
2nd Revised Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Change of Conditions, Consent Applications, B-46/15SC (60.84.2008) & B-47/15SC (60.84.2009).

A request has been received by the Owner for a minor amendment to the conditions approved requesting that the following condition be removed from each consent application as the work permit cannot be issued until the parcel is created and a building permit is submitted.

“That final approval of a conservation permit under O/Reg 155/06 for the subject development be received.”

6. Request for Withdrawal or Adjournment

Item No. 9 - 64 Henry Street, Minor Variance Application, A-26/17 – 60.81.5195

A request has been received by the Owner and supported by staff for a deferral to the next Hearing to resubmit the plan which addresses the parking situation.

7. Adoption of the Minutes held February 15, 2017
8. Application:

1. 7 Cherry Street, Minor Variance Application, A-28/17, 60.81.5197

A request has been received by the Owner requesting that the Committee grant the refund of all the consent and minor variance fees paid, under Section 69 (2) of the Planning Act, as a result of the delay of having to go through an additional minor variance application.

2. 31 Almond Street, Consent Application, B-14/17SC – 60.84.2099
31 Almond Street, Minor Variance Application, A-20/17 – 60.81.5189
3. 318A Ontario Street, Consent Application, B-15/17SC – 60.84.2100
4. 9 Chestnut Street, Consent Application, B-16/17SC - 60.84.2101
9 Chestnut Street, Minor Variance Application, A-21/17 – 60.81.5190

5. 157 Beech Street, Minor Variance Application, A-22/17 – 60.81.5191
 6. 4 Stepney Street, Minor Variance Application, A-23/17 – 60.81.5192
 7. 39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193
 8. 23 Bloomfield Avenue, Minor Variance Application, A-25/17 – 60.81.5194
 10. 12 Leeson Street, Minor Variance Application, A-27/17 – 60.81.5196
-
7. New Business:
 8. Date of next Hearing: Wednesday, March 29, 2017 @ 5:00 p.m.
 9. Adjournment

7 Cherry Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): A-28/17

File: 60.81.5197

Subject: 7 Cherry Street

Recommendation

That Submission **A-28/17** by DTFSL Equity Corp as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-28/17** 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 variance be approved.

Proposed Development

Application **A-28/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum front yard setback to the garage for Unit 1 from 6 metres to 4.954 metres.
2. A reduction of the minimum front yard setback to the garage for Unit 2 from 6 metres to 4.400 metres
3. A reduction of the minimum front yard setback to the garage for Unit 3 from 6 metres to 4.430 metres
4. A reduction of the minimum no. of parking spaces for an interior accessory unit from 1 to 0 spaces (Unit 1).
5. A reduction of the minimum no. of parking spaces for an interior accessory unit from 1 to 0 spaces (Unit 2.).
6. A reduction of the minimum no. of parking spaces for an interior accessory unit from 1 to 0 spaces (Unit 3).

The variances requested are for the proposed 3-unit townhouse with an interior accessory dwelling unit in each townhouse unit and are as a result of a road widening

condition from approved consent application **B-62/16SC**. Minor Variance Application **A-115/16** has been approved.

Location and Site Description

The subject property is located on the south side of Cherry Street, west of Trafalgar Street. The property is surrounded by parking lots to the north, and detached dwellings to the east, west and south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood 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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Background

On Wednesday November 17, 2016, the Committee of Adjustment approved application **B-62/16SC** and **A-115/16** for 7 Cherry Street. The applications were for a boundary adjustment with 26 Yates, and minor variances to the lot area and driveway widths for a proposed townhouse units. As a condition of the boundary adjustment, a road widening of 2.36 metres must be conveyed to the city. As a result, the proposed townhouse development does not meet the zoning provisions for front yard setback and required parking.

Variance Application A-28/17

Variances 1, 2, and 3 of Application **A-28/17** are requesting a reduction of front yard setback to the garage for each of the proposed townhouse units. The proposed setbacks of 4.954m for Unit 1, 4.710m for Unit 2, and 4.430m for Unit 3 are requested as a result of the road widening required by the City. Staff is satisfied that the reduction in front yard setback to the garage is minor in nature and that the proposal will not negatively impact the streetscape, as the location of the proposed building has not physically moved closer to Cherry Street. The intent of the setback is, in part, to allow a vehicle to park in front of the garage. The wide boulevard at this location makes up for the reduced setback. The


distance between the front lot line and the existing sidewalk is approximately 2.4 metres. Combined with the front yard setback, there is adequate space for a vehicle to be parked without impeding the sidewalk. Staff is satisfied that the intent of the Official Plan and Zoning By-law are being maintained.

Variances 4, 5 and 6 of application **A-28/17** each request a reduction of the minimum number of parking spaces for an interior accessory unit from 1 to 0 spaces for Unit 1, Unit 2 and Unit 3. These variances are requested to facilitate the construction of an interior accessory dwelling unit in each of the proposed townhouse units. The required parking for the primary dwelling units is provided in the proposed garages shown on the submitted sketch. However, the reduced front yard setback does not provide enough space on the property for the additional required parking spaces to meet the minimum 5.2m length. As noted previously, the driveway will still provide enough space to park a vehicle between the front of each unit and the sidewalk along Cherry Street despite the fact that the space is not officially recognized. Additionally, the subject property is located in close proximity the downtown, with transit and amenities within walking distance. The proposed reduction is not anticipated to have any adverse impacts on the surrounding area. Staff is supportive of the requested reduction in required parking for each of the three units.

Conclusion


Staff is of the opinion that the variance requested by application **A-28/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine

Cogeco has no issue or concerns with this adjustment application

Have a wonderful day

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

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

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

From: Vasko, Dennis
Sent: Wednesday, February 22, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi Elaine,

There are no issues with closed landfills in respect to these properties.

Dennis

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

From: Munro, Elaine
Sent: Tuesday, February 21, 2017 4:25 PM
To: Vasko, Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi :

Attached please find the Notices of Hearing for the March 8, 2017 Committee of Adjustment Hearing.

1. 7 Cherry Street, Minor Variance Application, A-28/17, 60.81.5197
2. 31 Almond Street, Consent Application, B-14/17SC – 60.84.2099
31 Almond Street, Minor Variance Application, A-20/17 – 60.81.5189
3. 9 Chestnut Street, Consent Application, B-16/17SC - 60.84.2101
9 Chestnut Street, Minor Variance Application, A-21/17 – 60.81.5190
4. 39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193 ****To be circulated on Thursday****

Thanks,
Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

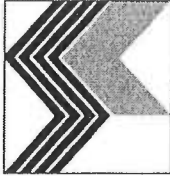
From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

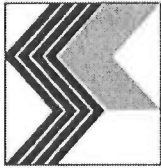
A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in cursive script, appearing to read 'S. Mills'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

31 Almond Street

Departmental &
Agency Comments

Munro, Elaine

Subject: RE: Proposal for the severance of land and building of a dwelling at 29 Almond Street

From: Ron Brydges [mailto:]

Sent: Wednesday, March 08, 2017 2:29 PM

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

Subject: Re: Proposal for the severance of land and building of a dwelling at 29 Almond Street

March 8, 2017, 2:30 p.m.

