
Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment

Item # 4 - 112 Oakdale Avenue, Consent Application, B-22/17SC – 60.84.2107,
112 Oakdale Avenue, Minor Variance Application, A-37/17 – 60.81.5206

A request has been received from Staff requesting that applications B-22/17SC and A-37/17 be deferred. As a result of discussions with the Legal Department, a request to defer the applications in order to permit time for legal staff to undertake additional due diligence on this matter and advise planning staff accordingly. It is anticipated that the matter can be heard at the Committee's May 31st Hearing.

5. Adoption of the Minutes held March 29, 2017
6. Application:
 1. 1 Tracey Road, Consent Application, B-04/17SC – 60.84.2089
76 Devon Road, Minor Variance Application, A-04/17 – 60.81.5173
 2. 15 Townline Road East, Consent Application, B-19/17Sc – 60.84.2104
15A Townline Road East, Minor Variance Application, A-32/17 – 60.81.5201
15 Townline Road East, Minor Variance Application, A-33/17 – 60.81.5201
 3. 72 Merritt Street, Consent Application, B-20/17SC – 60.84.2105
2 Ball Avenue East, Consent Application, B-21/17SC – 60.84.2106
72 Merritt Street, Minor Variance Application, A-35/17 – 60.81.5204
 5. 63 Vine Street South, Minor Variance Application, A-36/17, 60.81.5205
 6. 30 Power Glen, Minor Variance Application, A-38/17 – 60.81.5207
 7. 25 Dunelm Drive, Minor Variance Application, A-39/17 – 60.81.5208
7. New Business:
 - Discussion with the Committee regarding the Residential Infill and Intensification Development Review and Interim Control By-law.
8. Date of next Hearing: May 10, 2017
9. Adjournment

112 Oakdale Avenue

Departmental &
Agency Comments

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Tuesday, April 11, 2017 3:29 PM
To: Munro, Elaine
Cc: 'Rohe, Craig'; Carmen Vetrone (carmen.vetrone@niagararegion.ca)
(carmen.vetrone@niagararegion.ca)
Subject: B22 & A37/17 112 Oakdale Avenue, St. Catharines
Attachments: 112 Oakdale Avenue Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed applications B-22/17SC and A-37/17 which have been made for consent to a mortgage or charge over 10,489 m² of land (Part 1 on the submitted sketch) to provide financing for the future stacked townhouse development and the following variances:

1. A reduction of the minimum front yard setback from 5 metres to 3 metres to the building.
2. A reduction of the minimum interior side yard setbacks from 5 metres to 4 metres (north and south sides).
3. A reduction of the minimum required parking spaces from 116 to 113.
4. A reduction of the minimum landscaping strips of a parking area with greater than 100 spaces to lot line abutting Residential Zone from 4 metres to 3 metres.
5. A reduction of the minimum setback to the front line for a platform structure being greater than 1.2 metres above grade from 5 metres to 1.4 metres.
6. A reduction of the minimum front yard setback from 5 metres to 0 metres for the basement stairs.

NPCA mapping identifies a regulated watercourse adjacent to the rear (east) of the subject property. In accordance with Policy 3.6 of the Authorities Regulations (O.REG 155/06) a minimum setback of 15 metres shall be required from the bankfull channel of a regulated watercourse to all development and site alterations. A portion of the north east corner of the property is located within 15 metres of the identified watercourse. NPCA staff are satisfied no development is proposed within 15 metres of the identified watercourse and there will be no impact to the watercourse as a result of the subject applications.

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 also identifies the regulated watercourse. In accordance with Policy 7.B.1.15 a minimum 15 metre buffer shall be required from the edge of a regulated watercourse to all development and site alterations. NPCA staff are satisfied no development is proposed within 15 metres of the watercourse and there will be no significant negative impact to the watercourse as a result of the subject applications.

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

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

Taya Devlin
Watershed Planner
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor

Welland, Ontario L3C 3W2
Phone: 905 788 3135 (ext. 262)
Fax: 905 788 1121
Email: tdevlin@npca.ca

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Legend

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

Notes

101.6 0 50.80 101.6 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

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]

Sent: Thursday, April 06, 2017 8:04 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing

Hi Elaine,

The property is located outside of permit control area.
MTO has no comments.

Kindest Regards,

Alexandra Boucetta | Corridor Management Officer – Niagara Region
(416) 235-3883 |

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, April 06, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

Hello Elaine
Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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April 7, 2017

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

Attention: Elaine Munro

File# 60.81.5206

Re: 112 Oakdale Avenue

In response to your correspondence date April 5, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.

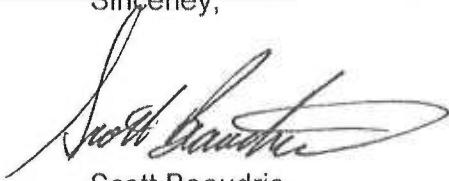
We would also like to stipulate the following:

- 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 an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read "Scott Beaudrie", written over a horizontal line.

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: April 11, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 19, 2017 hearing - File No.: 300-036

B-04/17SC – 1 Tracey Road

Comment:

- Be advised that a permit is required for the proposed Dwelling on Part 1 and that any accessory structure wholly or partially on Part 1 shall be removed. Structures greater than 10 square metres in building area require a demolition permit.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses part 1 and 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.

B-19/17SC – 15 Townline Road East

Comment:

- No Comment

Condition:

- No Comment

B-20/17SC – 72 Merritt Street

Comment:

- Be advised that a permit is required for the proposed 2 storey dwelling on Part 1.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the florida room on the northwest face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the northwest face of the existing residential building on Part 2.

B-21/17SC – 2 Ball Avenue E

Comment:

- Be advised that a permit is required for the proposed 2 car garage on Part 4.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the second storey balcony on the northeast face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling on Parts 3.

B-22/17SC – 112 Oakdale Avenue

Comment:

- Be advised that a permit is required for any proposed buildings forming part of the development on Part 1.

Condition:

- No Comment



Mark Lepp, Building Inspector II
Cc: Files, 300-036



Memorandum

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

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

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

Date: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
A-35/17	72 Merritt Street	No Comment
A-36/17	63 Vine Street	No Comment
A-37/17	112 Oakdale Avenue	The reduction of yard setbacks may have spatial separation implications affecting unprotected openings/glazed areas and wall construction.
A-38/17	30 Power Glen Road	The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-39/17	25 Dunelm Drive	Be advised that the reduction in setback will impact the permitted wall construction. Any proposed openings along that wall will require closures other than wired glass or glass block (such as rolling steel shutters). A Building permit is required for the proposed addition.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-22/17SC



April 07, 2017

ENGINEERING FILE 300-36

Hearing Date: April 19, 2017

Applicant: ASTA Gardens Inc.

