CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
January 25, 2017
Council Chambers, City Hall - 6:00 p.m.

Agenda

1. Chair to call the Hearing to Order

2. Amendments/Additions to the Agenda

3. Declarations of Interest

4. Request for Withdrawal or Adjournment

5. Adoption of the Minutes held January 11, 2017

6. Application:

   1. 389 Grantham Avenue, Consent Application, B-03/17SC – 60.84.2088, 389 Grantham Avenue, Minor Variance Application, A-03/17 – 60.81.5172 (Deferred at January 11, 2017 Hearing)
   * 2. 168A Martindale Road, Consent Application, B-10/17SC – 60.84.2093
      168A Martindale Road, Minor Variance Application, A-05/17 – 60.81.5174
      7 Tulip Tree Common, Minor Variance Application, A-14/17 – 60.81.5183
   * 3. 45 Dorchester Boulevard, Consent Application, B-05/17SC – 60.84.2090
      40 Dorchester Boulevard, Minor Variance Application, A-13/17 – 60.81.5182
   4. 127 Moffatt Street, Consent Application, B-06/17SC – 60.84.2091
      127 Moffatt Street, Minor Variance Application, A-06/17 – 60.81.5175
   * 5. 380 Glendale Avenue, Consent Application, B-07/17SC – 60.84.2092
      380Glendale Avenue, Minor Variance Application, A-07/17 – 60.81.5176
      7 Hazel Street, Minor Variance Application, A-08/17 – 60.81.5177
   * 6. 7 Capner Street, Consent Application, B-08/17SC – 60.84.2093
      5A Capner Street, Minor Variance Application, A-09/17 – 60.81.5178
      7 Capner Street, Minor Variance Application, A-12/17 – 60.81.5181
   7. 44 Jacobson Avenue, Consent Application, B-09/17SC – 60.84.2094
      44 Jacobson Avenue, Minor Variance Application, A-10/17 – 60.81.5179
      46 Jacobson Avenue, Minor Variance Application, A-11/17- 60.81.5180

NOTE: * Planning Reports will be circulated on Monday, January, 23/17.

7. New Business:

8. Date of next Hearing: February 15, 2017

9. Adjournment

389 Grantham Avenue

Departmental & Agency Comments

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: January 20, 2017 **Date of Meeting:** January 25, 2017

Submission(s): B-03/17SC
A-03/17

File: 60.84.2088
60.81.5172

Subject: 389 Grantham Road

Recommendation

That Submission **B-03/17SC** by Gino Vendittelli, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1) That the Owner submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees;

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

3) That a road widening dedication of approximately 0.91 metres (3') along the Grantham Avenue frontage of Part 1, be conveyed gratuitously for a nominal fee of two dollars ($2.00) to the City of St. Catharines in order to establish a road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

4) That a road widening dedication of approximately 2.44 metres (8') along the Buchanan Road frontage of Parts 1 & 2, be conveyed gratuitously for a nominal fee of two dollars ($2.00) to the City of St. Catharines in order to establish a road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

5) That the owner be responsible for the cost to inspect and trace the sewer and water laterals servicing the existing dwelling. These existing services must be independent and not cross any future proposed property lines. If any services are identified to be located within the proposed parcel, separate services must be

installed to the satisfaction of the City Engineer, the cost of which shall be the responsibility of the applicant in accordance with the City's current Schedule of Rates and Fees.

6) That the existing pool crossing Parts 1 and 2 be removed. A building permit for the demolition of the pool must be obtained and completed to the satisfaction of the Chief Building Official;

7) That the applicant satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southwest face of the existing dwelling unit on Part 1;

8) That final approval for the necessary minor variance applications be received.

And that Variance 1 of Submission **A-03/17** by Gino Vendittelli, as outlined in the Notice of Hearing, be approved.

And that Variance 2 of Submission **A-03/17** by Gino Vendittelli, as outlined in the Notice of Hearing, be approved as follows:

An increase in maximum lot area per dwelling unit from 490m^2 to 666m^2 (Part 1).

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-03/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through application **A-03/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **B-03/17SC** is requesting a consent to sever 490m^2 of land (Part 2 on the submitted sketch) to create a new lot to be known as 35 Buchanan Road for the purpose of constructing a detached dwelling. A 722m^2 remnant parcel (Part 1), with the existing detached dwelling, would be retained for continued residential use.

Application **A-03/17** is requesting a variance from the following requirement of the City of St. Catharines Zoning By-law 2013-283:

1) A reduction of the minimum rear yard setback for Part 1 from 7.5 metres to 6.59 metres.
2) An increase of the maximum lot area per dwelling unit from 490m^2 to 722m^2 (Part 1).

Location and Site Description

The subject property is located on the northwest corner of Grantham Avenue and Buchanan Drive. The property is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential as per Schedule E3 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the GCP. The proposal would result in a density of 16.5 units per hectare, which is generally in keeping with the policies of the GCP.

Zoning By-law (2013-283)

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

B-03/17SC

The consent is requested to sever the subject parcel in two, to create a lot for the purpose of constructing of a detached dwelling.

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

The lot fabric of the established neighbourhood is comprised of varying lot shapes and sizes. The subject property currently exceeds the maximum lot area permitted for a detached dwelling. While most of the subject parcels in the neighbourhood exceed the maximum lot area permitted in the Zoning By-law, the subject property is one of the largest lots in the vicinity with an area of 1213.2m^2. The proposed consent would create

a new lot that would meet the Zoning By-law requirements for lot area and the remnant parcel would become closer to the typical lot size in the area.

The proposed lot is considered to be an appropriate shape and size for the detached dwelling proposed. Staff believe that, in keeping with Section 16.11 of the GCP, the consent will allow for an appropriate amount of intensification in a substantially developed area. Staff is of the opinion that the lots will be compatible with the surrounding area, that the consent meets the intent of the Official Plan, and that there will be no negative impacts on adjacent properties as a result of the proposed consent.

Application A-03/17

Variance 1 requests a reduction of the minimum required rear yard setback from the dwelling from 7.5 metres to 6.59 metres. Staff consider the 0.91 metre reduction to be minor in nature. The proposed reduction in the remnant parcel's rear yard will not adversely impact the streetscape. There will be sufficient separation distance between the residential uses and that adequate outdoor amenity space will be maintained. Staff is supportive of the requested variance.

Variance 2 requests an increase of the maximum lot area per dwelling unit from 490m^2 to 722m^2 (Part 1). The current property has a total lot area of 1212 m^2. The proposed consent results in a parcel size that is more in keeping with the intent of the Official Plan and Zoning By-law. The increase in maximum lot area is considered minor in nature, and desirable for the appropriate use of the land. Staff is supportive of the requested variance.

A road widening of 2.44 metres is requested along the frontage of Buchanan Road. The requested widening has an area of approximately 56m^2. As a result, the area of the remnant parcel will be closer to 666m^2. Staff recommend that the proposed variance be approved as an increase in maximum lot area to 666m^2.

Conclusion

Staff is satisfied that the consent requested through application **B-03/17SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is of the opinion that the variances requested through application **A-03/17**, as amended, are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation that the requested variances be approved, as amended.

Prepared and Submitted by:

Charlotte McEwan
Planner I

Approved by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:32 PM
To: Munro, Elaine
Subject: 905-17-092 - B-03/17SC File No. 60.84.2088 - 389 Grantham Avenue

Dear Elaine,

Re file No: B-03/17SC File No. 60.84.2088

Details

- Consent Application
- 389 Grantham Avenue
- Lot 53 and Part of Lot 54 Reg Plan 179 and Lot 1, Plan 402

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

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Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:21 AM
To: Munro, Elaine
Subject: RE: Last 2 applications attached RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 1 of 3 emails)

Hi Elaine
Cogeco has an existing pedestal about 2 meters west of the hydro pole on the north side of Buchanan at Grantham. If this pedestal needs to be relocated for the construction of the home or driveway . 100 % cost recovery to Cogeco for all required work and permit drawings fees from the owner of the property before relocation will be completed.
Thanks

DOUG CROWN
Network Planning and Design

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

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

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

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

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Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Memorandum

To: Charlotte McEwan, Planning and Building Services
Hailey McWilliam, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: December 15, 2016

Subject: Notice of Hearing: Consent to Sever
Address: 389 Grantham Ave.
File No: 60.84.2088

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

> That the applicant submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

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

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

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the January 11/17 CofA Hearing

From: Sullivan, Kristen
Sent: Monday, December 19, 2016 12:54 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; McWilliam, Hailey <hmcwilliam@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 11/17 CofA Hearing

Charlotte and Hailey,

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

- 146 Westland (mv)
- 174 Lakeshore (mv)
- 389 Grantham (mv)
- 76 Devon (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-03/17SC

December 16, 2016 **ENGINEERING FILE 300-36**

Hearing Date: January 11, 2017

Applicant: Gino Vendittelli

Location: 389 Grantham Avenue

MUNICIPAL SERVICES

	Grantham Avenue	Buchanan Road
Water:	150mm (6") A.C.	150mm (6") C.I.
Sanitary Sewer:	600mm (24")	250mm (10")
Storm Sewer:	825mm (32")	None. Road-side ditching
Sidewalks:	Yes	No
Road Allowance Width:	26.2m± (86')	15.24m± (50')

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 35 Buchanan Road for the purpose of constructing a single detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use.