To the Committee of Adjustment,
City of St. Catharines

Re: Proposal for the severance of land and building of a dwelling at 29 Almond Street

Dear Sir or Madam:

Please consider this as a written submission to the March 8 Committee of Adjustment Hearing on the proposal for building a dwelling at 29 Almond Street. I am hoping to attend the planned meeting but I wish to ensure that my feelings, in clarity and fullness, are registered with the committee.

The information notice received from the city on this project does not include a certified sketch or drawing other than a foot plan, of the planned construction on this site. I am more than hesitant to give my approval without a clear understanding of what it will look like when completed.

We do know that it is to be a very narrow two stories, possibly raised, dwelling of a height which will be significantly higher than the immediate neighbouring houses. This is a concern that can only be addressed with an elevation drawing of the proposal with an outline of the neighbouring houses for reference.

Frankly, I fail to understand how the Adjustment committee could approve this construction with assurances that it is compliant with the character of the neighbourhood without their seeing a certified drawing of what it is to look like. It is my thought that the city should have this visual information before approving any infill project into established neighbourhoods.

I am supportive of city infilling and intensification but feel it must be compliant with the sensitivities of the character and esthetics of our neighbourhoods.

Regards,

Ron Brydges
23 Almond Street,
St. Catharines

c.c. Jennie Stevens, Councilor Merriton Ward

Munro, Elaine

From: Patricia Grant <[REDACTED]>
Sent: Sunday, March 05, 2017 6:40 PM
To: Munro, Elaine
Subject: Committee of Adjustment re 31 Almond St.

Due to poor health my husband and I are unable to attend the hearing of the Committee of Adjustment on March 8, 2017 and submit this comment as specified in the notice of hearing received by mail.

Having been resident homeowners at 24 Almond St. for fifteen years my husband and I have an interest in the application to create a new lot (29 Almond St.) and erect "a two-storey dwelling with an accessory dwelling unit". The view from our front porch all these years, has been a classic Ontario farmhouse with a large, beautiful garden, not only flowers, but a huge variety of vegetables as well. We don't expect to see the garden restored but would like to suggest some features which might be considered.

In the Notice of Hearing we received details are scarce but one thing stands out; The height of the proposed dwelling will be nearly twice that of the house at 31, and considerably more than that relative to the house at 27. I would guess that the proposed house will be the tallest on the north side of Almond St. The traditional streetscape will be altered negatively and some of the charm of the street will be gone. We have lost several mature trees in recent years due to time and disease. This of course was beyond control but we can affect the design of our houses to make them an asset to the neighbourhood.

We urge the Committee to delay a decision on this application until more details have been supplied to the community.

Gerald W. Grant
Patricia Grant

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CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): B-14/17SC
A-20/17

File: 60.84.2099
60.81.5189

Subject: 31 Almond Street

Recommendation

That Submission **B-14/17SC** by Braeden Ledwez & Melissa Ledwez, 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 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.
- 3) That they owner pay to the City the fee for City crews to inspect and trace the existing water and sewer laterals to the existing home and ensure they do not cross future potential lot lines, in accordance with the City's current Schedule of Rates & Fees
- 4) That the owner construct the new driveway and pay all associated fees to the City in order to obtain access to Almond Street prior to final consent.

That Submission **A-20/17** by Braeden Ledwez & Melissa Ledwez, 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-14/17SC** 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-20/17** 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.

Proposed Development

Application **B-14/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 396.6m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 29 Almond Street for the purpose of constructing a two-storey dwelling with an accessory dwelling unit. There is a concurrent minor variance application A-20/17.

Application **A-20/17** is made pertaining to the City of St. Catharines By-law 2013-283 for an increase of the accessory structure coverage from 10% of total lot area to 17.4% on Part 2. The variance is requested to facilitate the concurrent consent application **B-14/17SC** and to recognize the size of the existing detached garage.

Location and Site Description

The subject property is located on the north side of Almond Street, west of Bessey Street. The subject property is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the 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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Consent Application B-14/17SC

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

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighbourhoods. Section 16.11.c) states that requests to sever individual parcels of land will only be given where the size and shape of the parcel is appropriate for the use proposed and in the terms of optimum development of the surrounding area.

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 larger lots in the vicinity with an area of 809.3m². 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. Staff notes that, should the consent be approved, 31 Almond will lack a parking space as required by the Zoning By-law. The existing garage at the rear of the property is currently accessed from the west side, over the rear of the proposed new lot (Part 1). The proposed severance would block this access to the garage, and there would be no vehicular access from Chestnut Lane to Part 2. As a condition of the severance, the owner must construct a new driveway for access to Part 2 off of Almond Street.

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, and that the consent meets the intent of the Official Plan.

Variance Application A-20/17

Application **A-20/17** requests an increase in accessory structure coverage from 10% to 17%. The current accessory structure is a detached garage that backs onto Chestnut Lane. The accessory structure is not visible from Almond Street and the modest increase in coverage will have no effect on the streetscape. The distance from the rear of the existing dwelling on Part 2 to the existing garage is 10.72 metres. This provides sufficient rear yard with adequate amenity space that is not compromised by the additional accessory coverage. The garage is an existing structure and staff are satisfied the accessory structure coverage will not have adverse impacts on the surrounding area.

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.

Prepared by:



Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



February 27, 2017

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

Attention: Elaine Munro

File# 60.84.2099 & 60.81.5189

Re: 31 Almond St

In response to your correspondence(s) dated February 21, 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

- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

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

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine
Cogeco has no issue or concerns with this adjustment application
Have a wonderful day
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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Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

From: Vasko, Dennis
Sent: Wednesday, February 22, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi Elaine,

There are no issues with closed landfills in respect to these properties.

Dennis

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

From: Munro, Elaine
Sent: Tuesday, February 21, 2017 4:25 PM
To: Vasko, Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi :

Attached please find the Notices of Hearing for the March 8, 2017 Committee of Adjustment Hearing.

1. 7 Cherry Street, Minor Variance Application, A-28/17, 60.81.5197
2. 31 Almond Street, Consent Application, B-14/17SC – 60.84.2099
31 Almond Street, Minor Variance Application, A-20/17 – 60.81.5189
3. 9 Chestnut Street, Consent Application, B-16/17SC - 60.84.2101
9 Chestnut Street, Minor Variance Application, A-21/17 – 60.81.5190
4. 39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193 ****To be circulated on Thursday****

Thanks,
Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – March 8, 2017 hearing - File No.: 300-036

B-14/17SC – 31 Almond Street

Comment:

- Be advised that a permit is required for the proposed 2 storey single detached 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 1.

B-15/17SC – 318A Ontario Street

Comment:

- No Comment

Condition:

- No Comment

B-16/17SC – 9 chestnut Street

Comment:

- No Comment

Condition:

- No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\08 bcoa memo-sev-Mar 8, 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

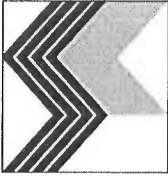
From: Mark Lepp, Building Inspector II
Planning and Building Services

Date: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II



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: February 24, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 31 Almond St.
File No: 60.84.2099

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 March 8/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 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 March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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-14/17SC



February 24, 2017

ENGINEERING FILE 300-36

Hearing Date: March 8, 2017

Applicant: Braeden Ledwez & Melissa Ledwez

Location: 31 Almond Street

MUNICIPAL SERVICES

	Almond Street	Chestnut Lane
Water:	150mm (6") PVC	N/A
Sanitary Sewer:	250mm	250mm
Storm Sewer:	450mm	N/A
Sidewalks:	Yes (Curb Faced)	No
Road Allowance Width:	20.12m (66')	5m +/-

**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 29 Almond Street for a proposed single detached dwelling. A remnant parcel of land would be retained (Part 2) for existing dwelling.