Location: 112 Oakdale Avenue

MUNICIPAL SERVICES

Water: 300mm (12") P.V.C.

Sanitary Sewer: 300mm (12")

Storm Sewer: 600mm (24") Welland Canal Valley lands outlet

Sidewalks: Yes

Road Allowance Width: 17.4m (57') ±

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

Comment(s):

It is noted that the Owner proposes to consent to a mortgage on lands at 112 Oakdale Avenue for financing for the future stacked townhouse development on Part 1. The application is not to sever lands but to attain a mortgage on Part only.

Roads

Oakdale Avenue is currently designated an Arterial road per the City's Official Plan, with a desired right-of-way width of 26.2m (86'). It is currently deficient at 17.4m (57') along the frontage of the subject property. Discussions with staff have concluded that Oakdale Avenue along this section would be satisfactory with a 22.0m (72') right-of-way width, therefore the City shall require a 4.80m (15.7') road widening along this section, dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Oakdale Avenue.

Existing concrete entrance barriers exist along the property frontage, within the future right-of-way lands. The applicant shall be required to relocate the existing concrete barriers to outside of the future right-of-way limits.

Two existing entrances exist, which the Owner proposed to improve only one at the south limit. The Owner shall be responsible to pay to the City the fee for City crews to remove and reinstate the existing north entrance with 100mm topsoil and sod, the fee in accordance with the City's current Schedule of Rates and Fees.

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

- Dedicate to the City of St. Catharines a 4.80m (15.7') widening along the frontage of the subject parcel as Public Highway to be known as Oakdale Avenue, free and clear of any mortgages, liens or encumbrances; and
- Pay to the City the fees for City crews to remove and reinstate the existing north driveway entrance with 100mm topsoil and sod, in accordance with the City's current Schedule of Rates and Fees; and
- Relocate the existing concrete entrance barriers to within the subject

property, outside of the future dedicated right-of-way limits of Oakdale Avenue



Prepared By:

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student

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

Date: April 7, 2017
Hearing Date: April 19, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

1 Tracey Road

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): B-04/17SC
A-04/17

File: 60.84.2089
60.81.5173

Subject: 1 Tracy Road
76 Devon Road

Recommendation

That Submission **B-04/17SC** by Chad Yance, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the height of the detached dwelling shall not exceed one storey to a maximum of 4.5 metres.
- 2) 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.
- 3) That the owner pay to the City the fee for City crews to inspect and trace the existing water and sewer laterals to the existing home to ensure they do not cross future potential lot lines, in accordance with the City's current Schedule of Rates & Fees
- 4) That the owner make payment of 5% of the appraised value of the new lot (Part 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
- 5) That the owner submit an alteration permit to the City for the removal of a portion of the existing garage which crosses Parts 1 and 2, as shown on the plan, that the removal be completed to the satisfaction of the Chief Building Official.
- 6) That approval for all necessary minor variances be received.

That Submission **A-04/17** by Chad Yance, 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-04/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-04/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Revised Application **B-04/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 394.5 m² of land (Part 1 on the submitted sketch) creating a new lot known as 76 Devon Road for the purpose of constructing a single detached dwelling. A 400 m² remnant parcel (Part 2) with the existing single detached dwelling and detached garage will be retained for continued residential use. There is a concurrent minor variance application A-04/17. Complete consent and minor variance applications were received prior to the passing of the Interim Control By-law 2016-305 on December 5, 2016.

Application **A-04/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum lot area per dwelling unit from 400m² to 394.5 m².
2. A reduction of the minimum rear yard setback from 7.5 metres to 3.0 metres.

The variances are requested to facilitate concurrent application **B-04/17SC** for the proposed construction of a single detached dwelling (Part 1).

Location and Site Description

The subject property is located on the northeast corner of the intersection of Devon Road and Tracy Road. 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 property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP), and is further designated Low Density Residential as per Schedule E3 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare, subject to the policies of the GCP.

Zoning By-law (2016-283)

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.

Application B-04/17SC

Application **B-04/17SC** is for consent to sever 394.5m² of land to create a new lot (Part 1 on the submitted sketch). The consent would result in the creation of a new residential lot for the purpose of constructing a detached dwelling. A 400m² remnant parcel will be retained for continued residential use.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. 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.

Application A-04/17

Variance 1 of **A-04/17** requests a decrease in minimum lot area from 400m² to 394.5m² to facilitate the proposed severance.

The area surrounding the subject lands is distinctly suburban in nature. The neighbourhood features lots that generally exceed the maximum lot area per dwelling unit permitted in the R1 zone. The proposed lot is significantly smaller than what is typical in the surrounding area. However, the lot is wide and shallow, maintaining a frontage which is compatible with the surrounding streetscape despite the lot area. The submitted sketch has shown a building envelope that meets the required front yard setback, minimizing the impact of the reduced lot area on the neighbourhood. The proposed 5.5m² reduction is considered minor in nature. No adverse impacts are anticipated as a result of the variance.

Variance 2 requests a reduction of the minimum rear yard setback from 7.5 metres to 3.0 metres. The reduction significantly reduces the rear yard amenity space of the proposed dwelling. However, there is adequate amenity space located in the northerly interior side yard, which exceeds the minimum requirement at 7.5 metres. The proposed 3.0 metre setback may adversely impact the privacy of the property to the east. However, privacy impacts can be mitigated if the proposed detached dwelling is required to have a maximum height of one storey, or 4.5 metres. This will prevent any second storey overlook at the reduced setback. Staff are satisfied the reduction in rear

yard setback will not have adverse impacts on the surrounding area, provided that a height limit is placed on the proposed detached dwelling.


Conclusion

Staff is satisfied that the consent requested through application **B-04/17SC**, 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 variances requested by application **A-04/17**, are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the proposed consent and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:


Douglas Pateman
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

April 5, 2017

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

Attention: Elaine Munro

File# 60.84.2089 & 60.81.5173

Re: 1 Tracey Road & 76 Devon Road

In response to your correspondence dated April 4, 2017, please be advised that our Engineering Design Department has 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.alectrautilities.com.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Beaudrie', is written over a horizontal line.

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, April 06, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

Hello Elaine

Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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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: April 11, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 19, 2017 hearing - File No.: 300-036

B-04/17SC – 1 Tracey Road

Comment:

- Be advised that a permit is required for the proposed Dwelling on Part 1 and that any accessory structure wholly or partially on Part 1 shall be removed. Structures greater than 10 square metres in building area require a demolition permit.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses part 1 and 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.

B-19/17SC – 15 Townline Road East

Comment:

- No Comment

Condition:

- No Comment

B-20/17SC – 72 Merritt Street

Comment:

- Be advised that a permit is required for the proposed 2 storey dwelling on Part 1.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the florida room on the northwest face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the northwest face of the existing residential building on Part 2.