Roads

Buchanan Road is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m (66'). Its current width along the Applicant frontage is deficient at 15.24m (50'), therefore the City shall pursue a 2.44m (8') widening along Buchanan Road via this application.

Grantham Avenue along this section is designated as an Arterial road as per the City's Official Plan, with a desired right-of-way width of 26.2m. Remaining consistent with widenings acquired to the north, the City will pursue a 0.91m (3') widening along Grantham Avenue via this application.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, nor the City boulevard.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Buchanan Road, sump pump

flows shall be discharged to grade away from abutting properties and to the front of the dwelling.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure it does not cross any future potential lot lines.

The proposed lot has a 100mm (4") sanitary lateral previously provided to the property line from Buchanan Road, completed at the time of subdivision development. The Owner shall be responsible to pay the City the fee to inspect the existing sanitary lateral, to ensure it can be reused for the future dwelling unit. The Owner shall be made aware that the lateral is required to be exposed at the property line in order for City crews to properly inspect its condition for reuse.

Condition(s): Prior to the severance finalization the Owner shall;

- Identify a 0.91m (3') road widening along the Grantham Avenue frontage of Part 1, to be dedicated to the City, gratuitously, free and clear of any encumbrances, as Public Highway;
- Identify a 2.44m (8') road widening along the Buchanan Road frontage of Parts 1 & 2, to be dedicated to the City, gratuitously, free and clear of any encumbrances, as Public Highway

Prepared By: _____

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

168A Martindale Road

Departmental & Agency Comments

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Wednesday, January 18, 2017 10:14 AM
To: Munro, Elaine
Cc: Mancuso, Connie (connie.mancuso@niagararegion.ca); Motchka, Adam; 'Rohe, Craig'
Subject: 168A Martindale Road, St. Catharines (B10, A05, A14/17)
Attachments: 168A Martindale Road Map.pdf

Good Morning Elaine,

NPCA staff have reviewed Application B-10/17SC, A05/17 and A14/17 which have been made for 168A Martindale Road, St. Catharines.

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

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

The Region of Niagara's Core Natural Heritage Map has identified the adjacent valley slope as an Environmental Conservation Area (ECA) due to the presence of a valley shoreline and significant woodland. In accordance with Regional Policies, development and site alterations may be permitted within an ECA, or on lands adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. The subject lands are separated from the identified ECA features by existing development and roads, and as such, NPCA staff are satisfied there will be no significant negative impact to the features as a result of the subject applications.

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

Please contact me if you have any questions.
Thank you,

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

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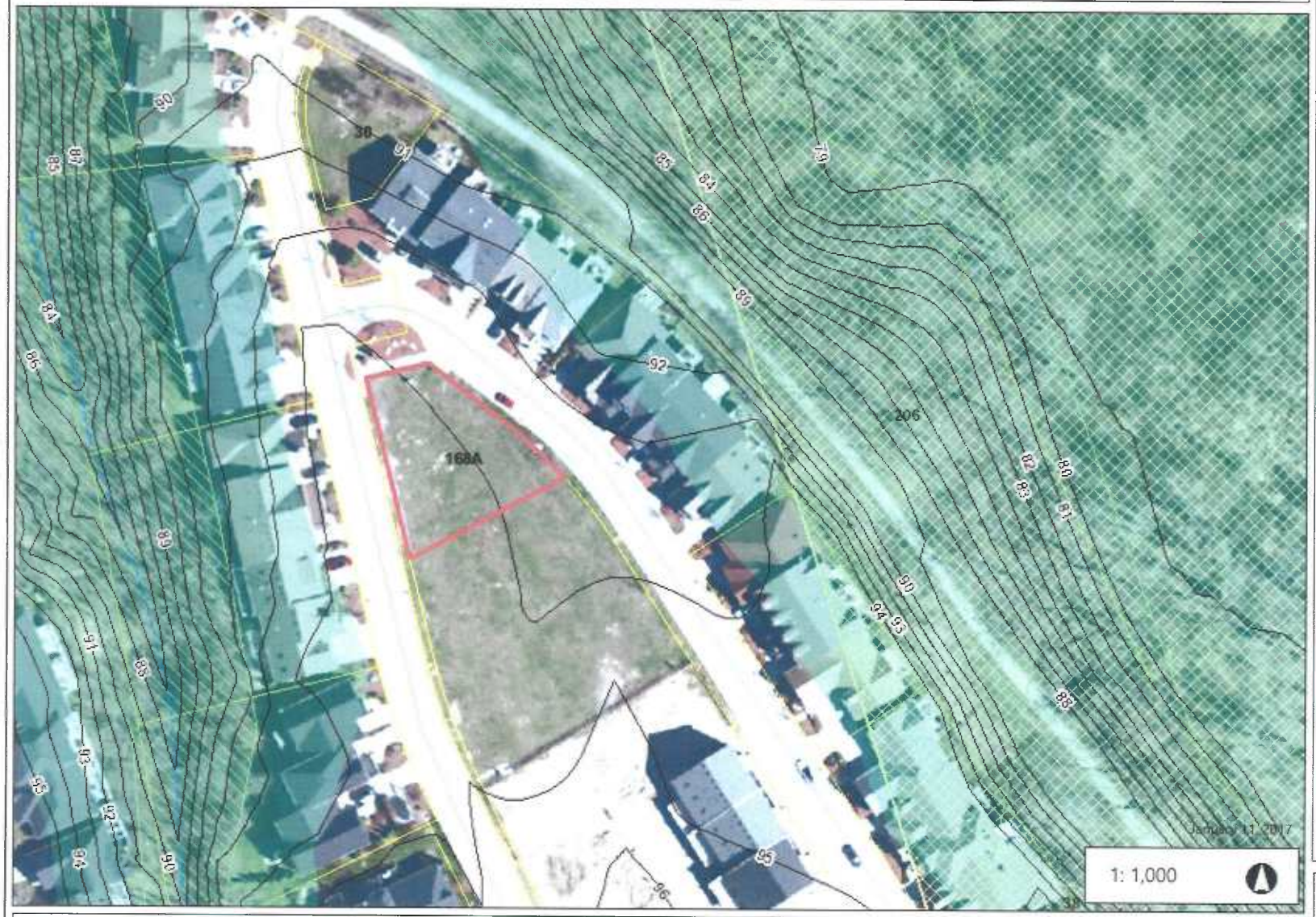
NIAGARA PENINSULA CONSERVATION AUTHORITY

168A Martindale Road, St. Catharines



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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Legend

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

Notes

January 12, 2017

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

Attention: Elaine Munro

File# 60.84.2093, 60.81.5174 & 60.81.5183

Re: 168A Martindale Ave & 7 Tulip Tree Common

In response to your correspondence(s) dated January 10, 2017, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

Horizon Utilities Corporation
55 John Street North, Hamilton, ON – Tel: 1-866-458-1236
Mail to: PO Box 2249 STN LCD 1, Hamilton, ON L8N 3E4

- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:24 PM
To: Munro, Elaine
Subject: 905-17-086 - B-10/17SC File No. 60.84.2093 - 168A Martindale Road

Dear Elaine,

Re file No: B-10/17SC File No. 60.84.2093

Details

- Consent Application
- 168A Martindale Road
- Part of Lot 4m Plan 30M-167

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

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Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\04 bcoa memo-sev-Jan25, 2017.docx

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-10-17SC

January 9, 2017 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: Lynn Valley Properties Limited

Location: 168A Martindale Road

ENGINEERING SERVICES

	Tulip Tree Common (NNSCP No. 189)	Black Walnut Common (NNSCP No. 165)
Water:	150mm (6")	150mm (6")
Sanitary Sewer:	200mm (8")	200mm (8")
Storm Sewer:	300mm (12")	300mm (12")
Sidewalks:	Yes (Curb faced along both frontages in favour of NNSCP No. 189)	
Road Allowance Width:	10.0m (33')	

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

Comment(s): It is noted that the Applicant proposes to sever the lot creating Parts 1 & 2 for a future single detached dwelling (Part 1) and a semi-detached dwelling (Part 2) within the existing residential condominium development.