Roads

Almond Street is designated as a Local roads as per the City's Official Plan with desired rights-of-way widths of 20.12m (66'). The current width along the Applicant frontages are sufficient, therefore the City shall not pursue any road widenings via this application. Chestnut Lane

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 exist on Almond Street and Chestnut Lane, a storm lateral will be required to be provided to the new lot and the sump pump flows shall be discharged into the storm lateral as per the City's Standards. At the time of building permit application, the owner will be responsible to pay any costs associate with servicing the lot.

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 Owner shall also pay the fees to the City to provide water and service laterals to the new lot at the building permit stage, to accommodate a new or relocated dwelling on the proposed parcel. The fees shall be in accordance with the City's current Schedule of Rates and Fees.

A new driveway is proposed along the frontage of Almond Street for the existing dwelling. The sidewalk will need to be lowered to facilitate the new entrance. The owner must pay any associated costs to lower the sidewalk and construct the new driveway before the completion of the severance.

Condition(s):

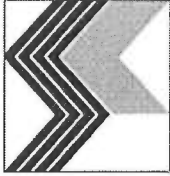
Prior to the severance finalization the Owner shall;

- Pay to the City the fee for City crews to inspect and trace the existing water and sewer laterals to the existing home and ensure they do not cross future potential lot lines, in accordance with the City's current Schedule of Rates & Fees
- Construct the new driveway and pay all associated fees to the City in order to obtain access to the municipal road prior to final consent.

Prepared By: _____



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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

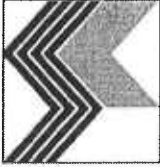
A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in cursive script, appearing to read 'S Mills', is positioned above the printed name.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

318A Ontario Street

Departmental &
Agency Comments

Munro, Elaine

Subject:

RE: 9310924 Canada Inc. application File No. 60.84.2099

From: Slava [mailto:]

Sent: Tuesday, March 07, 2017 7:25 PM

To: Munro, Elaine <emunro@stcatharines.ca>; Sergei Mihhailenko <[REDACTED]>

Subject: 9310924 Canada Inc. application File No. 60.84.2099

Hello Elaine,

I am writing about the application for consent being heard by the Committee of Adjustment for the City of St. Catharines Wednesday March 08, 2017 at 5:00 p.m. and would like to present evidence in opposition to the application as follows:

1. the road allowance between lots 20 and 21, concession 4, township of Grantham was previously closed by by-law dated May 14. The general intent and purpose of the current by-law will not be maintained if the use of the lot is changed to a throughway.
2. will have a detrimental effect on Chicory Crescent which is designed to prohibit traffic flow. Chicory Crescent can only be accessed from Ventura Drive and Ventura Drive can only be accessed from Haig Street.
3. will adversely impact the community of Chicory Crescent and Ventura Drive which has many young children
4. erodes the local aesthetics of the specially designed crescent which has an integrated theme for the neighbourhood homes and street scape
5. will reduce property value and marketability of residential area due to increased noise and traffic. The applicant seeks to maximize the property value of 318A Ontario Street without regard for the lowered property value of the neighbourhood.
6. use of the land will not be similar to adjacent properties which is incompatible with the current adjacent land use
7. the street is very narrow and has parked cars which currently blocks vehicles passing through. Adding more vehicles will cause congestion in the community.

Generally, I am against the change of property use because I moved onto this crescent specifically because of the lack of traffic and noise, to not live on a through street and not be connected to commercial activities. Changing the use will lower my property value and destroy my personal enjoyment of this wonderful community.

Thank you for your help with this matter,

Slava Shemet P.Eng
Structural Engineer
38 Chicory Crescent,
St Catharines ON L2R 0A5

Munro, Elaine

Subject:

RE: 9310924 Canada Inc. application File No. 60.84.2099

From: Sergei Mihhailenko [mailto:

Sent: Tuesday, March 07, 2017 7:37 PM

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

Subject: 9310924 Canada Inc. application File No. 60.84.2099

Hi, Elaine,

I am contacting you about the application for consent being heard by the Committee of Adjustment for the City of St. Catharines Wednesday March 08, 2017 at 5:00 p.m. and would like to present evidence in opposition to the application as follows:

1. the road allowance between lots 20 and 21, concession 4, township of Grantham was previously closed by by-law dated May 14. The general intent and purpose of the current by-law will not be maintained if the use of the lot is changed to a throughway.
2. will have a detrimental effect on Chicory Crescent which is designed to prohibit traffic flow. Chicory Crescent can only be accessed from Ventura Drive and Ventura Drive can only be accessed from Haig Street.
3. will adversely impact the community of Chicory Crescent and Ventura Drive which has many young children
4. erodes the local aesthetics of the specially designed crescent which has an integrated theme for the neighbourhood homes and street scape
5. will reduce property value and marketability of residential area due to increased noise and traffic. The applicant seeks to maximize the property value of 318A Ontario Street without regard for the lowered property value of the neighbourhood.
6. use of the land will not be similar to adjacent properties which is incompatible with the current adjacent land use
7. the street is very narrow and has parked cars which currently blocks vehicles passing through. Adding more vehicles will cause congestion in the community and destroy public safety..

In other words, I am completely against the change of property use because I moved onto this crescent specifically because of the lack of traffic and its noise, to not live on a through street and not be connected to commercial activities. Changing the use will lower my property value and destroy my personal enjoyment of this wonderful community.

Please keep me posted on this matter as per Legal Regulations.

--

Yours truly

Sergei Mihhailenko, P.Eng., C.Eng.
24 Chicory Crescent
St. Catharines, ON, L2R 0A5

**"Being the richest man in the cemetery doesn't matter to me ...
Going to bed at night saying we've done something wonderful...
that's what matters to me."**

Steve Jobs On the success of Bill Gates and Microsoft,
as quoted in *The Wall Street Journal* (Summer 1993)

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February 28, 2017

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

RE: File No. 60.84.2099
Submission No. B-15/17SC
Roll No. 2629040038073000000

Dear Ms. Munro;

As owners of 17 Chicory Crescent, we are writing you in regards to our concern with the "green space" that is located next to 64 Chicory Crescent currently owned by FreshCo. From our understanding, there is a 3 foot reserve on the lands facing Chicory which prohibits access to the site. To be clear, we do not have a concern with FreshCo. how it currently is with the access closed prohibiting vehicle and pedestrian access. However, we are greatly concerned with the reserve being lifted in the future allowing access onto Chicory. We want that land to remain untouched with no access or development.

One of the reasons we purchased and developed our home on Chicory Crescent 7 years ago was the appeal of low traffic of any kind, including vehicle and pedestrian, creating a safe and quiet crescent to raise our family.

We feel if FreshCo, or any business, obtains this land for future development or access into their business it will negatively affect the investment we have made into our house and property.

Due to a prior engagement, we are unable to attend the hearing on March 8, 2017. We ask you accept this letter as our opposition to any changes, development or access on the land in question.

Thank you,

William & Lisa Thompson
17 Chicory Cres.