B-21/17SC – 2 Ball Avenue E

Comment:

- Be advised that a permit is required for the proposed 2 car garage on Part 4.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the second storey balcony on the northeast face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling on Parts 3.

B-22/17SC – 112 Oakdale Avenue

Comment:

- Be advised that a permit is required for any proposed buildings forming part of the development on Part 1.

Condition:

- No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
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From: Mark Lepp, Building Inspector II
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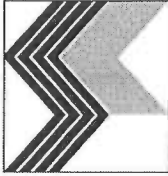
Date: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
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A-36/17	63 Vine Street	No Comment
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A-38/17	30 Power Glen Road	The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
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Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Hailey McWilliam, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: December 15, 2016
Subject: Notice of Hearing: Consent to Sever
Address: 1 Tracey.
File No: 60.84.2089

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

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

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

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

An arborist has inspected the existing tree within the Devon Rd. road allowance and is not supportive of the tree being removed or damaged. As part of the building permit the applicant will be required to install tree protection fencing with a 6 metre setback from the tree with the driveway and all services being installed outside of this setback. The proposed plans indicate that this setback can be achieved.

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 April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-04/17SC



April 7, 2017

ENGINEERING FILE 300-36

Hearing Date: April 19, 2017

Applicant: Chad Yance

Location: 1 Tracey Road

MUNICIPAL SERVICES

	Tracey Road	Devon Road
Water:	150mm (6") A.C.	150mm (6") C.I.
Sanitary Sewer:	200mm (8")	200mm (8")
Storm Sewer:	Road side ditching	Road-side ditching
Sidewalks:	Yes	Yes
Road Allowance Width:	20.12m (66')	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 Part 1 creating a new lot to be known as 76 Devon Road for the purposes of constructing a single detached dwelling. A remnant parcel would be retained (Part 2) for existing single detached dwelling and detached garage use.

Roads

Both Tracey Road and Devon Road are designated Local roads as per the City's Official Plan with desired rights-of-way widths of 20.12m (66'). Their current widths along the Applicant frontages are sufficient, therefore the City shall not pursue any road widenings via this application.

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Tracey Road or Devon Road, sump pump flows shall be discharged to grade away from abutting properties and towards Devon Road.

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 dwelling on the proposed parcel. The fees shall be in accordance with the City's current Schedule of Rates and Fees.

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 to ensure they do not cross future potential lot lines, in accordance with the City's current Schedule of Rates & Fees



Prepared By: _____

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student

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

Date: April 7, 2017
Hearing Date: April 19, 2017

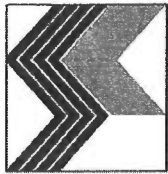
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

15 Townline Road East

Departmental & Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): B-19/17SC
A-32/17
A-33/17

File: 60.84.2104
60.81.5201
60.81.5202

Subject: 15 Townline Road East
15A Townline Road East

Recommendation

That Submission **B-19/17SC** by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1) That the applicant submit a payment of \$443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
- 2) That final approval for the necessary minor variances be received.

That Submission **A-32/17** by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved.

That Submission **A-33/17** by Mancini 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-19/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-32/17** and **A-33/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **B-19/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 188.94 m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 15A Townline Road East for 1/2 of a semi-detached dwelling. A 188.94 m² remnant parcel of land (Part 2) would be retained for the other 1/2 of a semi-detached dwelling. The application would allow each unit of the semi-detached dwelling currently under construction to be owned and/or sold separately. There are concurrent minor variance applications **A-32/17** and **A-33/17**.

Application **A-32/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum lot area per dwelling unit from 280 m² to 188.94 m².
2. A reduction of the minimum lot frontage from 7.5 metres to 6.01 metres.

The variances are requested to facilitate the concurrent consent application **B-19/17SC** to sever 1/2 of the semi-detached dwelling unit currently under construction (Part 1) from the other semi-detached dwelling unit.

Application **A-33/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum lot area per dwelling unit from 280m² to 188.94 m².
2. A reduction of the minimum lot frontage from 7.5 metres to 6.01 metres.

The variances are requested to facilitate concurrent consent application **B-19/17SC** to sever 1/2 of the semi-detached dwelling currently under construction (Part 2) from the other semidetached dwelling unit.

Location and Site Description

The subject property is located on the north side of Townline Road East, east of St. Peter Street. The subject property is surrounded by detached dwellings to the north, south, and west, and a convenience store to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Application B-19/17SC

Application **B-19/17SC** is requested to allow each unit of the semi-detached dwelling currently under construction to be owned and sold separately. The current lot is 377.88m² in size. The proposed consent would create two lots that are each 188.94m² in size.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. 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 lots are suitable for the purpose for which they are being proposed, as they each contain half of the semi-detached dwelling that is currently occupying the property. All required setbacks are met. The proposed severance will allow the existing units to be owned and sold separately. There is no added impact imposed on the surrounding area by the creation of the proposed lots, and they are appropriate in terms of the optimum development of the area. The intent of the Official Plan is being upheld. Staff is supportive of the proposed consent.

Applications A-32/17 & A-33/17

The variances requested by applications **A-32/17** and **A-33/17** would allow for a reduction in minimum lot area from 280m² to 188.94m² and a reduction in lot frontage from 7.5m to 6.01m for each of the proposed lots (Part 1 and Part 2). The area surrounding the subject property features a range of lot sizes. The proposed lot area of 188.94m² will be one of the smallest in the neighbourhood. However, the only proposed development on the subject lands is the establishment of the lot line. The proposed reduction in lot area will have no added impact on the surrounding properties.

The proposed frontage of 6.01m will also be among the smallest in the area, although there are similar frontages further east on Townline Road. Staff is of the opinion that the proposed frontages are in keeping with the prevailing character of the neighbourhood. No adverse impacts are anticipated as a result of the requested variances.

Conclusion

Staff is satisfied that the consent requested through application **B-19/17SC** 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 variances requested by applications **A-32/17** and **A-33/17**, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



April 5, 2017

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

Attention: Elaine Munro

File# 60.84.2104, 60.81.5202 & 60.81.5201

Re: 15 & 15A Townline Road East

In response to your correspondence dated April 4, 2017, please be advised that our Engineering Design Department has 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.alectrautilities.com.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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

Alectra Utilities Corporation

PO Box 2249 Station LCD 1, Hamilton, ON L8N 3E4

Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

- 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerley,

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

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, April 06, 2017 8:09 AM
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Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

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Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd
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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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To: Elaine Munro, Committee Secretary & Planning Clerk
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Cc: B. Thiessen, Charlotte McEwan, Doug Pateman, Judy Pihach
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Comment:

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Condition:

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Comment:

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Condition:

- No Comment



Mark Lepp, Building Inspector II
Cc: Files, 300-036



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

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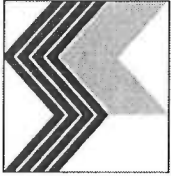
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Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: April 4, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 15 Townline Rd. East
File No: 60.84.2104

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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 April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-19/17SC



April 7, 2017

ENGINEERING FILE 300-36

Hearing Date: April 19, 2017

Applicant: Mancini Developments Inc.