Engineering Services

The subject parcel is currently noted as an existing lot of record, as Pt Lot 3, 30M-167 known as Parts 30 & 31 Plan 30R-11396. The lot is currently serviced by two 20mm (3/4") water laterals from Tulip Tree Common and both a 200mm (8") storm and a 150mm (6") sanitary lateral from Black Walnut Common. The sanitary lateral is further branched into three 100mm (4") laterals at the property line.

Condition(s): Prior to severance finalization the Owner shall;

- provide to the City verification that the lots can be adequately serviced and that current rights exist over the private services to the subject lots from the abutting Condominium lands; and
- Establish additional rights to the subject lots over the private services from the abutting Condominium lands to adequately service the lots with storm, sanitary and water laterals

Prepared By:

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

45 Dorchester Boulevard

Departmental & Agency Comments

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Wednesday, January 18, 2017 10:20 AM
To: Munro, Elaine
Cc: Mancuso, Connie (connie.mancuso@niagararegion.ca); Motchka, Adam; 'Rohe, Craig'
Subject: 45 Dorchester Boulevard, St. Catharines (A13 & B05/17)
Attachments: 45 Dorchester Boulevard Map.pdf

Good Morning Elaine,

NPCA staff have reviewed Applications A-13/17 and B-05/17 for 45 Dorchester Boulevard, St. Catharines and offer the following comments.

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

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

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) Significant Woodland adjacent to the subject property. Based on review of more recent aerial photos, NPCA staff are satisfied that there is no longer an ECA Significant Woodland in this location. As such, the NPCA is satisfied there will be no negative impact to core natural heritage features as a result of the subject applications.

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

Please contact me if you have any questions.
Thank you,

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

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NIAGARA PENINSULA CONSERVATION AUTHORITY

45 Dorchester Boulevard, St. Catharines

Legend

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

Notes

101.6 0 50.80 101.6 Meters

NAD_1983_UTM_Zone_17N

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Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:26 PM
To: Munro, Elaine
Subject: 905-17-087 - B-05/17SC File No. 60.84.2090 - 45 Dorchester Blvd

Dear Elaine,

Re file No: B-05/17SC File No. 60.84.2090

Details

- Consent Application
- 45 Dorchester Blvd
- Part of Lot 180, Plan 5

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

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Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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- Contact us
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horizon UTILITIES Looking beyond...

January 12, 2017

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

Attention: Elaine Munro

File# 60.84.2090 & 60.81.5182

Re: 40 & 45 Dorchester Blvd

In response to your correspondence(s) dated January 10, 2017, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

Horizon Utilities Corporation
55 John Street North, Hamilton, ON – Tel: 1-866-458-1236
Mail to: PO Box 2249 STN LCD 1, Hamilton, ON L8N 3E4

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

Sincerely,

Scott Beaudrie
Supervisor, Engineering Design

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\04 bcoa memo-sev-Jan25, 2017.docx

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
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A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
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A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Memorandum

To: Charlotte McEwan, Planning and Building Services
Douglas Pateman, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: January 11, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 45 Dorchester Blvd.
File No: 60.84.2090

Please be advised that we have reviewed the above-noted application. If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance:

> That payment of 5% of the appraised value of the new lot (Part 3) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

A cash payment for the City to plant trees along Dorchester Blvd will be required as part of the servicing agreement. As such, the condition requiring a servicing agreement must indicate payments for tree planting as one of the items to be included in the agreement.

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-05/17SC

January 3, 2017 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: Upper Canada Consultants

Location: 45 Dorchester Boulevard

MUNICIPAL SERVICES

Water:	Dorchester Boulevard North – 200mm (8") C.I. Dorchester Boulevard South – 200mm (8") P.V.C. 200mm (8") C.I. traverses southern portion of property from Bunting Road
Sanitary Sewer:	Dorchester Boulevard North – 350mm (15") 300mm (12") traverses the property from Bunting Road to Dorchester Boulevard North
Storm Sewer:	Dorchester Boulevard North – 1350mm (54") 1050mm (42") – 1200mm (48") traverses the property from Bunting Road to Dorchester Boulevard North
Sidewalks:	Dorchester Boulevard North – none Dorchester Boulevard South – yes
Road Allowance Width:	Dorchester Boulevard North – 20.12m (66') Dorchester Boulevard South – 20.12m (66') (temporary cul-de-sac)

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1 and 2, Part 1 to be dedicated to the City as Public Highway to be known as 'Dorchester Boulevard', and Part 2 for proposed future residential use. A remnant parcel of land would be retained (Part 2) for future development opportunities.

Roads

Dorchester Boulevard, both north and south sections, are designated Local roads as per the City's Official Plan with desired rights-of-way widths of 20.12m (66'). The Owner proposes to dedicate Part 1 to the City as Public Highway to be known as Dorchester Boulevard. The City shall accept this dedication, however the Owner must ensure that Part 1 is referenced on a draft Reference plan with a proposed perpendicular width of 20.12m (66') in order to establish a 'Local' road right-of-way designation consistent with the north and south sections of Dorchester Boulevard. The City shall review and approve the draft Reference plan prior to deposit in the Land Registry Office.

The northerly terminus of Dorchester Boulevard within the Greenfields Subdivision to the south, is currently in a temporary cul-de-sac state for emergency and snow removal vehicle maneuvering, with the intent that the cul-de-sac would be removed and the road extended at the time acquisition of lands between the north and south sections of Dorchester

Boulevard is secured by the City. Given the nature of this application, the Owner shall enter into an Agreement with the City of St. Catharines for the extension of and improvements to Part 1 lands from the existing temporary cul-de-sac as Local road, in addition to the section north of Part 1 to Meredith Drive, in order to establish a connection of Dorchester Boulevard North through to Dorchester Boulevard South.

Engineering Services

Local Municipal services exist that traverse the property from Bunting Road through to Dorchester Boulevard north. A servicing easement has been established by the Municipality to ensure continued perpetual maintenance of watermain, sanitary and storm sewers over the subject lands noted specifically as Part 2, Plan 30R-2005. A portion of this easement lies within the proposed Part 1 subject lands, to which the City will obtain as Public Highway and release and abandon the existing easement portion over Part 1 of the sketch.

It is also noted that lands to the south known as 286 Bunting Road, are serviced by the above noted municipal services. Easement documents on file note the recent deletion of easement rights to the Owner of lands to the south over the subject lands, specifically Parts 4 & 6 Plan 30R-7533 for water, storm and sanitary servicing connections for the plaza.

Condition(s): Prior to the severance finalization the Owner shall;

- Convey Part 1 to the City of St. Catharines, free and clear of any mortgages, liens or encumbrances, to establish a 20.12m (66') road allowance as Public Highway to be known as Dorchester Boulevard;
- Enter into an Agreement with the City of St. Catharines to construct a local road from Meredith Drive to the existing cul-de-sac south of the subject lands, and remove and replace the cul-de-sac with a local road to establish a public right-of-way connection through to Dorchester Boulevard South;
- Ensure the orderly improvements to Part 1 and additional lands identified above, and agree to the terms of this Agreement to include, but not be limited to, the following:
    - be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.;
    - hire an Engineer that shall; design all of the works covered by this agreement, prepare plans, profiles and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works on an as-required basis, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
    - be responsible for all costs associated with the construction of the improvements, including City inspection of the work;
    - be required to deposit substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
    - be responsible for the removal and reconstruction of the existing temporary cul-de-sac to that of a straight urban cross-section road with curb and gutter to connect to Part 1 of the sketch;

- Ensure the Agreement is executed and registered on Title of the subject lands (45 Dorchester Road) prior to the subject lands (45 Dorchester Road) being developed;
- Ensure continued private servicing easements are established/reestablished for future maintenance and access needs over the subject lands to the Owner of 286 Bunting Road, and provide this verification to the City

Prepared By: _____

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's:
A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

127 Moffatt Street

Departmental & Agency Comments

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: January 20, 2017 **Date of Meeting:** January 25, 2017

Submission(s): ***B-06/17SC*** ***A-06/17*** **File:** ***60.84.2091*** ***60.81.5175***

Subject: 127 Moffat Street

Recommendation

That Submission **B-06/17SC** by William Frederick Arksey as outlined in the Notice of Hearing, be approved under the following conditions:

1) That a road widening dedication along the frontage of Part 1 measured 4.3 metres (14') from the back (west-face) of the existing curb-faced sidewalk, be conveyed gratuitously for a nominal fee of two dollars ($2.00) to the City of St. Catharines in order to establish a road allowance. The land is to be conveyed free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office.