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): B-15/17SC

File: 60.84.2099

Subject: 318A Ontario Street

Recommendation

That Submission **B-15/17SC** by 9310924 Canada Inc as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-15/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

Staff recommends that the requested consent be approved, as outlined in the recommendation.

Proposed Development

Application **B-15/17SC** is made for consent to a long term lease (greater than 21 years) of 4,001m² of land (Part 1 on the submitted sketch) for an existing commercial building (Freshco). The 11,046m² retained parcel (Part 2) contains parking and access.

Location and Site Description

The subject property is located on the east side of Ontario Street south of Scott Street. The property is surrounded by single detached dwellings to the east and commercial uses to the south, west and north.

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

as per Schedule E4 of the GCP. The Arterial Commercial designation permits uses including retail and service commercial uses, excluding large scale retail food stores and adult oriented uses. Other uses permitted include institutional, office, civic, cultural, and indoor recreation uses.

Zoning By-law (2016-283)

The subject land is also designated Arterial Commercial (C3). The C3 zone permits a variety of commercial uses including animal care establishments, car washes, commercial parking structure, cultural facilities, day care, emergency service facility, hotel/motel, motor vehicle gas station, motor vehicle repair garage, and motor vehicle sales/rental service.

The northeastern portion of 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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Consent Application B-15/17SC

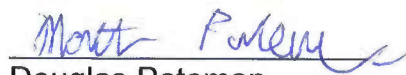
Application **B-15/17SC** requests a consent for a long term lease (greater than 21 years) for the continued use of the existing commercial buildings. The consent is requested because a new lease agreement is required between the landlord and the existing tenant (Sobeys Capital Incorporated). Any lease term greater than 21 years requires the approval of the Committee of Adjustment.

The lease does not apply to any area beyond the walls of the existing commercial building. Approval of the lease will permit the continued operation of the current grocery store use. Staff considers the lands suitable for the existing use. No adverse impacts on the surrounding area are anticipated as a result of the requested consent.

Conclusion

Staff is satisfied that the consent requested through application **B-15/17SC** 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. It is staff's recommendation that the requested consent be approved.

Prepared by:



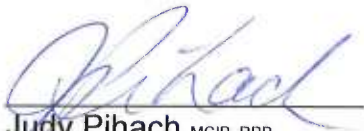
Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine
Cogeco has no issue or concerns with this adjustment application
Have a wonderful day
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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Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – March 8, 2017 hearing - File No.: 300-036

B-14/17SC – 31 Almond Street

Comment:

- Be advised that a permit is required for the proposed 2 storey single detached 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 1.

B-15/17SC – 318A Ontario Street

Comment:

- No Comment

Condition:

- No Comment

B-16/17SC – 9 chestnut Street

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive, flowing style. The first name "Mark" is written with a large, looped 'M', and the last name "Lepp" is written with a large, looped 'L'.

Mark Lepp, Building Inspector II

Cc: Files, 300-036

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Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 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 March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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-15/17SC



February 24, 2017

ENGINEERING FILE 300-36

Hearing Date: March 8, 2017
Applicant: 9310924 Canada Inc.
Location: 318A Ontario Street

MUNICIPAL SERVICES

** Note there is no direct access to municipal services without easement through adjacent properties and services on Chicory Crescent were no designed to include this property.

Ontario Street

Water:	200mm C.I. & 300mm C.I.
Sanitary Sewer:	200mm A.C. & 1650mm Conc. (Region)
Storm Sewer:	525mm Conc.
Sidewalks:	Yes
Road Allowance Width:	N/A

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

Comment(s): It is noted that the Applicant proposes to establish a land lease over Part 1.

Roads

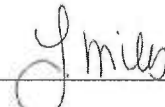
The property does not have frontage along Ontario Street. The property does face Chicory Crescent however there is a 0.3m reserve across the entire frontage to limit access to the property from this street.

Engineering Services

Since the application is for a long term lease there is no impact on the servicing for this property.

Condition(s): None.

Prepared By: _____


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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

9 Chestnut Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): B-16/17SC
A-21/17

File: 60.84.2101
60.81.5190

Subject: 9 Chestnut Street

Recommendation

That Submission **B-16/17SC** by Mancini Developments Inc. Silvergate Developments Inc, as outlined in the Notice of Hearing, be approved under the following condition:

- 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.

That Submission **A-21/17** by Mancini Developments Inc. Silvergate Developments Inc. as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-16/17SC** 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-21/17** 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, as outlined in the recommendation.

Proposed Development

Application **B-16/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 297.34m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 7 Chestnut Street. A 174.83m² remnant parcel of land (Part 2) would be retained for residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There is a concurrent minor variance application **A-21/17**.

Application **A-21/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum lot area per dwelling unit for Part 2 from 280m² to 174m². The variance is requested to facilitate concurrent consent application **B-16/17SC** to sever the semi-detached dwelling.

Location and Site Description

The subject property is located on the north side of Chestnut Street, west of Merritt Street. The subject property is surrounded by detached houses to the south and the east, townhouses to the north and park space 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 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, 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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Consent Application B-16/17SC

Application **B-16/17SC** is requested to allow each unit of the currently proposed semi-detached dwelling to be owned and sold separately.

There is no added impact 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 proposed lots have significantly different lot areas. This is due to the location of the existing semi-detached dwelling, which was constructed towards the easterly portion of the property to avoid an existing easement. Staff recognize that the easement constrained the development and that this severance is appropriate for the development of the property given the circumstances. The intent of the Official Plan is being upheld and no adverse impacts are anticipated as a result of the severance. Staff is supportive of the proposed consent.

Variance Application A-21/17

Variance **A-21/17** requested would allow for a reduction in minimum lot area from 380m² to 178.0m². The semi-detached dwelling was constructed to the east side of the subject lands in order to avoid an existing easement. As a result, the proposed easterly lot at has significantly lower lot area than the westerly lot. The area surrounding the subject property features a range of lot sizes, many of which are well below the minimum lot area per dwelling unit permitted in the R2 zone. In the immediate area, lots range in size from 108m² to 1508m². Staff is of the opinion that the proposal will result in a lot size that is compatible with the prevailing character of the neighbourhood. No adverse impacts are anticipated as a result of the variance.

Conclusion

Staff is satisfied that the consent requested through application **B-16/17SC**, is desirable and compatible with the surrounding area and in keeping with the policies of the Official Plan. Additionally, Staff is of the opinion that the variance requested by application **A-21/17**, 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 consent and variance be approved, subject to the condition 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



February 27, 2017

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

Attention: Elaine Munro

File# 60.84.2101 & 60.81.5190

Re: 9 Chestnut St

In response to your correspondence(s) dated February 21, 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

- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott Beaudrie".

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine

Cogeco has no issue or concerns with this adjustment application

Have a wonderful day

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

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

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

From: Vasko, Dennis
Sent: Wednesday, February 22, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi Elaine,

There are no issues with closed landfills in respect to these properties.

Dennis

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

From: Munro, Elaine
Sent: Tuesday, February 21, 2017 4:25 PM
To: Vasko, Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi :

Attached please find the Notices of Hearing for the March 8, 2017 Committee of Adjustment Hearing.