Location: 15 Townline Road East

MUNICIPAL SERVICES

Townline Road East

Water: 150mm (6")
Sanitary Sewer: 250mm (10")
Storm Sewer: 300mm (12")
Sidewalks: Yes
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 Part 1 creating a new lot to be known as 15A Townline Road East for half of a semi-detached dwelling. A remnant parcel (Part 2) would be retained for the other half of the semi-detached dwelling.

Roads

Townline Road East is designated a Local road per the City's Official Plan with desired rights-of-way widths of 20.12m (66'). Its current width along the Applicant frontages is sufficient, therefore the City shall not pursue any road widenings via this application.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and have been submitted and accepted at that time for the buildings currently under construction, 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.

Condition(s): Development Engineering have no further comments or conditions to impose at this time.

Prepared By:

A handwritten signature in black ink, appearing to be 'Brad Johnston', written over a horizontal line.

Brad Johnston, 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

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

Date: April 7, 2017
Hearing Date: April 19, 2017

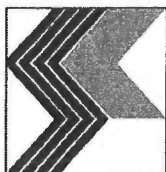
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

72 Merritt Street /
2 Ball Avenue

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): B-20/17SC
B-21/17SC
A-35/17

File: 60.84.2105
60.84.2106
60.81.5204

Subject: 72 Merritt
2 Ball Avenue E

Recommendation

That Submission **B-20/17SC** by Pasquale & Marie Salituro, as outlined in the Notice of Hearing, be approved be subject to the following conditions:

1. That the owner submit one 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 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 the owner pay to the City the fees for City crews to inspect and trace the existing sanitary sewer and water service for the existing dwelling to determine the feasibility of their reuse and to ensure they do not cross potential future lot lines
4. That the owner dedicate a 3.04m (10') road widening to be known as Merritt Street, gratuitously to the City of St. Catharines, free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office
5. That the owner pay to the City the fee for City crews to remove the existing retaining wall and reinstate the Merritt Street boulevard
6. That the owner Provide verification to the City from the St. Catharines Transit Authority as to whether the existing bus shelter can remain or will be required to be

relocated, at the total cost of the Owner, and provide to the City verification that the Owner agrees to do so, if a relocation is required

7. That the owner obtain an alteration permit from the City Building Section for the removal of the florida room on the northwest face of the existing residence on Part 2 as shown on the plan and that the permit be completed to the satisfaction of the Chief Building Official.
8. That the owner 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 northwest face of the existing residential building on Part 2.
9. That approval for consent application **B-21/17SC** be received.

That Submission **B-21/17SC** by Pasquale & Marie Salituro, as outlined in the Notice of Hearing, be approved be approved under the following conditions:

1. That the owner submit one 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 pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the conditions of the Committee of Adjustment will be implemented and the properties (Parts 1 and 4) will be merged and become one parcel of land.
3. That the owner obtain an alteration permit from the City Building Section for the removal of the second storey balcony on the northeast face of the existing residence on Part 2 as shown on the plan and that the permit be completed to the satisfaction of the Chief Building Official.
4. That the owner 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 southeast face of the existing dwelling on Parts 3.
5. That approval for consent application **B-20/17SC** be received.

That Submission **A-35/17** by Pasquale & Marie Salituro, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-20/17SC** and **B-21/17SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-35/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application **B-20/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 354.2 m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 74 Merritt Street for the purpose of constructing a 2-storey single detached dwelling. A 355.6 m² remnant parcel with the existing 2-storey duplex dwelling (Part 2) would be retained for residential use. Part 5 is to be dedicated to the City for a road widening. There is a concurrent consent application **B-21/17SC** and minor variance application **A-35/17**.

Application **B-21/17SC** is made for consent to a partial discharge, of mortgage and for consent to sever 277.4 m² of land (Part 4 on the submitted sketch) which will be added to the abutting southerly lot known as 72 Merritt Street (Part 2). A 355.9 m² remnant parcel (Part 3) with the existing single detached dwelling would be retained for continued residential use. There is a concurrent consent application **B-20/17SC** and minor variance application **A-35/17**.

Application **A-35/17** (Parts 2 & 4) is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum lot frontage from 12 metres to 10.137 m².
2. An increase of the accessory structure coverage from 10% to 10.8%.
3. An increase of the overall driveway coverage from 20% of the total lot area to 24% of the total lot area.

The variances are requested to facilitate the concurrent consent applications **B-20/17SC** & **B-21/17SC**, to permit the owner to move the detached garage from Part 1 to Part 4 and to permit the proposed driveway size.

Location and Site Description

The subject property is located on the east side of Merritt Street, south of Ball Avenue East. The subject property is surrounded by detached houses to the north, east, and south, and a paper mill to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (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, quadraplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

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.

Applications B-20/17SC & B-21/17SC

Application **B-20/17SC** is for consent to sever 354.54m² of land to create a new lot (Part 1 on the submitted sketch) A 355.6m² remnant parcel (Part 2 on the submitted sketch) will be retained for residential use. Application **B-21/17SC** is for consent to sever 277.4m² (Part 4 on the submitted sketch), which is to be merged with Part 2. A 355.9m² remnant parcel (Part 3 on the submitted sketch) will be retained for residential use.

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 proposed lot (Part 1) on the submitted sketch meets all provisions of the Zoning By-law for frontage, lot size, and required yards. Staff note that application **B-21/17SC** will allow for the lot made up of Parts 2 & 4 on the submitted sketch to meet all parking requirements by providing space on the lot to accommodate the relocation of the existing double garage. No adverse impacts are anticipated as a result of the proposed severances, and the lots are of sufficient size and appropriate shape to accommodate the existing and proposed residential uses. Staff recommends that the consents be approved.

Application A-35/17 (Parts 2 & 4)

Variance 1 of Application **A-35/17** requests a reduction in the minimum lot frontage from 12 metres to 10.137 metres. The reduction of 1.863 metres is considered minor in nature. Despite the reduced frontage, the proposed detached dwelling is able to meet all required setbacks. The variance facilitates a consent which allows for appropriate intensification on the subject lands. Surrounding properties have a variety of frontages

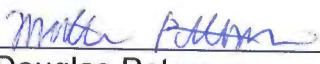
ranging from 7.3 metres to 23 metres. The proposed 10.137 metre frontage is considered to be in keeping with the prevailing character of the neighbourhood.

Variances 2 and 3 of application **A-35/17** request an increase in accessory coverage and an increase in driveway coverage on Parts 2 & 4. Staff note that without the 0.8% increase in accessory structure coverage, and 4% increase in driveway coverage, it would be difficult to meet the requirement of 2 parking spaces. Staff is satisfied that the increase in driveway coverage and accessory structure coverage are minor. No adverse impacts are anticipated as a result of the variances.