2) That Part 2 merge with Part 3 30R-14794, being the abutting lands to the north. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and Part 2 on the submitted sketch will be merged with PT 3 PLAN 30R-14794 being part of LOT 927 CP6 and that together they will become one parcel of land.

3) That final approval for the necessary minor variance applications be received.

That Submission **A-06/17** by William Frederick Arksey as outlined in the Notice of Hearing, be approved as follows:

An increase in maximum lot area per dwelling unit from 465m^2 to 639.34m^2 (Part 1).

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-06/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for

the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-06/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **B-06/17SC** is made for consent to sever 1511.88m^2 of land (Part 2 on the submitted sketch) which will be added to the abutting northerly vacant parcel of land known as Part 3, Plan 30R-14794 (previously severed from 129 Moffatt Road – B-40/16SC) for a future residential development. A 717.94m^2 remnant parcel with the existing 1 story brick dwelling would be retained (Part 1) for continued residential use. The application would result in a boundary adjustment between the two parcels of land.

Application **A-06/17** is made pertaining to the City of St. Catharines By-law 2013-283 for an increase in maximum lot area per dwelling unit from 465m^2 to 717.94m^2 (Part 1).

Location and Site Description

The subject property is located on the west side of Moffat Street South of Glory Hill Road. The property is surrounded by Highway 406 to the west and detached dwelling housing to the south and east. There is a parcel of vacant land to the north. Part 2 is intended to merge with the parcel to the north for future residential development.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the GCP. The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land.

Zoning By-law (2016-283)

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

Consent Application B-06/17SC

Application **B-06/17SC** is requesting a consent to sever 1511.88m^2 (Part 2 on the submitted sketch) to create a new lot to be merged with abutting lands to the north. A remnant lot of 717.94m^2 (Part 1 on the submitted sketch) will be retained for continued residential use. Part F, Section 16.11 of the GCP provides guidance on lot creation. Subsections b) and c) of Section 16.11.3 state that consents to sever individual parcels of land will only be given where they contribute to the infilling of areas that are already substantially developed and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

Part 2 is intended to merge with the abutting lands to the north. The owner of these lands intends to eventually extend Glory Hill Road from the north to enable future residential development. This application is made to facilitate land amalgamation for the purpose of future development. The proposed consent is considered appropriate in terms of the optimum development as it allows for more efficient use of the subject lands.

Variance Application A-06/17

Application **A-06/17** requests a variance in the maximum lot size for Part 1 on the submitted sketch from 465m^2 to 717m^2 to permit a remnant parcel that exceeds the maximum permitted lot area. The subject lands currently have an area of 2229.82 m^2. The proposed consent results in a parcel which is more in keeping with the intent of the Official Plan and Zoning By-law in terms of lot area. The surrounding area is comprised of a wide range of lot sizes and configurations. Staff considers the increase in maximum lot area to be minor in nature and is appropriate in the surrounding context. The intent of the Official Plan and Zoning By-Law are being maintained.

A road widening of 4.30 metres is requested along the frontage of Moffatt Street. The requested widening has an area of 78.6m^2. As a result, the area of the remnant parcel will be 639.34m^2. Staff recommend that the proposed variance be approved as an increase in maximum lot area to 639.34m^2.

Conclusion

Staff is satisfied that the consent requested through application **B-06/17SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that the variance requested by application **A-06/17**, as amended, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation, and that the requested variance be approved as amended.

Prepared by:

Douglas Pateman
Student Planner

Submitted by:

Charlotte McEwan
Planner I

Approved by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:27 PM
To: Munro, Elaine
Subject: 905-17-088 - B-06/17SC File No. 60.84.2091 - 127 Moffatt St.

Dear Elaine,

Re file No: B-06/17SC File No. 60.84.2091

Details

- Consent Application
- 127 Moffatt St.
- Part of Lot 918, Plan 6

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

Click here to report this email as spam.

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.
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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3
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- Contact us
Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

Munro, Elaine

From: Vasko, Dennis
Sent: Tuesday, January 17, 2017 9:01 AM
To: Munro, Elaine
Subject: Re: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing - 127 Moffatt St.

Hi Elaine, no concerns with closed landfills.

Dennis

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

From: Munro, Elaine
Sent: Tuesday, January 10, 2017 4:27 PM
To: Vasko, Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing - 127 Moffatt St.

Happy New Year Dennis:

Attached please find the Notices of Hearing for the January 25, 2017 Committee of Adjustment Hearing.

1. 127 Moffatt Street, Consent Application, B-06/17SC – 60.84.2091
   127 Moffatt Street, Minor Variance Application, A-06/17 – 60.81.5175

Thanks,
Elaine

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

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\04 bcoa memo-sev-Jan25, 2017.docx

Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:

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

Condition:

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

B-05/17SC – 45 Dorchester Boulevard

Comment:

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

Condition:

- No Comment

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-06-17SC

December 30, 2016 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: 1473941 Ontario Limited

Location: 127 Moffatt Street

MUNICIPAL SERVICES	**Moffatt Street**
Water:	200mm (8") PVC
Sanitary Sewer:	300mm (12") & 250mm Conc.
Storm Sewer:	None Available
Sidewalks:	Yes (Curb faced)
Road Allowance Width:	Varies 9.144m & 16m+/-

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot at the rear the remnant parcel, Part 1, known municipally as 127 Moffatt Street. Part 1 would be retained for continued residential use. Part 2 is proposed for future residential development.

The City suggests that Part 2 be adjusted to be consistently sized with the parcel to the north, to avoid lot configuration inconsistencies in consideration of future land acquisitions and development to the south.

Roads

Moffatt Street is designated as a Local road per the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is 9.50m+/- (31'). The City requests a widening set 4.30m (14') back from most westerly edge of the existing curb-faced sidewalk to obtain a right-of-way width of 17.0m (58') along this section of Moffatt Street.

Condition(s): Prior to severance finalization the Owner shall;

- Dedicate to the City of St. Catharines a widening along the frontage of Part 1 as Public Highway to be known as Moffatt Street, free and clear of any mortgages, liens or encumbrances, measured 4.30m (14') from the back (west-face) of the existing curb-faced sidewalk

Prepared By:

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's:
A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

380 Glendale Avenue

Departmental & Agency Comments

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:56 PM
To: Munro, Elaine
Subject: 905-17-089 - B-07/17SC File No. 60.84.2092 - 380 Glendale Avenue
Attachments: 905-17-089.pdf; SCHEDULE968SE0403.doc

Hi Elaine,

Please see the attached letter, confirming that Bell Canada requests a transfer of easement over the lands noted. We respectfully request a copy of the decision to be forwarded to our office for our files.

- Conveyance Application for Consent
- Lot 409 Corporation Plan 6 - 380 Glendale Avenue
- B-07/17SC File No. 60.84.2092

If there are any questions or concerns, please do not hesitate to contact me.

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

Click here to report this email as spam.

Right of Way
Fl-2, 140 Bayfield Street
Barrie, ON L4M 3B1

Tel: 1-844-857-7942
Fax: 705-722-2263
E-mail: jacqueline.moyle@bell.ca

January 12, 2017

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

Email only: emunro@stcatharines.ca

Dear Ms. Munro:

Subject: ***Severance– 380 Glendale Ave.,***
Lot 409, Corporation Plan No. 6, Township of Grantham
City of St. Catharines File: 60.84.2092, B-07/17SC Bell File: 905-17-089

Subsequent to review of the above noted Application for Consent by our Engineering Department, it has been identified that Bell Canada will require a 3m wide easement to be measured 1.5m on either side of our buried facilities, as can be accommodated. The approximate location of our facilities has been identified on the enclosed sketch. In regards to the buried plant, it will be necessary for the surveyor to arrange for a cable locate to identify its location.

Since the easement is required in order to provide and sustain service, all costs associated with this transaction will be the responsibility of the Owner, and compensation is to be set at a nominal amount of $2 for the acquisition of these easement rights. Bell Canada also requires separate, registered postponements for any mortgages and certification of title.

Please find enclosed a copy of the easement Schedule that should be used for this transaction. We kindly request the inclusion of the additional comment "Transfer of Easement for a Utility Line as Defined in the Ontario Energy Board Act, 1998" in section 4 of the Land Transfer Tax Statement and confirm that the undersigned will be taking said Affidavit. Our address for service will be that of this office.