1. 7 Cherry Street, Minor Variance Application, A-28/17, 60.81.5197
2. 31 Almond Street, Consent Application, B-14/17SC – 60.84.2099
31 Almond Street, Minor Variance Application, A-20/17 – 60.81.5189
3. 9 Chestnut Street, Consent Application, B-16/17SC - 60.84.2101
9 Chestnut Street, Minor Variance Application, A-21/17 – 60.81.5190
4. 39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193 ****To be circulated on Thursday****

Thanks,
Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – March 8, 2017 hearing - File No.: 300-036

B-14/17SC – 31 Almond Street

Comment:

- Be advised that a permit is required for the proposed 2 storey single detached 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 1.

B-15/17SC – 318A Ontario Street

Comment:

- No Comment

Condition:

- No Comment

B-16/17SC – 9 chestnut Street

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in cursive script, reading "Mark Lepp". The signature is written in dark ink and is positioned above a horizontal line.

Mark Lepp, Building Inspector II

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\08 bcoa memo-sev-Mar 8, 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

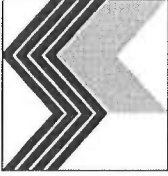
From: Mark Lepp, Building Inspector II
Planning and Building Services

Date: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II



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: February 24, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 9 Chestnut St.
File No: 60.84.2101

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 March 8/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 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 March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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-16/17SC



February 24, 2017

ENGINEERING FILE 300-36

Hearing Date: March 8, 2017

Applicant: Mancini Developments Inc. Silverline Developments Inc.

Location: 9 Chestnut Street

MUNICIPAL SERVICES

Chestnut Street

Water:	150mm PVC
Sanitary Sewer:	750mm
Storm Sewer:	375mm PVC
Sidewalks:	Yes (Curbfaced)
Road Allowance Width:	20.12m (66')

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

Comment(s): It is noted that the Applicant proposes to sever the existing semi to sell each unit separately.

Roads

Chestnut Street is designated Local roads as per the City's Official Plan with desired rights-of-way width of 20.12m (66'). The current width along the Applicant frontages are sufficient, therefore the City shall not pursue any road widenings via this application.

Engineering Services

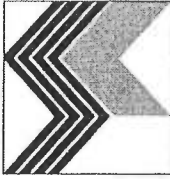
There is an existing easement for a sanitary sewer through part 1. Services were installed with the construction of the new dwellings.

Condition(s): None

Prepared By: _____

A handwritten signature in cursive script, appearing to read 'S Mills'.

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017

Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in dark ink, appearing to read 'S. Mills'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

157 Beech Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): A-22/17

File: 60.81.8191

Subject: 157 Beech Street

Recommendation

That Submission **A-22/17** by Claire Anne Davis as outlined in the Notice of Hearing, be approved subject to the condition that the height not exceed one storey (to a maximum of 3.5 metres) within 1.2m of the property line.

Summary

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-22/17** 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 variance be approved, subject to the condition outlined in the recommendation.

Proposed Development

Application **A-22/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the easterly interior side yard setback from 1.2 metres to 0.66 metres (26 inches). The variance is requested to recognize the existing addition to a detached dwelling that was constructed.

Location and Site Description

The subject property is located on the north side of Beech Street, east of Henry Street. The subject property is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the 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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Variance Application A-22/17

Variance Application **A-22/17** requests a reduction in the minimum setback from the interior side yard from 1.2 metres to 0.66 metres. The reduction is required to recognize the location of an existing addition that was constructed without a building permit. In order to obtain a permit the addition must first comply with the Zoning By-law. The reduction is considered minor in nature. The addition is considered compatible since it was constructed in line with the interior side yard setback of the original dwelling, and it has no significant impact on the streetscape or neighbouring properties. No adverse impacts are anticipated provided that the addition be limited to its current height of one storey (up to a maximum height of 3.5 metres).

Conclusion


Staff is of the opinion that the variance requested by application **A-22/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved, subject to the condition 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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine
Cogeco has no issue or concerns with this adjustment application
Have a wonderful day
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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Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 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 March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

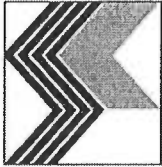
A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in cursive script, appearing to read 'S. Mills'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

4 Stepney Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): A-23/17

File: 60.81.5192

Subject: 4 Stepney Street

Recommendation

That Submission **A-23/17** by Tyler Sanders & Michelle Sanders as outlined in the Notice of Hearing, be approved, subject to the following condition:

- 1) That the building height within 1.2 metres of the northerly lot line not exceed two storeys, to a maximum height of 8 metres.
- 2) That the sketch submitted with the application be included in the decision of the committee.

Summary

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-23/17**, as amended, is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **A-23/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the easterly interior side yard setback from 1.2 metres to 0.94 metres. The variance is requested for the proposed construction of a 2-storey addition on an existing foundation.

Location and Site Description

The subject property is located on the south side of Stepney Street, east of Bromley Drive. The house is surrounded by detached dwellings to the north and west, a semi-detached dwelling to the east and vacant land to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The 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 E9 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 (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, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Variance Application A-23/17

Application **A-23/17** requests a reduction of the minimum interior side yard setback for the purpose of constructing an addition. The 0.26 metre reduction is considered minor in nature. Provided that the proposed addition is limited to two storeys to a maximum height of 8 metres, as proposed, the variance is appropriate for the desirable use of the land, and upholds the intention of the GCP and Zoning by-law. No adverse impacts are anticipated as a result of the variance. The variance is recommended for the proposed addition only, as outlined in the sketch submitted with this application. The sketch is recommended for inclusion in the decision by the Committee, should the application be approved.

Conclusion

Staff is of the opinion that the variance requested by application **A-23/17**, 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 variance be approved subject to the condition 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



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

March 01, 2017

Our File No.: PLMV201700192

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-23/17)
4 Stepney Street, St. Catharines

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

The subject application is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the easterly interior side yard setback from 1.2 metres to 0.94 metres.

The variance is requested for the proposed construction of a 2 storey addition on an existing foundation.

Niagara Peninsula Conservation Authority Regulations:

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

Niagara Region Core Natural Heritage Comments:

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

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for Significant Woodland adjacent to (within 50 metres) the subject property. In accordance with Policy 7.B.1.11, development may be permitted within an ECA or adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact to the Core Natural Heritage system or adjacent lands. The subject application has been made for a reduction of the minimum interior side yard setback to facilitate a proposed addition on an existing foundation. NPCA staff are satisfied that the addition

is shown to be located no closer to the identified features than existing development on site. As such, the NPCA is satisfied that the subject variance will have no significant negative impact on the ECA feature.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made to permit a reduction of the minimum interior side yard setback from 1.2 metres to 0.94 metres.

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

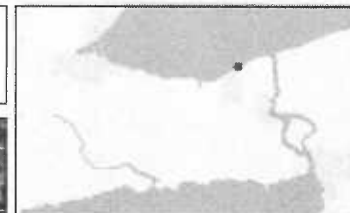
Yours truly,

A handwritten signature in cursive script that reads "Taya Devlin".

