business case/marketing plan for advertising</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>• Activate the marketing program</li> </ul>	<ul style="list-style-type: none"> <li>• Increase revenue by 5% per year</li> </ul>
7. Parking lot	<p>A. Generate revenue by charging for parking</p>	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Develop a plan that identifies # of parking spots, type of meters, and fees</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>• Communicate the news that parking fees will be instituted</li> <li>• Install parking meters</li> </ul> <p>Year 3 and ongoing:</p> <ul style="list-style-type: none"> <li>• Parking meters utilized</li> </ul>	<ul style="list-style-type: none"> <li>• Generate \$20,000 in revenue by the end of year 3</li> </ul>

<b>OBJECTIVE: To offer outstanding VIP service</b>			
<b>Strategies</b> <i>How we achieve our objectives and goals</i>	<b>Tactics</b> <i>How to achieve strategies</i>	<b>Initiatives</b> <i>The details</i>	<b>Measures</b> <i>Targets to be reached with milestones</i>
1. Deliver uniquely Niagara VIP service	<p>A. Work with FBO and partners to create welcome material with unique Niagara content (e.g. samples and/or coupons for wine &amp; culinary, theatre, casino)</p> <p>B. Investigate introducing self-service fuelling</p> <p>C. Explore the need for additional services for FBOs.</p>	<p>Year 1:</p> <ul style="list-style-type: none"> <li>Identify partners to offer samples/coupons</li> <li>Work with FBO to deliver VIP service</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>Investigate required equipment for self-service fuelling</li> </ul>	<ul style="list-style-type: none"> <li>Achieve 4.0 out of 5.0 average customer satisfaction</li> <li>Positive social media</li> </ul>
2. Car Rentals	A. Set up a car rental station at the Airport	<p>Year 1:</p> <ul style="list-style-type: none"> <li>Research options to provide car rental service</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>Contact companies to offer car rental service</li> </ul>	<ul style="list-style-type: none"> <li>Car rental service in place</li> <li>Generate revenue - kiosk/permit for car rental companies to utilize airport for their business</li> </ul>
3. Taxis/Limos	1. Taxis stationed at the Airport	<p>Year 1:</p> <ul style="list-style-type: none"> <li>Investigate demand for taxis</li> </ul> <p>Year 2:</p>	<ul style="list-style-type: none"> <li>Generate revenue – yearly permit costs for airport permit</li> </ul>

		<ul style="list-style-type: none"> <li>• Issue a permit for taxi company to operate from the Airport based on demand</li> </ul> <p>Year 3:</p> <ul style="list-style-type: none"> <li>• Review demand and permit costs</li> </ul>	for taxi companies who utilize airport for business
4. Transit	A. Secure transit stop at the airport	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Work with NOTL and Region to secure a transit stop at the airport</li> </ul>	<ul style="list-style-type: none"> <li>• Transit stop in place</li> </ul>

<b>OBJECTIVE: To develop partnerships</b>			
<b>Strategies</b> <i>How we achieve our objectives and goals</i>	<b>Tactics</b> <i>How to achieve strategies</i>	<b>Initiatives</b> <i>The details</i>	<b>Measures</b> <i>Targets to be reached with milestones</i>
1. Engage tourism partners to promote the airport	A. Work with partners to develop and implement a marketing plan	Year 1: <ul style="list-style-type: none"> <li>• Invite tourism partners to work together to develop a marketing plan</li> </ul> Year 2: <ul style="list-style-type: none"> <li>• Raise funds from tourism partners</li> </ul> Year 3: <ul style="list-style-type: none"> <li>• Implement the marketing plan</li> </ul>	<ul style="list-style-type: none"> <li>• 10 funding partners</li> </ul>
2. Engage business community to use the airport	A. Communicate the benefits of using the airport	Year 1: <ul style="list-style-type: none"> <li>• Meet with Chambers of Commerce to communicate the benefits of using the airport</li> </ul> Year 2: <ul style="list-style-type: none"> <li>• Make presentations to Chambers of Commerce memberships</li> </ul>	<ul style="list-style-type: none"> <li>• 5 outreach activities</li> </ul>