We hope this proposal meets with your approval and look forward to receipt of the draft easement documents for our review and approval prior to registration as well as the Acknowledgement and Direction for our execution. If there are any questions or concerns, please do not hesitate to contact me.

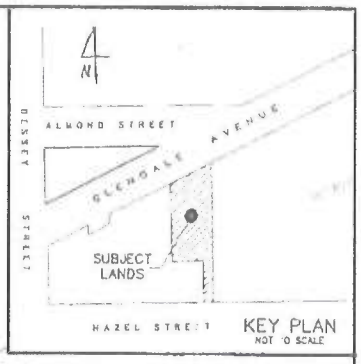
Yours truly,

Jacqueline Moyle
Right of Way Associate
Encl.

SKETCH TO SHOW

LOT 409
CORPORATION PLAN No. 6
GEOGRAPHIC TOWNSHIP OF GRANTHAM
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 250
5 0 5 15 metres



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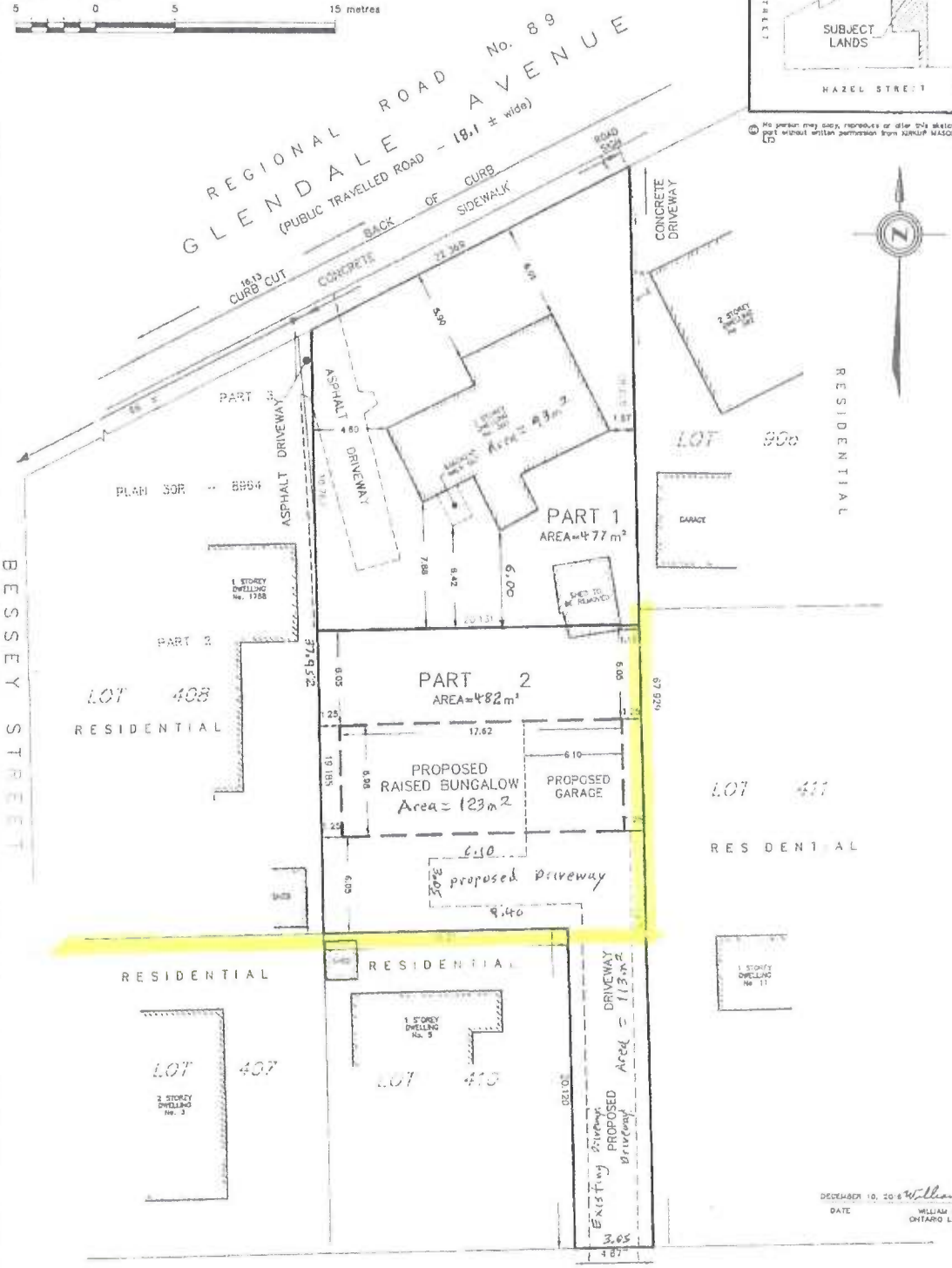

DECEMBER 10, 2016 William A. Mascoe
DATE WILLIAM A. MASCOE ONTARIO LAND SURVEYOR

NOTE

THIS SKETCH IS INTENDED FOR USE OF THE COMMITTEE OF ADJUSTMENT ONLY
MEASUREMENTS MAY VARY UPON FIELD SURVEY

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIRKUP MASCOE URE
SURVEYING LTD.
49 EASTCHESTER AVENUE, ST CATHARINES ONTARIO L2P 2X6
TELEPHONE (905) 685-5931, FAX (905) 641-4424
E-MAIL info@kmsurveyors.com

DATE: DECEMBER 5, 2016 | FILE: 16-0251 1LDS

SCHEDULE **968-S/E(04-03)**

WHEREAS the Transferee is the owner in fee simple of those lands and premises (the "Transferee's lands") being composed of Parts of Town Lots 5 and 6 on the North side of Adelaide Street West according to the Plan of the Town of York and designated as Parts 1 and 2, Plan 63R-545, City of Toronto.

WHEREAS the Transferor is the owner in fee simple of lands described as

_____

_____(the "Property").

THE TRANSFEROR grants and transfers to the Transferee, its successors and assigns to be used and enjoyed as appurtenant to the Transferee's lands, a free and unencumbered easement (the "Easement") in perpetuity upon, over, in, under and across lands more particularly described under Properties on Page 1 attached (the "Easement Lands"):

1. the right to construct, operate, maintain, repair, replace, renew, or make additions at all times to telecommunications facilities (the "Facilities") or any part thereof forming part of continuous lines between the Transferee's lands and other lands including, without limitation, all necessary cable and wires (both buried and aerial), conduits, conduit structures, markers, poles, anchors, guys, maintenance holes, fixtures, equipment, and all appurtenances thereto.

2. the right of free and unimpeded access at all times to the Transferee, its contractors, agents, employees, vehicles, equipment, and supplies to and over the Easement Lands.

3. the right of free and unimpeded access at all times to the Easement Lands from and over the Property or abutting road allowances or abutting rights of way for the purpose of exercising the rights hereby granted.

4. the right to remove, trim, sever, or fell any obstructions such as trees, roots, brush, stumps, boulders or rock encountered during the course of construction or subsequent maintenance of the Facilities.

THE TRANSFEROR shall have the right to fully use and enjoy the Easement Lands provided that without the prior written consent of the Transferee, such consent not to be unreasonably withheld, the Transferor shall not place any buildings or other structures or dig, drill, pave or excavate within the Easement Lands.

THE TRANSFEREE shall:

1. be responsible for any damage caused at any time by its agents or employees to the Property. When practical, the Transferee, after any of its activities, shall restore the Property appropriately. The subsequent maintenance of the Property shall be the responsibility of the Transferor.

2. indemnify and save the Transferor harmless from all actions, causes of actions, suits, claims and demands of every nature and kind whatsoever which may be made against the Transferor relating to or arising out of the placement of the Facilities by the Transferee and for which the Transferee, in law, is responsible.

3. at its sole discretion, be permitted to attach, or permit the attachment of, wires, cables and equipment of any other company or commission for the purposes only of supplying a service to the public.

NOTWITHSTANDING any rule of law or equity and even though any of the Facilities may become annexed or affixed to the Easement Lands, title to the Facilities shall nevertheless remain in the Transferee.

THIS AGREEMENT including all rights, privileges, and benefits herein contained shall extend to, be binding upon, and enure to the benefit of, the parties hereto and their respective heirs, executors, administrators, successors, and assigns.

THE TRANSFEREE, in the event it grants a release of Easement, may abandon the Facilities annexed/affixed to the Easement Lands at its option.