Taya Devlin,
Watershed Planner
(905) 788-3135, ext. 262

cc: Craig Rohe, Development Planner, Niagara Region
Connie Mancuso, Program Assistant, Niagara Region

4 Stepney Street, St. Catharines



Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- NPCA APPROXIMATE REGU
- 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

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

1: 1,000



Notes

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine
Cogeco has no issue or concerns with this adjustment application
Have a wonderful day
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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Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

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

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

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Privacy Policy and Anti-spam Commitment

- Contact us

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

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

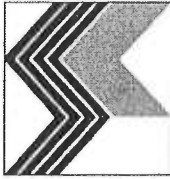
From: Sullivan, Kristen
Sent: Friday, February 24, 2017 12:47 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in dark ink, appearing to read 'S. Mills'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

39 Yates Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 7, 2017(*revised*) **Date of Meeting:** March 8 2017

Submission(s): A-24/17

File: 60.81.5193

Subject: 39 Yates Street

Recommendation REVISED

That Submission **A-24/17** by Carrie Cullen as outlined in the Notice of Hearing, be approved, subject to the following conditions:

That plans be submitted, reviewed and approved by the City, as part of the building permit application, including but not limited to the following:

- 1 Adequate access from the proposed garage to the street, including grading, drainage, and adequate sight lines
- 2 Removal of the sidewalk along Salina Street (this is not a sidewalk constructed by the City) and reinstatement of sod
- 3 Replacement of any boulevard trees
- 4 The angle of the driveway with the street to ensure safe access, egress and sightlines.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is satisfied that the variance requested through application **A-24/17** is minor in nature, desirable for the appropriate use of the land and is in keeping with the intent and purpose of the Official Plan and Zoning By-law, subject to the recommended conditions.

Staff recommends that the requested variance be approved, subject to conditions.

Proposed Development

Application A-24/17 is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

- 1) A reduction of the minimum exterior side yard setback to the dwelling from 3 metres to 0.3 metres
(please note there was an error in the original notice which indicated a reduction to 0.33 metres)

- 2) A reduction of the minimum exterior side yard setback to the garage from 6 metres to 0.3 metres.
(Similarly, there was an error in the original notice which indicated a reduction to 0.33 metres)

Staff do not believe any further notice is required since the revision is negligible.

The variances are requested for a 2-storey addition to the existing dwelling with a 2-car garage being proposed for the basement level and an addition of a master bedroom above the garage, which would be the first storey of the existing dwelling.

Location and Site Description

The subject property is located on west side of Yates Street, south of Salina Street. The property is surrounded by detached dwellings in all directions. The property is located within the Yates Street Heritage District.

Circulation of Application

The application was circulated to all appropriate departments and agencies. No objections were received although a number of concerns were raised regarding access, sight lines, location of the sidewalk within the City boulevard and grading and drainage relating to the location of the proposed driveway servicing the proposed garage.

Planning Analysis

Official Plan (Garden City Plan)

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

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. The existing dwelling, including the existing accessory dwelling unit, is permitted by the zoning by-law.

Variance Application A-24/17

Application **A-24/17** requests a reduction of the minimum exterior side yard setback from 4 metres to 0.3 metres to the dwelling and from 6 metres to 0.3 metres to the garage. The requested setback reductions are required for the construction of an attached garage at basement level and an addition to the first storey (above the proposed garage).

The zoning requirement of 4 metres for an exterior side yard is intended to ensure adequate sight lines are maintained. The subject property has challenges relating to the topography of the site and the provision of adequate sightlines from the proposed driveway, the grading and drainage of the site, the location of the sidewalk on the City boulevard (which was not installed by the City), the impact on boulevard trees of a new driveway and similar design details that may compromise the ultimate safety of the driveway access to Salina Street. Upon a closer inspection of the site and the slope of Salina Street, staff are able to support the variance subject to a number of conditions, as outlined in the recommendation to the Committee. Staff is recommending approval providing plans are submitted, with the future building permit application, for review and approval by the City, that address the removal of the sidewalk within the City boulevard and reinstatement of sod, adequate grading and drainage, adequate sight lines from the driveway, boulevard tree replacement and similar site design details.

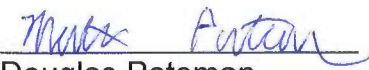
The owner should be aware that, depending on the design of the driveway, there may be the requirement of an encroachment agreement should retaining walls or similar structures be necessary in the Salina Street road allowance. Also the owner should be aware the maximum width of a driveway is 7.5 metres and the new garage should be designed accordingly to meet that provision of the zoning by-law.

Section Part C, Section 4.5 of the Garden City Plan provides guidance on the City's evaluation of built form. Section 4.5.2 states that development/redevelopment will locate parking to minimize the impact on the surrounding area by ensuring safety for vehicular and pedestrian travel. Salina Street dead ends and provides no through access at this location and accordingly there is minimal vehicular traffic. Pedestrian travel is prominent since Salina Street accesses the Merritt Trail at this point. The existing sidewalk does not promote pedestrian access and safety since it was constructed by a previous owner to provide access to the rear yard of this property. It does not provide a continuous link through to the Merritt Trail. It is also encumbered by a cedar hedge which is planted too close to the sidewalk to invite pedestrian usage. The sidewalk does not adequately service pedestrians and should be removed, should this application be approved. The absence of a sidewalk in the City boulevard at this section of Salina is not an issue since there is very limited vehicular traffic.


Conclusion

Staff is of the opinion that the variance requested by application **A-24/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved, subject to conditions as 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



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

March 03, 2017

Our File No.: PLMV201700203

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-24/17)
39 Yates Street, St. Catharines

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

The subject application is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum exterior side yard setback to the dwelling from 3 metres to 0.33 metres.
2. A reduction of the minimum exterior side yard setback to the garage from 6 metres to 0.33 metres.

The variance is requested for a 2-storey addition with a 2-car garage at the lower level and an addition of a master bedroom above the garage.

Niagara Peninsula Conservation Authority Regulations:

The subject property is impacted by a steep slope associated with Twelve Mile Creek. As such, this property is subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06). Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes or valleys pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term. The NPCA regulates all development and site alterations within 15 metres of a steep slope. NPCA staff have determined that this section of the slope can be considered a hazard slope, not a valley slope. As such, in accordance with Policy 4.2, development on the property can be entertained provided staff are satisfied the hazard has been mitigated, no new hazards will be created, existing hazards will not be aggravated, and no adverse environmental impacts will result.

NPCA staff are satisfied that the proposed variance has been made for the reduction of the exterior side yard setback and will not result in development taking place closer to the top of slope than existing development on site. The plans provided also indicate that the proposed addition does not encroach any closer to the top

of slope than the existing dwelling and NPCA staff are satisfied that there will be no negative impact to the stability of the slope as a result of the proposed reduction of the minimum exterior side yard setback.

Please note, the proposed addition is shown to be located within 15 metres of the top of slope. As such, an NPCA work permit will be required for the proposed addition prior to commencement of any development or site alterations on site.

Niagara Region Core Natural Heritage Comments:

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

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline and Significant Woodland adjacent to (within 50 metres) the subject property. In accordance with Policy 7.B.1.11, development may be permitted within or 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 or adjacent lands. The subject application has been made for a reduction of the minimum exterior side yard setback for the construction of a proposed addition. NPCA staff are satisfied that the addition is shown to be located no closer to the identified features than existing development on site. As such, the NPCA is satisfied that the subject variances will have no significant negative impact on the identified ECA features.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made to permit a reduction of the minimum exterior side yard setback subject to the following:

- That an NPCA work permit be obtained prior to commencement of works on site.

Lastly, please note that due to the identified features impacting the property, any future works proposed on site will require NPCA review prior to the commencement of the works on site and may require further studies and a work permit from this office in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06)".

