



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Special Meeting, Monday, May 1, 2017
Council Chambers, City Hall, 6:30 PM**

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

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1. Mayor's Report

2. Adoption of the Agendas

3. Declarations of Interest

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- 4.1 Planning and Building Services, Planning Services
Residential Infill and Intensification Development Review – Proposed
Amendments to the Official Plan, Zoning By-law, and Related
Development Review Procedures and Practices

5. Delegations

6. Call for Notices of Motion

7. Motions

8. In-Camera Session

Council will meet In-Camera for the following purposes:

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

9. Motion Arising from In-Camera Session

10. By-laws

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- 10.1 Reading of By-laws

11. Adjournment



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: April 14, 2017

Date of Meeting: May 1, 2017

Report Number: PBS-114-2017

File: 60.35.2.1, 60.30.329, 60.35.1026

Subject: Residential Infill and Intensification Development Review – Proposed Amendments to the Official Plan, Zoning By-law, and Related Development Review Procedures and Practices

Recommendation

That Council approve the Official Plan Amendment No. 13 for the Residential Infill/Intensification Development Review as outlined in Appendix 3.

That Council approve the Amendment to the City's Comprehensive Zoning By-law No. 2013-283 for the Residential Infill/Intensification Development Review, as outlined in Appendix 4, and with an additional amendment to the Zoning By-law to increase the maximum lot area requirement for a detached dwelling in the R1 zone from 490 m² to 538 m².

That Council rescind Interim Control By-law 2016-305 on June 12, 2017, barring any appeals lodged against Official Plan Amendment No. 13 and/or the Amendment to the City's Comprehensive Zoning By-law No. 2013-283 for the Residential Infill/Intensification Development Review Amendment.

That Council approve and identify established residential neighbourhoods as a priority area for establishing Urban Design Guidelines; and

That a comprehensive set of Urban Design Guidelines be prepared and used, together with other design principles and policies established in the Official Plan, in the review and evaluation of development and redevelopment and lot creation proposals in established residential neighbourhoods; and

That Urban Design Guidelines for established residential neighbourhoods be brought before Council on June 26, 2017 for approval in principle.

That Council approve the establishment of a Design Review Panel to provide knowledgeable design guidance and advise to staff and proponents alike in the review and evaluation of development/redevelopment and lot creation; and

That the Design Review Panel be first established as one (1) year pilot project to specifically evaluate lot creation proposals; and

That Terms of Reference to establish a Design Review Panel be considered by Council for approval on June 26, 2017.

That Council approve direction to routinely require, as a condition of lot creation approval in established residential neighbourhoods, that a Development Agreement be registered on title, and which will address conditions for future development design of the subject lands, including but not limited to site design, site servicing, grading, landscaping, tree protection, access, architectural details and building elevations; and

That the City's Delegation By-law 2004-277 be amended to delegate approval authority for Development Agreements to the Director of Planning and Building Services.

That Council implements a two-step meeting process for consideration of Official Plan amendments, Zoning By-law amendments, and draft plans of subdivision and condominium, as follows:

“that the required legislative public meeting pursuant to the Planning Act be held for the express purpose of receiving public input on proposed Official Plan amendments, Zoning By-law amendments, and draft plan of subdivision and condominium, and that Council consideration of a staff recommendation report on proposed amendments be made at a subsequent Council meeting.”

That Council approve direction that, except for minor applications, public notice be given for new site plan approval applications, including major amendments to existing approvals for all types of development, and that a public open house meeting be required to present and discuss the subject application; and

That notice be given to all properties within a 120 metre radius of the subject lands.

That Council approve direction to extend the timeline for giving Notice of Hearing for Committee of Adjustment applications to 21 days; and

That Notice of Hearing, including posted notice signs, be amended to provide for simpler language, greater transparency, and direction to facilitate enhanced public input opportunities; and

That application forms be updated, and complete application requirements be amended to require more detailed information to evaluate proposals, including submission of concept plans vetted through the Design Review Panel; and

That changes to Committee of Adjustment processes, timelines, Notice requirements and application forms be phased in by September, 2017.

That Council approve direction to establish a platform through the City's web site to provide systematic notice for all new submissions for all types of development application matters, including consent and minor variance applications.

That pursuant to Section 34 (17) of the Planning Act, no further public meeting is required with respect of the proposed Zoning By-law Amendment.

That the City Solicitor be directed to prepare the necessary by-laws; and

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

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

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

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

Summary

Council have directed a review of infill and intensification development in the City's established low density residential neighbourhoods. Staff has completed the Review, and recommends a multi-faceted and comprehensive planning framework and approach to managing compatible integration of new development and lot creation in residential neighbourhoods. This approach includes amendments to Official Plan policy, Zoning By-law standards, and changes to Committee of Adjustment processes and protocols. It also places greater emphasis on enhanced urban design measures to evaluate development, including the preparation and use of Urban Design Guidelines, and the establishment of a Design Review Panel to provide knowledgeable guidance in the review and evaluation of development and redevelopment opportunities. Integrated throughout this planning framework are enhanced public facilitation and notification measures to support a more transparent, informed and integrated review process on planning matters.

Background

Sighting concern with the current policy framework respecting infill and intensification development in established residential neighbourhoods, on September 12, 2016 Council passed a resolution directing staff to review Official Plan policy, Zoning By-law standards, and related development review procedures and practices, including the potential for a Design Review Committee, as it applies to housing infill and intensification in established residential neighbourhoods of the City.

Tied to this Review is the Council adoption of an Interim Control By-law in December, 2016 which places a moratorium on new lot creation and new multi-unit development on Residential (R1) zoned lands.