Niagara Region

Planning and Development Services
1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-8056
www.niagararegion.ca

Via E-mail Only

January 19, 2017

File: D.06.08.CS-17-004

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

Dear Ms. Munro:

Re: Regional and Provincial Comments
Consent Application
City File B-07/17SC
380 Glendale Avenue (Regional Road 89)
City of St. Catharines

Niagara Region Planning and Development Services staff has reviewed the provided consent application for 380 Glendale Avenue (Regional Road 89) in the City of St. Catharines. The application and supporting materials were received with fees on January 12, 2017.

The application proposes to sever 482m^2 of land (Part 2 on the submitted sketch dated December 5, 2016) from a 0.10 hectare parcel of land to create a new lot known as 7 Hazel Street for the purpose of development of a new single detached dwelling. A 477m^2 remnant parcel (Part 1) currently contains an existing single detached dwelling for continued residential use.

Regional staff notes that a pre-consultation meeting was not held for this application. The following Provincial and Regional comments are provided to assist the City in considering this consent application.

Road Allowance (Regional Road 89)

The subject property has frontage along Regional Road 89 (Glendale Avenue). This section of road has a substandard road allowance of 18.1 metres. The designated road allowance is 26.2 metres.

Therefore, in accordance with the approved ***Regional Road Allowance Policy (Amendment 2-2005 to the Official Plan for the Niagara Planning Area),*** the Region will require the applicant grant the following gratuitously to the Region:

- A 4.05 metre road allowance across the frontage of the subject property, in order to achieve 13.1 metres from the centreline for this road section.

The widening is intended to accommodate future pavement widening and to provide sufficient boulevard area for an alternative alignment for sidewalk, utilities, snow storage and tree plantings.

The requested widening(s) is to be conveyed free and clear of any mortgages, liens or other encumbrances.

The widening is to be described by Reference Plan. The widening portion of the Plan will be the responsibility of the owner to order. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to the Regional Surveys Manager for approval. The Regional Surveys Manager will advise the land surveyor of any required revisions to the plan. Once the plan is Deposited and the Transfer Registered, the Region will clear the above condition.

As this process can take an average of 8 weeks, the owner is encouraged to advise the Region of the name of the surveyor and legal contact that will be dealing with the widening.

Regional Contact information:

- Stephanie Tripp, Real Estate Officer, Properties Management, (905) 685-4225 extension 3327. E-mail: stephanie.tripp@niagararegion.ca
  (Inquiries -specific to the transfer of property to the Region)

- Normans Taurins, Manager, Regional Surveys & Property Information, (905) 685-4225 extension 3325, E-mail: normans.taurins@niagararegion.ca

Conclusion

From a Regional and Provincial perspective staff has no objection to the Consent application, subject to the following condition:

- That the owner shall grant the following gratuitously to the Niagara Region; a 4.05 metre road allowance across the frontage of the subject property, in order to achieve 13.1 metres from the centerline for this road section.

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

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

Sincerely,

Adam Motchka

Adam Motchka
Development Approvals Technician

cc. Lindsay Earl, MCIP, RPP, Senior Development Planner, Niagara Region
Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region

Munro, Elaine

From: Motchka, Adam <Adam.Motchka@niagararegion.ca>
Sent: Thursday, January 19, 2017 11:39 AM
To: Munro, Elaine
Cc: Earl, Lindsay; Busnello, Pat
Subject: Regional Comments CS-17-004-380 Glendale Avenue St. Catharines
Attachments: Regional Response -(CS-17-004-380 Glendale Avenue).pdf

Hi Elaine,

Please find Regional comments attached pertaining to the Consent application on lands known municipally as 380 Glendale Avenue in the City of St. Catharines.

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

Adam Motchka
Development Appprovals Technician
Planning and Development -Development Planning, Niagara Region
1815 Sir Isaac Brock Way, PO Box 1042, Thorold L2V 4T7
Phone: 905-980-6000 ext. 3177 Toll-free: 1-800-263-7215
www.niagararegion.ca

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January 12, 2017

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

Attention: Elaine Munro

File# 60.81.5177, 60.84.2092 & 60.81.5176

Re: 7 Hazel Street & 380 Glendale Avenue

In response to your correspondence(s) dated January 10, 2017, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

Horizon Utilities Corporation
55 John Street North, Hamilton, ON – Tel: 1-866-458-1236
Mail to: PO Box 2249 STN LCD 1, Hamilton, ON L8N 3E4

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

Sincerely,

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\04 bcoa memo-sev-Jan25, 2017.docx

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: January 11, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 380 Glendale Ave.
File No: 60.84.2092

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

> That the applicant submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

Given the limited frontage this tree will not be planted in the road allowance in front of the new lot, however will be planted in the next available planting location.

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

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

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-07/17SC

January 3, 2017 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: Matteson Deluca

Location: 380 Glendale Avenue

MUNICIPAL SERVICES

	Glendale Avenue	**Hazel Street**
Water:	400mm (16") P.V.C.	150mm (6") P.V.C.
Sanitary Sewer:	600mm (24")	250mm (10")
Storm Sewer:	None	None
Sidewalks:	Yes	Yes
Road Allowance Width:	18.30m± (60')	20.12m± (86')

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

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

Roads

Hazel Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along the Applicant frontage is sufficient for the City's needs, therefore the City shall not require a widening along Hazel Street via this application.

Glendale Avenue along this section is designated as a Regional Arterial road as per the City's Official Plan, with a desired right-of-way width of 26.2m. Any widenings along the remnant parcel frontage shall be at the discretion of the Regional Municipality of Niagara.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, nor the City boulevard.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there are no suitable storm sewer outlets available on Hazel Street and Glendale Avenue, sump pump flows shall be discharged to grade in

such a manner that does not adversely affect abutting properties.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any future potential lot lines.

New water and sanitary laterals are required to be provided to the proposed lot by City crews at the cost of the Owner at the time Building Permit applications have been made. The fees shall be as per the City's current Schedule of Rates & Fees.

Condition(s): Prior to the severance finalization the Owner shall;

- be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any future potential lot lines

Prepared By: _____

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's:
A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

7 Capner Street

Departmental & Agency Comments

horizon UTILITIES Looking beyond...

January 12, 2017

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

Attention: Elaine Munro

File# 60.84.2093, 60.81.5181 & 60.81.5178

Re: 5A & 7 Capner Street

In response to your correspondence(s) dated January 10, 2017, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

Horizon Utilities Corporation
55 John Street North, Hamilton, ON – Tel: 1-866-458-1236
Mail to: PO Box 2249 STN LCD 1, Hamilton, ON L8N 3E4

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

Sincerely,

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3
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- Contact us
Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:29 PM
To: Munro, Elaine
Subject: 905-17-090 -B-08/17SC File No. 60.84.2093 - 7 Capner Street

Dear Elaine,

Re file No: B-08/17SC File No. 60.84.2093

Details

- Consent Application
- 7 Capner Street
- Part of Lot 3142 and Lot 3143, Plan No. 2

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

Click here to report this email as spam.

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\04 bcoa memo-sev-Jan25, 2017.docx

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: January 11, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 7 Capner St.
File No: 60.84.2093

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

> That the applicant submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

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

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-08/17SC

January 3, 2017 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: Matteson Deluca

Location: 7 Capner Street

MUNICIPAL SERVICES

	Capner Street
Water:	200mm (8") P.V.C.
Sanitary Sewer:	200mm (8") Clay 5.0m Depth 250mm (10") 3.0m Depth
Storm Sewer:	375mm (15")
Sidewalks:	Yes
Road Allowance Width:	15.2m± (49')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 5A Capner Street for the purpose of constructing a single detached dwelling. A remnant parcel of land would be retained (Part 2) for continued residential dwelling use.

Roads

Capner Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along the Applicant frontage is deficient at 15.2m± (49'). Although the City would ultimately require a 20.12m right-of-way, understanding that this road dead-ends to the east, we are agreeable to an 18.28m (60') desired right-of-way, therefore requiring a 1.54m (5') widening along Parts 1 & 2 of Capner Street via this application.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable outlet and does not adversely affect abutting properties, nor the City boulevard.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there an adequate storm sewer outlet available on Capner Street, sump pump flows shall be discharged to the Capner Street storm sewer via storm sewer lateral. The Owner shall pay the fees for City crews to

provide both a storm and sanitary lateral to the property at the time of Building Permit application, the fees in accordance with the City's current Schedule of Rates & Fees.

There is conflicting information to an existing water service currently existing to the vacant property. It shall be verified at the time of Building Permit application the size of the existing water service, whereas the City shall provide a new service if the existing is of inadequate size, at no charge. If a new lateral is required that cannot be placed in the same location as the existing, the Owner shall pay the fees for the decommissioning of the existing and the provision of the new water service in accordance with the City's current Schedule of Rates & Fees.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any future potential lot lines.