Conclusion

Staff is satisfied that the consents requested through application **B-20/17SC** and **B-21/17SC**, are 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 variances requested by application **A-35/17**, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:


Douglas Pateman
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services



April 5, 2017

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

Attention: Elaine Munro

File# 60.84.2105

Re: 72 Merritt St

In response to your correspondence dated April 4, 2017, please be advised that our Engineering Design Department has 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.alectrautilities.com.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerley,

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

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

Subject: RE: Last 2 Applications RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (2 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Thursday, April 06, 2017 8:12 AM

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

Subject: RE: Last 2 Applications RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (2 of 2 emails)

Hello Elaine

Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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- Contact us

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



Memorandum

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

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

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

Date: April 11, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 19, 2017 hearing - File No.: 300-036

B-04/17SC – 1 Tracey Road

Comment:

- Be advised that a permit is required for the proposed Dwelling on Part 1 and that any accessory structure wholly or partially on Part 1 shall be removed. Structures greater than 10 square metres in building area require a demolition permit.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of a portion of the existing dwelling which crosses part 1 and 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.

B-19/17SC – 15 Townline Road East

Comment:

- No Comment

Condition:

- No Comment

B-20/17SC – 72 Merritt Street

Comment:

- Be advised that a permit is required for the proposed 2 storey dwelling on Part 1.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the florida room on the northwest face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the northwest face of the existing residential building on Part 2.

B-21/17SC – 2 Ball Avenue E

Comment:

- Be advised that a permit is required for the proposed 2 car garage on Part 4.

Condition:

- An alteration permit shall be obtained from the City Building Section for the removal of the second storey balcony on the northeast face of the existing residence on Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling on Parts 3.

B-22/17SC – 112 Oakdale Avenue

Comment:

- Be advised that a permit is required for any proposed buildings forming part of the development on Part 1.

Condition:

- No Comment



Mark Lepp, Building Inspector II
Cc: Files, 300-036



Memorandum

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

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

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

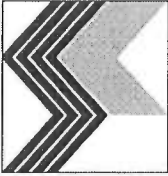
Date: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
A-35/17	72 Merritt Street	No Comment
A-36/17	63 Vine Street	No Comment
A-37/17	112 Oakdale Avenue	The reduction of yard setbacks may have spatial separation implications affecting unprotected openings/glazed areas and wall construction.
A-38/17	30 Power Glen Road	The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-39/17	25 Dunelm Drive	Be advised that the reduction in setback will impact the permitted wall construction. Any proposed openings along that wall will require closures other than wired glass or glass block (such as rolling steel shutters). A Building permit is required for the proposed addition.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: April 4, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 72 Merritt St.
File No: 60.84.2105

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 April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-20/17SC



April 7, 2017

ENGINEERING FILE 300-36

Hearing Date: April 19, 2017

Applicant: Pasquale & Marie Salituro

Location: 72 Merritt Street

MUNICIPAL SERVICES

Water: 300mm (12")

Sanitary Sewer: 375mm (15")

Storm Sewer: 375mm (15")

Sidewalks: Yes

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 Part 1 creating a new lot to be known as 74 Merritt Street for the purpose of constructing a 2-storey single detached dwelling. A remnant parcel with the existing 2-storey duplex dwelling (Part 2) would be retained for continued residential use.

Roads

Merritt Street is designated an Arterial road per the City's Official Plan with a desired right-of-way width of 26.2m (86'). Its current width is deficient at 20.12m \pm , therefore the City requires a 3.04m (10') road widening along Merritt Street to be dedicated as a condition of this application.

A retaining wall exists along the frontage in a location where a proposed driveway is to be installed for the existing dwelling. The Owner shall pay to the City the fees required for City crews to remove approximately 5.0m² of retaining wall and restore the boulevard area, in accordance with the City's current Schedule of Rates & Fees.

A bus shelter exists on the north side of the location for the proposed driveway. The Owner shall provide verification from St. Catharines Transit as to whether the existing bus shelter can remain or whether it shall be relocated, at the total cost of the Owner and the Owner shall provide written agreement that they intend to do so, if a relocation is required.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lot conveys drainage flows to a suitable

outlet and does not adversely affect abutting properties, nor the City boulevard.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there is an adequate storm sewer outlet available on Merritt Street, sump pump flows shall be discharged to the storm sewer via storm sewer lateral. The Owner shall pay the fees for City crews to provide services to the property at the time of Building Permit application, the fees in accordance with the City's current Schedule of Rates & Fees.

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

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay to the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any future potential lot lines; and
- Dedicate a 3.04m (10') road widening to be known as Merritt Street, gratuitously to the City of St. Catharines, free and clear of any mortgages, liens or encumbrances. A preliminary copy of the Plan of Survey must be provided to the City of St. Catharines for approval prior to filing in the Land Registry Office; and
- Pay to the City the fee for City crews to remove the existing retaining wall and reinstate the Merritt Street boulevard; and
- Provide verification to the City from the St. Catharines Transit Authority as to whether the existing bus shelter can remain or will be required to be relocated, at the total cost of the Owner, and provide to the City verification that the Owner agrees to do so, if a relocation is required



Prepared By: _____

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-21/17SC



April 7, 2017

ENGINEERING FILE 300-36

Hearing Date: April 19, 2017

Applicant: Pasquale & Marie Salituro

Location: 2 Ball Avenue East

MUNICIPAL SERVICES

Water: 150 mm (6")

Sanitary Sewer: 600mm (24")

Storm Sewer: 825mm (32")

Sidewalks: Yes – curb-faced

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 Part 4 to be added to the abutting southerly lot known as 72 Merritt Street (Part 2). A remnant parcel (Part 3) with the existing single detached dwelling would be retained for continued resident dwelling use.

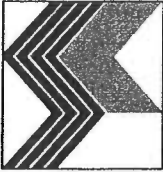
Roads

Ball Avenue East is designated a local road per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width is sufficient at 20.12m \pm , therefore the City will not be requiring any further widenings at this time.

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

A handwritten signature in black ink, appearing to be 'Brad Johnston', written over a horizontal line.

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student

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

Date: April 7, 2017

Hearing Date: April 19, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

Brad Johnston, 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

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

Date: April 7, 2017
Hearing Date: April 19, 2017

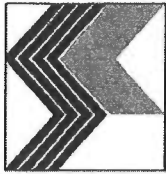
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
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Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications, save:

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

63 Vine Street South

Departmental &
Agency Comments



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): A-36/17

File: 60.81.5205

Subject: 63 Vine Street

Recommendation

That Submission **A-36/17** by Niagara Innovative Living Inc. as outlined in the Notice of Hearing.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through application **A-36/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variances be approved.