<b>OBJECTIVE: To build a reputation for organizational excellence that fosters continuous improvement</b>			
<b>Strategies</b> <i>How we achieve our objectives and goals</i>	<b>Tactics</b> <i>How to achieve strategies</i>	<b>Initiatives</b> <i>The details</i>	<b>Measures</b> <i>Targets to be reached with milestones</i>
1. Safety – Maintain safety standards	A. Adhere to all safety requirements	Year 1: <ul style="list-style-type: none"> <li>Replace aging equipment</li> </ul> Ongoing: <ul style="list-style-type: none"> <li>Undertake regular safety checks</li> <li>Maintain equipment</li> <li>Train staff</li> </ul>	<ul style="list-style-type: none"> <li>Meet or exceed all safety standards</li> </ul>
2. Communication – Deliver effective communication	A. Raise awareness of NDA strategy, plans, partnership opportunities and success	Year 1 to 3: <ul style="list-style-type: none"> <li>Host meetings with tourism partners</li> <li>Host meetings with business community</li> <li>Speak at the Greater Niagara Chamber of Commerce, Tourism Partnership of Niagara</li> </ul>	<ul style="list-style-type: none"> <li>10 funding partners</li> <li>5 outreach activities with the business community</li> </ul>
3. Funding – Secure sustainable funding	A. Secure funding from federal, provincial and regional/municipal governments	Year 1: <ul style="list-style-type: none"> <li>Identify financial and human resources required to deliver on the strategy</li> <li>Establish a budget</li> <li>Communicate funding requirements to all levels of government</li> <li>Identify government grants</li> </ul> Year 2:	<ul style="list-style-type: none"> <li>Break-even budget</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for government grants</li> </ul>	
4. Governance - Ensure a high-functioning Commission	<p>A. Provide Commission members with briefing material to facilitate efficient and effective decision-making</p> <p>B. Facilitate the creation of an effective governance structure</p> <p>C. Implement an annual Board survey to evaluate Board performance and identify areas for improvement</p> <p>D. Undertake an annual peer-to-peer evaluation to assess the performance of individual directors to ensure the organization is governed capably and professionally</p>	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Facilitate the transition to Regional government ownership</li> <li>• Pursue corporation status</li> </ul> <p>Year 2:</p> <ul style="list-style-type: none"> <li>• Implement first annual board evaluation survey</li> <li>• Identify areas for improvement and action plan</li> </ul> <p>Ongoing:</p> <ul style="list-style-type: none"> <li>• Provide briefing material for all decisions required at Commission meetings</li> </ul>	<ul style="list-style-type: none"> <li>• 4.0 out of 5.0 overall effectiveness on Board evaluation survey</li> <li>• Progress on improvement plan</li> <li>• Board evaluation implemented</li> </ul>
5. Engaged team – Airport management and staff	<p>A. Staff engaged and delivering on the strategic plan</p> <p>B. Safety</p>	<p>Year 1:</p> <ul style="list-style-type: none"> <li>• Establish performance plans for each employee that clearly identifies their role in delivering results for the strategy</li> </ul> <p>Year 2 and ongoing:</p> <ul style="list-style-type: none"> <li>• Conduct annual performance reviews</li> <li>• Undertake an annual employee engagement survey</li> </ul>	<ul style="list-style-type: none"> <li>• Performance plans in place</li> <li>• Performance reviews conducted annually</li> <li>• 4.0 out of 5.0 overall employee engagement score</li> </ul>

## **By-laws to be considered Monday, December 19, 2016**

- (a) A By-law to authorize a Fire Training Centre Facility Use Agreement with The Corporation of the Town of Fort Erie. (One reading – with respect to use of a Fire Training Centre located at 525 Industrial Drive, Fort Erie. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to authorize a Matched Funding Agreement with The Tourism Partnership of Niagara. (One reading – with respect to Winter Social in the Square Project (#5004-10). Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize the acceptance of a conveyance of certain lands from Michael Fedryna for the widening of Rykert Street. (One reading – with respect to 179 Rykert Street. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to authorize an agreement with Kerry T. Howe Engineering Limited. (One reading - with respect to Consulting Engineering Services for Project No. P16-003 - Municipal Services Improvements - Else Street. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to authorize an agreement with Urban & Environmental Management Inc. (One reading - with respect to Consulting Engineering Services for Project No. P16-061 - Municipal Services Improvements –Greenwood / Beatrice. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to authorize a tender award to Niagara Motors Ltd. (One reading – with respect purchase of the three 2017 SUV vehicles, under RFT 16-140. Delegation By-law No. 2004-277, as amended.)
- (g) A By-law to deem part of a certain registered plan of subdivision not to be a registered plan of subdivision for the purposes of Section 50, subsection 3 of the Planning Act, R.S.O. 1990. (One reading – with respect to 26 Yates Street. Delegation By-law No. 2004-277, as amended.)
- (h) A By-law to authorize a contract with Serianni Construction Ltd. (One reading – with respect to Buchanan House Alterations for TES Environmental Services, under Project No. P15-142-1. Delegation By-law No. 2004-277, as amended.)
- (i) A By-law to designate all lands within the City of St. Catharines as a Site Plan Control Area. (One reading – with respect to adoption of a new Site Plan Control By-law. General Committee, December 5, 2016, Item No. 4.9.)
- (j) A By-law to amend By-law No. 2013-283 entitled “A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines.” (One reading – with respect to 368 Martindale Rd. To be considered by Council, December 19, 2016.)

- (k) A By-law to amend By-law No. 89-357 entitled "A By-law to prohibit the parking or leaving of motor vehicles on private property without the consent of the owner or occupant of the property." (One reading – with respect to 1860 Sir Isaac Brock Way. To be considered by General Committee, December 19, 2016.)
- (l) A By-law to authorize a Memorandum of Understanding with 2021 Canada Summer Games Bid Committee. (One reading - with respect to Niagara's bid to host the 2021 Canada Summer Games. To be considered by General Committee, December 19, 2016.)
- (m) A By-law to confirm the proceedings of council at its meeting held on the 19<sup>st</sup> day of December, 2016. (One reading – with respect to confirming the proceedings of the meeting held on December 19, 2016.)