Condition(s): Prior to the severance finalization the Owner shall;

- be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any future potential lot lines; and
- Dedicate to the City of St. Catharines a 1.54m (5') widening along the frontage of the subject and remnant parcel as Public Highway to be known as Capner Street, free and clear of any mortgages, liens or encumbrances

Prepared By: _____

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

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's:
A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

44 Jacobson Avenue

Departmental & Agency Comments

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: January 20, 2017 **Date of Meeting:** January 25, 2017

Submission(s): **B-09/17SC**
A-10/17
A-11/17

File: **60.84.2094**
60.81.5179
60.81.5180

Subject: 44 Jacobson Avenue
46 Jacobson Avenue

Recommendation

That application **B-09/17SC** by Harold Parisi as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1) That the applicant submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

2) That final approval for the necessary minor variance applications be received.

That application **A-10/17** by Harold Parisi as outlined in the Notice of Hearing, be approved.

That application **A-11/17** by Harold Parisi as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-09/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that applications **A-10/17** and **A-11/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consent and variances be approved.

Proposed Development

Application **B-09/17SC** is made for consent to sever 309m^2 of land (Part 1 on the submitted sketch) creating a new lot to be known as 46 Jacobson Avenue for the newly constructed semi-detached dwelling. A 291m^2 remnant parcel with the other ½ of the newly constructed semi-detached dwelling will be retained. The application would allow each of the units of the semi-detached dwelling to be owned and/or sold separately

Application **A-10/17** is made pertaining to the city of St Catharines By-Law 2013-283 for the following:

1) A reduction of the minimum lot area per dwelling unit from 370m^2 to 309m^2 (Part 1 on the submitted sketch).
2) A reduction of the minimum front yard setback to dwelling from 6 metres to 4.05 metres.
3) A reduction of the minimum front yard setback to garage from 7 metres to 6.95 metres.
4) A reduction of the minimum rear yard setback from 7.5 metres to 1.4 metres.

Application **A-11/17** is made pertaining to the city of St. Catharines By-law 2013-283 for the following:

1) A reduction of the minimum lot area per dwelling unit from 370m^2 to 291m^2 (Part 2 on the submitted sketch).
2) A reduction in the minimum front year setback to the dwelling from 6 metres to 4.05 metres.
3) A reduction of the minimum front yard setback to the garage from 7.5 metres to 6.95 metres.
4) A reduction of the rear yard setback from 7.5 metres to 1.4 metres.

Location and Site Description

The subject property is located south west corner of the intersection of Glen Morris Drive and Jacobson Avenue. The property is surrounded by single detached dwellings to the south and east, a hydro corridor to the north and a medium density residential development under construction to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan. The subject property is further designated Low Density Residential as

per Schedule E8 of the Garden City Plan. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the GCP.

Zoning By-law (2013-283)
The property is zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

Background

On April 20, 2016, the Committee of Adjustment approved an application for minor variance pertaining to the subject property, permitting the construction of a semi-detached dwelling with a reduced rear yard setback. The property was undersized with respect to minimum lot area and lot frontage requirements of the Zoning By-law for development of a semi-detached dwelling. However, Section 2.15.1 of the Zoning By-law permitted the development of a semi-detached dwelling on the undersized, provided that all other requirements of the Zoning By-law were met. Approval of the requested variance to rear yard setback satisfied the requirements of Section 2.15.1 of the Zoning By-law, and the semi-detached dwelling has since been constructed as approved.

Consent Application B-09/17

Application B-56/16SC is requested to allow each unit of the semi-detached dwelling currently under construction to be owned and sold separately.

The proposed lots are suitable for the purpose for which they are being proposed, as they each contain half of the semi-detached dwelling that is currently occupying the property. The proposed severance will allow the existing units to be owned and sold separately. There is no added impact imposed on the surrounding area by the creation of the proposed lots, and they are appropriate in terms of the optimum development of the area. The intent of the Official Plan is being upheld. Staff is supportive of the proposed consent.

Variance Application A-10/17 (Part 1)

Variance 1 requests a reduction in the minimum lot area per dwelling unit from 370m^2 to 309m^2. The existing dwelling units were constructed on a lot that was undersized in terms of lot area, as permitted under section 2.15.1.1 of the Zoning By-law. As a result of the requested consent, the new lots sizes are not in conformity with the provisions of the Zoning By-law. The requested variance is considered minor in nature. It recognizes an existing situation that was permitted by the Zoning By-law, and is in keeping with the intent of the Official Plan and Zoning By-law.

Variances 2 and 3 request a reduction in minimum front yard setback to the dwelling, and to the garage. The variances are required due to the configuration of the proposed lot, which results in the technical front yard being located along Jacobson Avenue. As is currently exists, the building meets the required front yard setbacks which are measured

from the northerly lot line along Village Road. The requested setbacks recognize the location of the existing building, and facilitate a consent which is considered appropriate for the subject lands. Staff is satisfied that there will be no adverse impacts as a result of the variances.

Variance 4 is required to reduce the rear yard setback from 7.5 metres to 1.4 metres. As with Variances 2 and 3, Variance 4 is required due to the lot configuration which results in the technical rear yard being located along the westerly lot line. The setback in question was previously recognized as an interior side yard. The reduction is considered minor in nature due to the existence of amenity space in the exterior side yard, which exceeds the minimum requirement at 6.02 metres. Staff are satisfied the reduction in rear yard setback will not have adverse impacts on the surrounding area, and that the intent of the Official Plan and Zoning By-law are being maintained.

Application A-11/17 (Part 2)

Variance 1 requests a reduction in the minimum lot area per dwelling unit from 370m^2 to 291m^2. As stated above, the existing dwelling units were constructed on a lot that was undersized in terms of lot area, as permitted under section 2.15.1.1 of the Zoning By-law. As a result of the requested consent, the new lots sizes are not in conformity with the provisions of the Zoning By-law. The requested variance is considered minor in nature. It recognizes an existing situation that was permitted by the Zoning By-law, and is in keeping with the intent of the Official Plan and Zoning By-law.

Variances 2 and 3 requires a reduction in minimum front yard setback to the dwelling and to the garage. The variances are required to recognize the same situation as exists on Part 1, since the existing semi-detached units mirror one another. The setbacks recognize the existing building, and are considered minor in nature. They are appropriate for the permitted use and meet the intent and purpose of the Official Plan and Zoning By-law.

Variance 4 is required to reduce the rear yard setback from 7.5 metres to 1.4 metres. As with Part 1, the setback in question was previously recognized as an interior side yard. The proposed reduction in rear yard setback is considered minor in nature. The interior side yard exceeds the minimum required setback at 5.85 metres, providing functional amenity space. Staff are satisfied the reduction in rear yard setback will not have adverse impacts on the surrounding area, and that the intent of the Official Plan and Zoning By-law are being maintained.

Conclusion

Staff is satisfied that the consent requested through application **B-09/17SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, Staff is of the opinion that applications **A-10/17** and **A-11/17** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consents and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:

Douglas Pateman
Student Planner

Submitted by:

Charlotte McEwan
Planner I

Approved by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

January 12, 2017

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

Attention: Elaine Munro

File# 60.84.2094, 60.81.5179 & 60.81.5180

Re: 44 & 46 Jacobson Ave

In response to your correspondence(s) dated January 10, 2017, please be advised that our Engineering Design Department have reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

Horizon Utilities Corporation
55 John Street North, Hamilton, ON – Tel: 1-866-458-1236
Mail to: PO Box 2249 STN LCD 1, Hamilton, ON L8N 3E4

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

Sincerely,

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Moyle, Jacqueline <jacqueline.moyle@bell.ca>
Sent: Thursday, January 12, 2017 3:30 PM
To: Munro, Elaine
Subject: 905-17-091 - B-09/17SC File No. 60.84.2094 - 44 Jacobson Avenue

Dear Elaine,

Re file No: B-09/17SC File No. 60.84.2094

Details

- Consent Application
- 44 Jacobson Avenue
- Lot 6, Plan 434

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

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

Jacqueline Moyle
External Liaison
Bell Canada Right of Way

Bell

140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2636
F: 705-722-2263
1-844-857-7942
jacqueline.moyle@bell.ca

Click here to report this email as spam.