Proposed Development

Application **A-36/17** is made pertaining to the City of St. Catharines By-Law for the following:

1. An increase of the maximum building height from 8.5 metres to 9.91 metres
2. A decrease of the minimum interior side yard setback (south) from 11 metres to 7.3 metres.
3. A reduction of the minimum front yard setback (east) to the building from 3.3 metres to 0.58 metres,
4. A reduction of the minimum front yard setback to the balcony from 3.3 metres to 0.50 metres,
5. To increase the maximum encroachment of the overhang of new structure to eaves from 0.15 metres from the property line to 0.07 metres from the property line.

The variances are requested as a result of a change to the Zoning By-law affecting the subject property which had already approved minor variances (**A-44/11**) for a proposed 3-storey, 9-unit apartment building. The site plan is currently being amended.

Location and Site Description

The subject property is located on west side of Vine Street, south of Seneca Street. The property is surrounded by detached dwellings to the north, south, and west, and a warehouse to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E5 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 (R2-51). 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. Special Provision 51 allows for one 9 unit apartment building to be located on the property, subject to a number of site specific setbacks and provisions.

Background

The property received Site Plan Approval for a proposed apartment building on February 10, 1997, prior to the passing of the current Zoning By-law. The approved Zoning Provisions were carried forward into the current Zoning By-law in the form of a Special Provision for the property. The apartment building was not constructed, and another Site Plan Agreement was registered on June 9, 2014. A building permit was issued in 2016. Since the permit was issued, an application has been made for a minor amendment to the site plan in order to permit adjustments to the proposed building, and to recognize current applicable Zoning Standards that are not addressed through the Special Provision. In order to receive final approval for the amendment, the requested variances must be obtained.

Application A-36/17

Variance 1 of **A-36/17** requests an increase in maximum height from 8.5 metres to 9.91 metres. The proposed height will allow for all three storeys of the proposed apartment building to be fully above ground. Staff do not anticipate any adverse impacts on the

streetscape as a result of the modest increase in height. It is noted that the maximum height for any other permitted residential dwelling types in the R2 zone, which is the zoning of the subject lands and surrounding properties, is 11 metres. It is not expected that the proposed height of 9.91 metres will impact adjacent land uses.

Variance 2 requests a reduction in the interior side yard setback from 11 metres to 7.3 metres. The reduction of the setback is a result of the irregular shape of the lot. The 7.3 metres setback represents a pinch point created by the diagonal southerly lot line. Towards the front of the proposed building, the interior side yard setback is closer to the 11 metre requirement. No adverse impacts are anticipated as a result of the proposed reduction in southerly interior side yard setback.

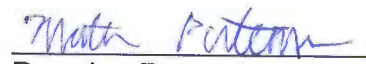
Variances 3 and 4 request reductions in the minimum front yard setback to the building from 3.3m to 0.58m and building and to balcony from 3.3m to 0.50m. The variances are required as a result of a road widening along Vine Street South. The proposed reduction will not result in a building that is imposing on the streetscape, as the boulevard is approximately 5 metres along the frontage of the property. Staff are satisfied the reductions in front yard setbacks will not have adverse impacts on the streetscape or surrounding area, and that the intent of the Official Plan and Zoning By-law are being maintained.

Variance 5 requests an increase of the maximum encroachment of eaves into the required front yard from 0.15 metres from the front property line to 0.07 metres from the front property line. The variance is requested to recognize the eaves associated with a portion of the building front that sits slightly closer to the front lot line than the rest of the building. Staff do not anticipate adverse impacts as a result of the minor 0.08 metre increase in the encroachment of the eaves. Staff are satisfied that the general intent of the Official Plan and Zoning By-law are being maintained.

Conclusion

Staff is of the opinion that the variances requested by application **A-36/17** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:



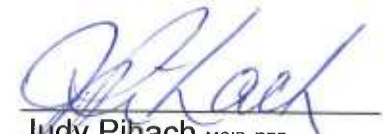
Douglas Pateman
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

April 7, 2017

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

Attention: Elaine Munro

File# 60.81.5205

Re: 63 Vine St S

In response to your correspondence date April 5, 2017, please be advised that our Engineering Design Department has 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.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra 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 an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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.

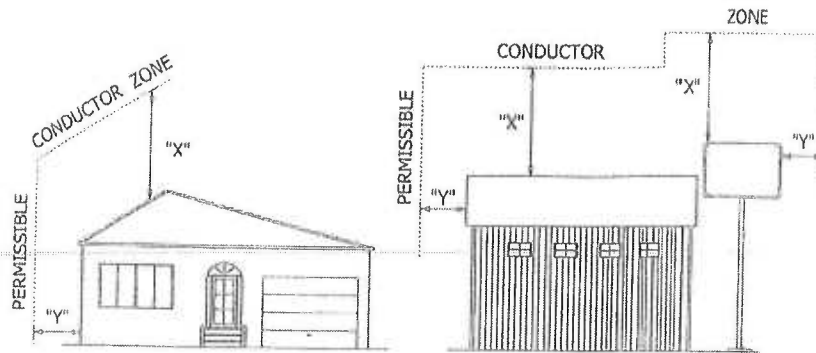
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerley,

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

Scott Beaudrie
Supervisor, Engineering Design



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS
(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:	DRAWINGS NOT TO SCALE	
DRAWING #	SHEET #	REVISION #
3-105	1	0

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]

Sent: Thursday, April 06, 2017 8:09 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

Hello Elaine

Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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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: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
A-35/17	72 Merritt Street	No Comment
A-36/17	63 Vine Street	No Comment
A-37/17	112 Oakdale Avenue	The reduction of yard setbacks may have spatial separation implications affecting unprotected openings/glazed areas and wall construction.
A-38/17	30 Power Glen Road	The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-39/17	25 Dunelm Drive	Be advised that the reduction in setback will impact the permitted wall construction. Any proposed openings along that wall will require closures other than wired glass or glass block (such as rolling steel shutters). A Building permit is required for the proposed addition.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx

Munro, Elaine

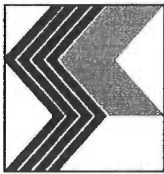
To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student

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

Date: April 7, 2017
Hearing Date: April 19, 2017

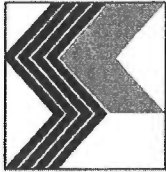
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

30 Power Glen

Departmental &
Agency Comments

April 11, 2017

Our File No.: PLMV201700381

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-38/17)
30 Power Glen, St. Catharines

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

This application has been made for the following:

1. A reduction of the minimum front yard setback from 6 metres to 4.06 metres for Unit 1.
2. A reduction of the minimum distance from Private Road to dwelling from 3 metres to 1 metre for Unit 7.
3. A reduction of the minimum front yard setback from 6 metres to 4.21 metres for Unit 21.
4. A reduction of the minimum distance from Private Road to dwelling from 3 metres to 1.87 metres for Unit 28.