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

Yours truly,



Taya Devlin,
Watershed Planner
(905) 788-3135, ext. 262

cc: Craig Rohe, Planner, Niagara Region

39 Yates Street, St. Catharines



Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- Top of Slope Features
 - Stable
 - Unstable
- 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

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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

Munro, Elaine

From: Singh, Christian (MTO) <Christian.Singh@ontario.ca>
Sent: Thursday, February 23, 2017 2:46 PM
To: Munro, Elaine
Subject: RE: Last Minor Variance Application - 39 Yates. RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Good Day Ms. Munro,

After review the Minor Variance Application A-24-17 otherwise known as 39 Yates Street in the city of St. Catharines, is within the Ministry's permit control area, however at this time and in this instance only for the site no permits are required. The Ministry has no other comments to provide in regards to the minor variance application submitted.

Should you have any other questions or concerns please do not hesitate to contact me.

Sincerely,

Chris Singh

Chris Singh

Team Lead
Corridor Management Section
Ministry of Transportation
Central Region
159 Sir William Hearst Avenue (Formally 1201 Wilson Ave, Building D), 7th Floor
Toronto, Ontario M3M 0B7
Tel: 416-235-4276
Fax: 416-235-4267
Web www.mto.gov.on.ca/english/engineering/management/corridor/index.html

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: February 23, 2017 2:02 PM
To: Singh, Christian (MTO)
Subject: Last Minor Variance Application - 39 Yates. RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi Christian:

Attached please find the last minor variance application noted below.

Thanks, Elaine

Elaine Munro ACST

Committee Secretary and Planning Technician

Email: emunro@stcatharines.ca **Visit:** www.stcatharines.ca

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Thursday, February 23, 2017 1:45 PM
To: Munro, Elaine
Subject: RE: Last Minor Variance Application - 39 Yates Street RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine

39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193 Any required relocation cost of Cogeco equipment or cable will be 100% cost recovery from the home owner

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

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- Contact us

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

Munro, Elaine

Subject: RE: Minor Variance application - 39 Yates St., Committee of Adjustment Applications for March 8, 2017 Hearing

From: Blozowski, Kevin
Sent: Monday, February 27, 2017 10:07 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Minor Variance application - 39 Yates St., Committee of Adjustment Applications for March 8, 2017 Hearing

Elaine

I have reviewed the proposed application and offer the following from a heritage perspective.

The lands are located within the Yates Street Heritage District. The heritage district designation was approved in 1996.

The Yates Street and Area Heritage Conservation District Study – District Plan guides proposed changes in the district. Section 5.2 guides additions to heritage buildings and sites. In part this section states that an underlying principle in considering additions is that they be sympathetic both to the original structure and the established neighbourhood. Further, that additions should be set back from the front wall in order to maintain the relationship of the façade to the street and that additions to structures with symmetrical facades should avoid creating imbalance in building form.

The proposal under consideration is located on a corner lot on the Salina Street side. Salina Street slopes downward to Brewery Street substantially in this location. The height, scale, and design of the proposed addition will be complementary to the existing dwelling and sympathetic to the surrounding area. It is set back from the front of the existing dwelling and will create symmetry with an addition on the other side of the home which was constructed more recently in the mid 1990s.

Regards

Kevin

Kevin Blozowski M.C.I.P., R.P.P.
Planner I (Special Projects)
Email: kblozowski@stcatharines.ca
Tel: 905.688.5601 x1710

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

From: Vasko, Dennis

Sent: Wednesday, February 22, 2017 8:09 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi Elaine,

There are no issues with closed landfills in respect to these properties.

Dennis

Dennis Vasko

Fill Site Technician

Email: dvasko@stcatharines.ca

Tel: 905.688.5601 x2163

From: Munro, Elaine

Sent: Tuesday, February 21, 2017 4:25 PM

To: Vasko, Dennis

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing

Hi :

Attached please find the Notices of Hearing for the March 8, 2017 Committee of Adjustment Hearing.

1. 7 Cherry Street, Minor Variance Application, A-28/17, 60.81.5197
2. 31 Almond Street, Consent Application, B-14/17SC – 60.84.2099
31 Almond Street, Minor Variance Application, A-20/17 – 60.81.5189
3. 9 Chestnut Street, Consent Application, B-16/17SC - 60.84.2101
9 Chestnut Street, Minor Variance Application, A-21/17 – 60.81.5190
4. 39 Yates Street, Minor Variance Application, A-24/17 – 60.81.5193 ****To be circulated on Thursday****

Thanks,
Elaine

Elaine Munro ACST

Committee Secretary and Planning Technician



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

From: Sullivan, Kristen

Sent: Tuesday, February 28, 2017 10:45 AM

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 March 8/17 CofA Hearing

In addition to the below, please see the attached comments.

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- 39 Yates – may have a concern with the proximity of the addition to existing boulevard trees – not related to minor variance but may have a concern with the location of the proposed driveway
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- 23 Bloomfield – may have a concern with reduced exterior side yard setback due to impact of trees in this area (pending confirmation of ownership)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Sullivan, Kristen

Sent: Friday, February 24, 2017 12:47 PM

To: McEwan, Charlotte <cmcewan@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>

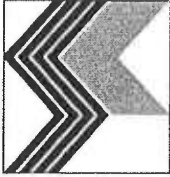
Cc: Munro, Elaine <emunro@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

I'm running behind this week so I've attached the comments I have ready. I have no comments on the following applications:

- 7 Cherry (mv)
- 31 Almond (mv)
- 318A Ontario (ld)
- 9 Chestnut (mv)
- 157 Beech (mv)
- 4 Stepney (mv)

Comments on applications not referenced within this email will be sent early next week.



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

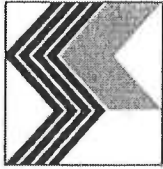
A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in dark ink, appearing to read 'S Mills', is positioned above the printed name.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

23 Bloomfield Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3, 2017

Date of Meeting: March 8, 2017

Submission(s): A-25/17

File: 60.81.5194

Subject: 23 Bloomfield Avenue

Recommendation

That Submission **A-25/17** by Bernhard Mattern as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-25/17** 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 variance be approved.

Proposed Development

Application A-25/17 is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum exterior side yard setback from 3.0 metres to 1.2 metres to the dwelling. The variance is requested for the proposed construction of a semi-detached dwelling abutting an unopened road allowance.

Location and Site Description

The subject property is located on the north side of Bloomfield Avenue. It is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the 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, duplex, triplex, quadruplex, fourplex and townhouse dwellings, and private road developments.

Variance Application A-25/17

Application **A-25/17** requests a variance in for the reduction of exterior yard setback to dwelling from 3m to 1.2m. The proposed setback reduction is located along an unopened road allowance. The yard is considered an exterior side yard due to being located along a road allowance. However, as the road allowance is not open, no negative impacts are anticipated as a result of the reduction. Due to the limited potential for further development in this neighbourhood, Staff do not anticipate this road allowance will ever be used as an open public road. The proposed setback meets the requirements of an interior side yard setback, which is appropriate in this context. Staff are satisfied the reduction in exterior side 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 of the opinion that the variance requested by application **A-25/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine

Cogeco has no issue or concerns with this adjustment application

Have a wonderful day

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)



February 27, 2017

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

Attention: Elaine Munro

File# 60.81.5194

Re: 23 Bloomfield Ave

In response to your correspondence(s) dated February 21, 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

- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

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

Scott Beaudrie
Supervisor, Engineering Design



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

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Mark Lepp, Building Inspector II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the March 8/17 CofA Hearing

From: Sullivan, Kristen

Sent: Tuesday, February 28, 2017 10:45 AM

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 March 8/17 CofA Hearing

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Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

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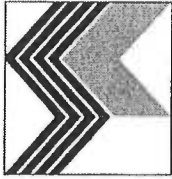
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To: Elaine Munro, Committee Secretary & Planning Clerk
Planning & Building Services

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
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A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of applications A-20/17, A-21/17, A-22/17, A-25/17, A-27/17, A-28/17.