Munro, Elaine

From: Helena.Targosinski@HydroOne.com
Sent: Wednesday, January 11, 2017 10:30 AM
To: Munro, Elaine
Subject: St. Catharines - 44 Jacobson Avenue - 60-84-2094

Good Morning,

We are in receipt of your Site Plan Application, 60-84-2094 for the address of 44 Jacobson Ave dated January 10, 2017. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

Thank you,

Helena Targosinski
Special Services Clerk, Real Estate Department
Hydro One Networks Inc.
Tel: (905)944-3224

Email: Helena.Targosinski@HydroOne.com

Sent on behalf of;

Dennis De Rango
Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

From: Munro, Elaine [
Sent: Tuesday, January 10, 2017 4:31 PM
To: DE RANGO Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing - 44 Jacobson Avenue

Hi Mr. Derango:

Attached please find the Notices of Hearing for the January 25, 2017 Committee of Adjustment Hearing.

1. 44 Jacobson Avenue, Consent Application, B-09/17SC – 60.84.2094
   44 Jacobson Avenue, Minor Variance Application, A-10/17 – 60.81.5179
   46 Jacobson Avenue, Minor Variance Application, A-11/17- 60.81.5180

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, January 11, 2017 10:27 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for January 25, 2017 Hearing (Part 2 of 3 emails)

Hi Again
Cogeco has no issue or concerns for the adjustment application for
Email 1
Email 2
Email 3

Have a great day

DOUG CROWN
Network Planning and Design

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

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

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Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.
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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3
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- Contact us
Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

Memorandum

To: Elaine Munro, Committee Secretary & Planning Clerk
Planning and Building Services
Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
Planning and Building Services
From: Mark Lepp, Building Inspector II
Planning and Building Services
Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – January 25, 2017 hearing - File No.: 300-036

B-03/17SC – 389 Grantham Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

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

B-05/17SC – 45 Dorchester Boulevard

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 3.

Condition:
- No Comment

B-06/17SC – 127 Moffat Street

Comment:
- No Comment

Condition:
- No Comment

B-07/17SC – 380 Glendale Avenue

Comment:
- Be advised that a permit is required for the proposed single detached dwelling on Part 2.

Condition:
- The existing shed crossing parts 1 and 2 is to be removed. A building permit for the demolition of the existing shed shall be obtained and completed to the satisfaction of the Chief Building official if the shed area is greater than 10 square metres.

B-08/17SC – 7 Capner Street

Comment:
- Be advised that a permit is required for the proposed duplex dwelling on Part 1.

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the west face of the existing dwelling unit on Part 2.

B-09/17SC – 44 Jacobson Avenue

Comment:
- No Comment

Condition:
- No Comment

B-10/17SC – 168A Martindale Road

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Part 1 and the proposed semi-detached dwelling on Part 2.

Condition:

- No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-036

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Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: January 11, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 44 Jacobson Ave.
File No: 60.84.2094

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

> That the applicant submit a payment of $443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

---

From: Sullivan, Kristen
Sent: Wednesday, January 11, 2017 2:39 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the January 25/17 CofA Hearing

Charlotte and Doug,

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

- 168A Martindale (ld and mv)
- 40 Dorchester (mv)
- 127 Moffatt (ld and mv)
- 380 Glendale (mv)
- 7 Hazel (mv)
- 5A Capner (mv)
- 7 Capner (mv)
- 44 Jacobson (mv)
- 46 Jacobson (mv)
-

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

Memorandum

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

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

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

Date: January 18, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – January 25, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-03/17	389 Grantham Ave.	No Comment
A-05/17	168A Martindale Rd.	No Comment
A-06/17	127 Moffat Street	No Comment
A-07/17	380 Glendale Avenue	No Comment
A-08/17	7 Hazel Street	No Comment
A-09/17	5A Capner Street	No Comment
A-10/17	44 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-11/17	46 Jacobson Ave.	Be advised that the reduced rear yard setback will significantly impact the maximum area of glazed openings permitted on the exterior wall facing the rear yard.
A-12/17	7 Capner Street	No Comment
A-13/17	40 Dorchester Blvd.	No Comment
A-14/17	7 Tulip Tree Common	No Comment

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\03 bcoa memo-mv-Jan25, 2017.docx

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-09/17SC

January 4, 2017 **ENGINEERING FILE 300-36**

Hearing Date: January 25, 2017

Applicant: Harold Parisi

Location: 44 Jacobson Avenue

MUNICIPAL SERVICES

	Jacobson Avenue	**Glen Morris Drive**
Water:	250mm (10")	None
Sanitary Sewer:	250mm (10") 750mm (30") Regional Trunk	None
Storm Sewer:	250mm (10")	
Sidewalks:	No	Yes
Road Allowance Width:	20.12m± (66')	14.5m± (48')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 46 Jacobson Avenue for the purpose of recognizing one-half of a semi-detached dwelling. A remnant parcel of land would be retained (Part 2) for the recognition of the second-half of the semi-detached unit.

Roads

Jacobson Avenue is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along the Applicant frontage is sufficient.

Glen Morris Drive is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Although the right-of-way is deficient along the subject frontage similar to the recent development at 61 Village Road to the west, the City will not require a widening along Part 1 since public lands exist north of Glen Morris Drive over Hydro One property for future potential widening opportunities.

Condition(s): Development Engineering have no conditions to impose with respect to this application.

Prepared By: _____
Brad Johnston, C.E.T.
Development Engineering Technologist

Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: January 5, 2017
Hearing Date: January 25, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's:
A-03/17SC – 389 Grantham Avenue
A-05/17SC – 168A Martindale Road
A-06/17SC – 127 Moffatt Street
A-07/17SC – 380 Glendale Avenue
A-08/17SC – 7 Hazel Street
A-09/17SC – 5A Capner Street
A-10/17SC – 44 Jacobson Avenue
A-11/17SC – 46 Jacobson Avenue
A-12/17SC – 7 Capner Street
A-13/17SC – 40 Dorchester Road
A-14/17SC – 168A Martindale Road

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, although it must be noted that 168A Martindale Road is an existing lot of record abutting plans of condominium and may not form part of the condominium parcels. It may not possess frontage along a public road.

Regards,

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

Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: January 18, 2017

Subject: Committee of Adjustment
Public Hearings – January 25, 2017
File No. 305-17-01

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

A-019/17 – 5A Capner Street

Consideration should be given to widening the driveways to 3.0 metres. While 2.6 metres is the minimum parking stall size, it's more appropriate for a parking lot setting where it's surrounded by other parking stalls. As standalone parking, it can be quite narrow.

A-05/17 – 168A Martindale Road
A-014/17 – 7 Tulip Tree Common

The applicant should make sure that the reduced set back doesn't impede sightlines. Once a driver has cleared the inside of the garage in order to see any pedestrians on a sidewalk or vehicles on the road, the vehicle may have already crossed a sidewalk or entered the road.

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

Steve Bittner
Transportation Technologist
SB/

CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
January 25, 2017
Council Chambers, City Hall - 6:00 p.m.

Agenda

1. Chair to call the Hearing to Order

2. Amendments/Additions to the Agenda

3. Declarations of Interest

4. Request for Withdrawal or Adjournment

5. Adoption of the Minutes held January 11, 2017

6. Application:

RW/S 1. 389 Grantham Avenue, Consent Application, B-03/17SC – 60.84.2088, 389 Grantham Avenue, Minor Variance Application, A-03/17 – 60.81.5172 (Deferred at January 11, 2017 Hearing)

Other 2. 168A Martindale Road, Consent Application, B-10/17SC – 60.84.2093
168A Martindale Road, Minor Variance Application, A-05/17 – 60.81.5174
7 Tulip Tree Common, Minor Variance Application, A-14/17 – 60.81.5183

Other 3. 45 Dorchester, Consent Application, B-05/17SC – 60.84.2090
40 Dorchester Blvd, Minor Variance Application, A-13/17 – 60.81.5182

RW 4. 127 Moffatt Street, Consent Application, B-06/17SC – 60.84.2091
127 Moffatt Street, Minor Variance Application, A-06/17 – 60.81.5175

5. 380 Glendale Avenue, Consent Application, B-07/17SC – 60.84.2092
380 Glendale Avenue, Minor Variance Application, A-07/17 – 60.81.5176
7 Hazel Street, Minor Variance Application, A-08/17 – 60.81.5177

RW/S 6. 7 Capner Street, Consent Application, B-08/17SC – 60.84.2093
5A Capner Street, Minor Variance Application, A-09/17 – 60.81.5178
7 Capner Street, Minor Variance Application, A-12/17 – 60.81.5181

7. 44 Jacobson Avenue, Consent Application, B-09/17SC – 60.84.2094
44 Jacobson Avenue, Minor Variance Application, A-10/17 – 60.81.5179
46 Jacobson Avenue, Minor Variance Application, A-11/17- 60.81.5180

7. New Business:

8. Date of next Hearing: February 15, 2017

9. Adjournment