The variances are requested for the proposed 28 townhouse condominium development.

Niagara Peninsula Conservation Authority Regulations:

The subject lands are located adjacent to a valley associated with Twelve Mile Creek. Through the review of previous applications for the proposed development, the NPCA has reviewed the submitted geotechnical report, prepared by Landtek Limited and dated June 30, 2014. The report concluded that the stable top of slope coincides with the physical top of slope, which is on the south side of Power Glen. NPCA staff have no objection to the report's conclusion and are satisfied the boundary of the development is greater than 7.5 metres from the stable top of slope, which conforms to NPCA policy (3.25). There are no other NPCA regulated features on the subject lands.

Given the above, the NPCA has no concerns with the application based on NPCA policies.

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 mapping identifies an Environmental Conservation Area (ECA) for Significant Woodland adjacent to (within 50 metres) the subject property. In accordance with Regional Policy 7.B.1.11, development and site alterations may be permitted within an ECA, or on lands adjacent to (i.e. within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. There is a road (Power Glen) between the development and the ECA feature, which provides sufficient buffering for the feature. As a result, NPCA staff are satisfied that there will be no significant negative impact to the ECA feature as a result of the proposed variances.

Conclusion:

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

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: Carmen Vetrone, Development Approvals Technician, Niagara Region
Craig Rohe, Development Planner, Niagara Region

30 Power Glen, St. Catharines



Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- Top of Slope Features
 - Stable
 - Unstable
- Top of Slope Allowance
- ESCARPMENT HAZARD SUR
- NHS - Potential Corridors
- ECA: Valley Shoreline Buffer
- ECA: Significant Woodlands
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
 - 2K HydroPoly
 - 2K Hydrography
 - AIRPORTS
 - Campsites
- SWOOP_2015
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Notes

101.6 0 50.80 101.6 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



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): A-38/17

File: 60.81.5207

Subject: 30 Power Glen

Recommendation

That Submission **A-38/17** by Rinaldi Homes (Niagara) Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through application **A-38/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application A-38/17 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 from 6 metres to 4.06 metres for Unit 1.
2. A reduction of the minimum distance from Private Road to dwelling from 3 metres to 1 metre for Unit 7.
3. A reduction of the minimum front yard setback from 6 metres to 4.21 metres for Unit 21.
4. A reduction of the minimum distance from Private Road to dwelling from 3 metres to 1.87 metres for Unit 28.

The variances are requested for the proposed 28 townhouse condominium development.

Location and Site Description

The subject property is located on the North side of Power Glen South of Pelham Road. The subject property is surrounded by detached dwellings to the north, east and south, with parkland 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 Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E7 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 property is zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, townhouse dwellings and private road developments.

Application A-38/17

Collectively the variances requested are intended to allow the construction of a 28 unit condominium townhouse development. Variances 1 and 3 request reductions in the front yard (to Power Glen) for Units 1 and 21, respectively. In both instances the proposed reductions will have no adverse impacts. Adequate distance is maintained for tree preservation and enhanced landscaping, amenity space, and parking for those units.

Variances 2 and 4 request reductions in the distance between the dwelling and Private Road for Units 7 and 28 respectively. The proposed reduction for unit 7 is limited to a central location on the side of the dwelling. As such, sight lines will be maintained along the access to Pelham Road. The proposed reduction for Unit 28 similarly will not impact sight lines on the access to Power Glen. The reductions are at “pinch points” on the sides of the dwellings. No adverse impacts are anticipated as a result of these requested variances.

The subject lands are located next to the Power Glen Heritage District. The proponent has submitted a site plan agreement application, which is currently being reviewed. Among other matters, the development shall be required to create a compatible interface with adjoining heritage district lands (eg. buffering by landscaping/fencing).

Conclusion

Staff is of the opinion that the variances requested by application **A-38/17** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in

nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:



Douglas Pateman
Student Planner

Submitted by:



Kevin Blozowski, MCIP, RPP
Heritage Planner

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Last 2 Applications RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (2 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, April 06, 2017 8:12 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Last 2 Applications RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (2 of 2 emails)

Hello Elaine

Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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April 5, 2017

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

Attention: Elaine Munro

File# 60.81.5207

Re: 30 Power Glen

In response to your correspondence dated April 4, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

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 an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra 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

Alectra Utilities Corporation

PO Box 2249 Station LCD 1, Hamilton, ON L8N 3E4

Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

- 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 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerley,

A handwritten signature in dark ink, appearing to read 'Scott Beaudrie', is written over a horizontal line.

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

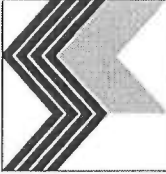
Date: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
A-35/17	72 Merritt Street	No Comment
A-36/17	63 Vine Street	No Comment
A-37/17	112 Oakdale Avenue	The reduction of yard setbacks may have spatial separation implications affecting unprotected openings/glazed areas and wall construction.
A-38/17	30 Power Glen Road	The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-39/17	25 Dunelm Drive	Be advised that the reduction in setback will impact the permitted wall construction. Any proposed openings along that wall will require closures other than wired glass or glass block (such as rolling steel shutters). A Building permit is required for the proposed addition.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx



Memorandum

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

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: April 5, 2017

Subject: Notice of Hearing: Minor Variance
Address: 30 Power Glen
File No: 60.81.5207

Please be advised that we have reviewed the above-noted application and have no concerns with the proposed minor variances. Proposed minor variance 3, reduction in minimum front yard setback for Unit 21 will bring this unit closer to the existing trees along Power Glen, however this proposal is in line with the arborist report and landscape plan submitted through the site plan agreement which includes requirements and specifications for tree preservation in this area.

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

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

Date: April 7, 2017
Hearing Date: April 19, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

25 Dunelm Drive

Departmental &
Agency Comments

April 13, 2017

Our File No.: PLMV201700382

BY E-MAIL ONLY

City of St. Catharines
Committee of Adjustment
50 Church Street
St. Catharines, ON
L2R 7C2

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-39/17)
25 Dunelm Drive, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application and offers the following for your information. The subject application has been made to permit the following:

- 1) A reduction of the minimum interior side yard setback from 1.2 metres to 0.6 metres.
- 2) A reduction of the minimum rear yard setback from 7.5 metres to 5.26 metres to the first floor of addition.
- 3) A reduction of the minimum rear yard setback from 7.5 metres to 3.58 metres to the second floor addition.
- 4) An increase of the interior accessory dwelling unit floor area from 60 m² to 86 m²

The variances are requested for the proposed construction of a 2 storey addition with the first floor being a garage and the second floor being an interior accessory dwelling unit.