Please note the following comments:

A -23/17 – The portion of the culvert where the driveway is to be removed is required to be removed by the City at the owners cost.

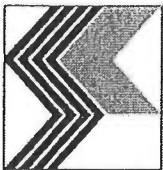
A-24/17 – Further information must be submitted to determine how and if the applicant is able to construct the requested driveway access to the proposed addition and the impacts it will have. A design by a Professional Engineer for the proposed entrance must be submitted for review.

A-64/17 –The applicant must pay all costs for the City to complete all associated works within the boulevard to facilitate the construction and removal of the existing and proposed driveways.

Regards,

A handwritten signature in dark ink, appearing to read 'S Mills', is positioned above the printed name.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

A-026/17 – 64 Henry Street

The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/

12 Leeson Street

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 3 , 2017

Date of Meeting: March 8, 2017

Submission(s): A-27/17

File: 60.81.5196

Subject: 12 Leeson Street

Recommendation

That Submission **A-27/17** by Matteson DeLuca as outlined in the Notice of Hearing, be approved subject as follows:

A reduction of the minimum exterior side yard setback to the dwelling from 4 metres to 3 metres. Bay windows and decorative architectural details may encroach into the required yard to a maximum of 1 metre.

Summary

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-27/17**, as amended, is minor in nature, desirable for the appropriate use of the land ,and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variance be approved, as outlined in the recommendation.

Proposed Development

Application **A-27/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum exterior side yard setback to the dwelling from 4 metres to 1.22 metres. The variance is requested for the proposed construction of a single detached dwelling.

Location and Site Description

The subject property is located on the southeast corner of the intersection of Leeson Street and Michael Avenue. 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 (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 (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.

Variance Application A-27/17

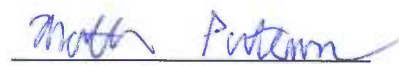
Application **A-27/17** requests a variance for the reduction of the exterior yard setback from 4m to 1.2m to the dwelling. The surrounding neighbourhood is primarily zone R1 like the subject property. However, many of the existing and established setbacks in the neighbourhood reflect the provisions of the Low Density Residential – Traditional Neighbourhood (R2) zone.

The proposed reduction from 4 metres to 1.2 metres is not considered compatible with existing setbacks in the area and the prevailing character of the neighbourhood. Staff do, however, acknowledge that the existing home on the opposite side of Michael Avenue has a reduced exterior side yard setback and that some reduction in the exterior side yard setback on the subject lands would be appropriate. The new house should not be located closer to Michael Avenue than is typical in the neighbourhood. A 3.0 metre setback is considered appropriate. Staff are satisfied that a reduction in exterior side yard setback from 4 metres to 3 metres would not have adverse impacts on the surrounding area. The streetscape would also benefit if architectural features such as bay windows and architectural detailing are permitted to encroach on the exterior side yard up to a maximum of 1 metre. Staff support the approval of the amended variance, as outlined in the recommendation.

Conclusion

Staff is of the opinion that the variance requested by application **A-27/17**, 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 variance, as amended, be approved.

Prepared by:




Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

February 23, 2017 @ 1pm.

Re: Minor Variance for 12 Leeson Street

Mrs. Rosa Volante called and spoke to the Secretary-Treasurer regarding her concerns with the application and asked that her verbal comments be submitted to the Committee.

Mrs. Volante of 55 Michael Street stated that the City needs to protect her house and to keep her safe. She stated that she has experienced water backing up and had a sewer back up once. There was no damage to the property, however since the 2 other houses were built, now water is coming in front of her house. When the cage (catch basin) gets blocked with leaves, the street becomes a little lake.

Mrs. Volante stated that the setback should be 4 metres and be legal.

Elaine Munro, Secretary-Treasurer as detailed by Mrs. Volante.



February 27, 2017

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

Attention: Elaine Munro

File# 60.81.5196

Re: 12 Leeson St

In response to your correspondence(s) dated February 21, 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

- C22.3 No. 7- 10 Underground Systems

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Beaudrie". The signature is fluid and cursive, with a large, sweeping initial "S".

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, February 22, 2017 1:17 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)

Hi Elaine

Cogeco has no issue or concerns with this adjustment application

Have a wonderful day

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

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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

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

Sent: Tuesday, February 21, 2017 4:21 PM

To: Doug Crown

Subject: City of St. Catharines Committee of Adjustment Applications for March 8, 2017 Hearing (Part 2 of 2 emails)



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: February 23, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 8, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-20/17	31 Almond Street	No Comment
A-21/17	9 Chestnut Street	No Comment
A-22/17	157 Beech Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-23/17	4 Stepney Street	Be advised that a building permit is required for the proposed addition and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-24/17	39 Yates Street	No Comment
A-25/17	23 Bloomfield Ave.	Be advised that a building permit is required for the proposed semi-detached dwelling and that openings and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-26/17	64 Henry Street	Be advised that a building permit is required for the proposed addition.
A-27/17	12 Leeson Street	Be advised that a building permit is required for the proposed single detached dwelling and that percentage of openings permitted and wall construction type and ratings shall meet the requirements of OBC 9.10.15.
A-28/17	7 Cherry Street	Be advised that a building permit is required for the proposed townhouse block.

Mark Lepp, Building Inspector II



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: February 28, 2017
Subject: Notice of Hearing: Minor Variance
Address: 12 Leeson St.
File No: 60.81.5196

Please be advised that we have reviewed the above-noted application and have no comments to provide on the proposed minor variance. Given the existing trees near the property boundary the applicant should be aware of their obligations under the Ontario Forestry Act in regards to boundary trees, specifically that "Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act".

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

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student
Steve Bittner, Transportation Technologist

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

Date: February 24, 2017
Hearing Date: March 8, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-20/17 – 31 Almond Street
A-21/17- 9 Chestnut Street
A-22/17- 157 Beech Street
A-23/17- 4 Stepney Street
A-24/17- 39 Yates Street
A-25/17-23 Bloomfield Ave
A-26/17 – 64 Henry Street
A-27/17- 12 Leeson Street
A-28/17 – 7 Cherry Street

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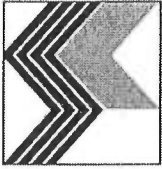
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Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 28, 2017

Subject: Committee of Adjustment
Public Hearings – March 8, 2017
File No. 305-17-01

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

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The Traffic Department currently does not grant multiple curb cuts on a street for residential properties. Additionally, the proposed driveway to the east could negatively impact the tree. If granted, the existing curb cut needs to be reinstated and the boulevard restored to landscaping.

A-024/17 – 39 Yates Street

Further information is required before we can comment on the application. Please refer to the comments put forth by our Engineering group.

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/