Niagara Peninsula Conservation Authority Regulations:

NPCA mapping identifies a regulated tributary to the east of the subject property. This section of the tributary has been identified as Type 2 (important) fish habitat. In accordance with Policy 3.6 a minimum 15 metre setback is typically required from the bankfull edge of any Type 2 watercourse to all development and site alterations. Exceptions to the setback may be considered on a site specific basis in areas of existing development, where the works will not encroach into the setback any further than the existing structures. NPCA staff are satisfied that the watercourse is located on an adjacent property with a setback of at least 8 metres from the edge of the watercourse to the rear property line of the subject lands. In addition, there is an existing shed on the property located closer to the watercourse than the proposed addition. As such, NPCA staff are satisfied that an adequate buffer has been provided from the edge of the watercourse to the subject lands and are satisfied there will be no negative impact to the watercourse as a result of the subject application.

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 also identifies the watercourse as Type 2 (important) fish habitat. The subject application has been made to facilitate construction of an addition which will not extend any closer to the watercourse than the existing extent of development on the property. As such, the NPCA is satisfied there will be no significant negative impact to the identified features as a result of the subject application.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made for the purpose of constructing a 2 storey addition.

Please note, due to the location of the proposed addition within 15 metres of a regulated watercourse, an NPCA work permit will be required prior to the issuance of a building permit and commencement of any construction or site alterations.

Lastly, please note that due to the identified features on the property, any future works proposed 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: Carmen Vetrone, Development Approvals Technician, Niagara Region
Craig Rohe, Planner, Niagara Region



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: April 19, 2017

Submission(s): A-39/17

File: 60.81.5208

Subject: 25 Dunelm Drive

Recommendation

That Submission **A-39/17** by Richard Kenneth Ahle as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through application **A-39/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variances be approved

Proposed Development

Application **A-39/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum interior side yard setback from 1.2 metres to 0.6 metres.
2. A reduction of the minimum rear yard setback from 7.5 metres to 5.26 metres to the first floor of addition.
3. A reduction of the minimum rear yard setback from 7.5 metres to 3.58 metres to the second floor addition.
4. An increase of the interior accessory dwelling unit floor area from 60 m² to 86m².

The variances are requested for the proposed construction of a 2-storey addition with the first floor being a garage and the second floor being an interior accessory dwelling unit.

Location and Site Description

The subject property is located on the east side of Dunelm Drive, east of Dunblane Ave. The subject property is surrounded by detached dwellings to the west and north, the Welland Canal 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 Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E4 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 property is zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

Application A-39/17

Variance 1 of application **A-39/17** requests a reduction of the minimum interior side yard setback from 1.2 metres to 0.6 metres. The 0.6m reduction is considered to be minor in nature. The reduction is for the southerly interior lot line, which abuts a vacant parcel of land owned by Niagara Region for drainage purposes. A 0.6 metre side yard setback will still allow access to the rear yard, and is not expected to adversely impact the lands to the south which is not expected to develop in the near future. Therefore, staff have no concerns regarding privacy. It is the opinion of staff that the proposed variance is appropriate for the desirable use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Variances 2 and 3 request a reduction in the rear yard setback from 7.5 metres to 5.26 metres for the first floor of the addition, and from 7.5 metres to 3.58 metres for the second floor. The rear lot line abuts the road right-of-way for the Welland Canal Parkway. Any impact on the road is negligible due a sizable landscape buffer. The rear yard setback to the principle dwelling exceeds the minimum requirement, and adequate amenity space will be maintained. No adverse effects are anticipated as a result of the reductions in rear yard setback to the proposed addition.


Variance 4 requests for an increase in the area of an interior accessory dwelling unit from 60m² to 84m². The increase in floor area for an accessory dwelling unit would allow for the construction of a two-storey addition containing a second-floor dwelling

unit. The Zoning By-law allows interior accessory dwelling units to have an area equal to 40% to that of the principle dwelling unit (including basement) or 60m², whichever is less. The intent of the maximum floor area is, in part, to ensure that the accessory unit remains secondary to the principle dwelling unit. The principle dwelling unit on the subject lands has a floor area of approximately 198m² (including basement). Forty percent of the area of the principle dwelling would be around 80m². As the proposed 86m² floor area is approximately 40% of the floor area of the principle dwelling unit, it is sufficiently secondary to the main dwelling unit. The proposed accessory unit is also located exclusively above the proposed garage, as opposed to the ground floor, which further ensures that it is a secondary unit, as opposed to a second principle unit. Additionally, the subject property has an area of 722m², which is well above the maximum permitted lot area for a detached dwelling. The increase in floor area for the accessory dwelling unit will not compromise the amenity space on the large lot. The 26m² increase in area is considered to be minor, and is appropriate for the desirable use of the lands.


Conclusion

Staff is of the opinion that the variances requested by application **A-39/17** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:


Douglas Pateman
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, April 06, 2017 8:09 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for April 19, 2017 Hearing (1 of 2 emails)

Hello Elaine

Cogeco has no issues or concerns with this Committee of Adjustment Applications

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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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: March 20, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – March 29, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-04/17	76 Devon Road	Be advised that the reduced rear setback will impact the maximum area of glazed openings permitted on the exterior yard facing the rear yard.
A-32/17	15A Townline Road E	No Comment
A-33/17	15A Townline Road E	No Comment
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A-36/17	63 Vine Street	No Comment
A-37/17	112 Oakdale Avenue	The reduction of yard setbacks may have spatial separation implications affecting unprotected openings/glazed areas and wall construction.
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A-39/17	25 Dunelm Drive	Be advised that the reduction in setback will impact the permitted wall construction. Any proposed openings along that wall will require closures other than wired glass or glass block (such as rolling steel shutters). A Building permit is required for the proposed addition.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\09 bcoa memo-mv-Mar29, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the April 19/17 CofA Hearing

From: Sullivan, Kristen
Sent: Wednesday, April 05, 2017 4:50 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 April 19/17 CofA Hearing

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

- 76 Devon (mv)
- 15 Townline (mv)
- 72 Merritt (mv)
- 112 Oakdale (ld and mv)
- 63 Vine S (mv)
- 25 Dunelm (mv)

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Douglas Pateman, Planning Coop Student

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

Date: April 7, 2017
Hearing Date: April 19, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-04/17SC – 76 Devon Road
A-32/17SC – 15A Townline Road East
A-33/17SC – 15 Townline Road East
A-35/17SC – 72 Merritt Street
A-36/17SC – 63 Vine Street South
A-37/17SC – 112 Oakdale Avenue
A-38/17SC – 30 Power Glen
A-39/17SC – 25 Dunelm Drive

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

- the requirement for the Owner of 63 Vine Street South to enter into an encroachment agreement with the City of St. Catharines to address the request to increase the maximum encroachment of the eaves on the proposed building

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2017

Subject: Committee of Adjustment
Public Hearings – April 19, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/