Staff have now completed the Review, and are recommending a number of changes to land use planning mechanisms and tools to best manage the compatible integration of new housing infill and intensification within established low density residential neighbourhoods.

Recommendations include

- amendment to the City's Official Plan to revise urban design and lot creation policies to strengthen direction and implementation for compatible and context sensitive development and redevelopment; and specifically;
 - require the preparation and use of Urban Design Guidelines in the review and evaluation of development and redevelopment proposals in established lower density residential neighbourhoods.
 - establish a Design Review Panel to provide knowledgeable design guidance in the review and evaluation of lot creation proposals, and other development and redevelopment proposals where deemed necessary through eligibility criteria for applications.
 - require where warranted, Development Agreements as a condition of lot creation approval to ensure future use of the lands has regard for urban design matters.
- amendment to the City's Comprehensive Zoning By-law No. 2013 -283 to revise regulatory standards applying primarily, but not exclusively to, the Low Density Residential - Suburban Neighbourhood (R1) zone.

Revisions to zone standards include:

- decrease building height limits;
- increase lot width and building setback requirements;
- increase the maximum lot area requirement for detached dwelling in the R1 zone;
- require front and exterior side yards based on 'averaging' of existing yard setbacks with abutting properties;
- change building setback requirement for multi-unit development on corner lots;
- increase open space landscape requirements;
- establish total lot coverage provisions.

- amendment to Committee of Adjustment procedures and related protocols to:
 - increase application notice timelines;
 - simplify notice format to remove 'legalese' and improve notice signage while maintaining required notice information prescribed by the Planning Act;
 - expand complete application requirements to include development concept plans in relation to lot creation proposals;
 - enhance application review procedures through the Design Review Panel;
- establish notification measures to better inform the public with respect to submission of development applications including enhanced public engagement measures.

Council is holding a Public Meeting in accordance with the Planning Act on May 1, 2017, to receive public input and to consider approval of staff recommendations for proposed changes as outlined in this report.

The following provides a chronology of the Review to date.

Chronology of Review

- September 12, 2017 - Council direction to undertake Review.

The Council motion directing staff to undertake the Review is as follows:

"Whereas intensification is a desirable principle which reduces urban sprawl and more efficient use of infrastructure; and

Whereas intensification should not be used by developers as the sole rationale for every development proposal, but instead be used only if the development is compatible with the neighbourhood; and

Whereas some proposed severances may result in incompatible development within neighbourhoods; and

Whereas some neighbourhoods are being targeted for severances that are not compatible with their neighbourhoods, and

Whereas we have examples of severances whereby housing is being constructed to the detriment of neighbourhoods;

Therefore Be It Resolved that the City's Official Plan policy and Zoning by-law standards for infill development within neighbourhoods be reviewed and that staff consider criteria to evaluate severance applications including, but not limited to, the following:

- site layout including building footprint, parking area location, landscaped areas
- architectural elevations

- proposed building material
- similar design criteria which contribute to infill development that is sensitive to the established neighbourhood; and
- compatibility with neighbouring properties

Be It Further Resolved that staff examine the merits of establishing a design review committee consisting of staff and knowledgeable volunteers to provide input into the review of development applications using Council approved planning policy and design guidelines as the basis for review, and

Be It Further Resolved that the review of the severance procedures be such that there will be an opportunity for citizens to give their input into the process; and
Be It Further Resolved that staff be directed to report back to Council regarding the items in this motion, and the possibility of immediately applying the urban design policies that are already in place for developments of over four (4) units to properties less than four (4) units including single lot severances to ensure compatibility with the neighbourhood.”

- December 5, 2016 - Council adoption of Interim Control By-law (ICB)

To allow sufficient time to undertake the Review, and in the interim to preclude any new development that may otherwise not be permitted as a result of review findings and recommendations, Council passed an Interim Control By-law (ICB) on all properties zoned Low Density Residential – Suburban Neighbourhood (R1) in the City’s Zoning By-law 2013-283. The R1 zone applies to most properties within the City’s lower density residential neighbourhoods.

The ICB places a moratorium on new vacant lot creation and multi-unit development in the R1 zone, allowing only development of single detached dwellings.

Pursuant to the Planning Act, the ICB may be in place for up to a year, and may be extended by Council for an additional one year period. It may also be repealed by Council at any time. It is anticipated that the ICB will be repealed once the Review is complete and any appeal periods pertaining to the approval of new official plan policies and zoning regulations have passed. Two appeals to the ICB have been received and forwarded to the Ontario Municipal Board. No hearing date has yet been scheduled.

Although the ICB is specific to the R1 zoned lands, the Review addresses all residential zones in the City.

- February 16, 2017 - Public Information Session 1

Staff hosted an initial Public Information Session to present and receive input on the identification and focus of issues, preliminary staff evaluations, and recommended approach to better managing future residential infill and intensification opportunities and proposals. The meeting was well ended by approximately 100 persons,

including residents, industry stakeholders, and members of Council. The staff presentation made that night is attached as Appendix 1.

Issues identified include:

- privacy, overlook, height
- fit within streetscape
- spacing, separation, building mass, lot sizes
- streetscape, site design
- overdevelopment on undersized lots
- tree protection
- front yard parking vs landscaping
- range of housing types
- diversity
- property values
- affordability
- architectural design
- construction impacts
- compliance with Provincial land use policy
- process - public input

- March 2, 2017 - Public Information Session 2

Staff hosted a second Public Information Session to confirm issues and present and receive input on preliminary draft recommendations concerning the Review. The meeting was well ended by approximately 80 persons, including residents, industry stakeholders, and members of Council. The staff presentation made that night is attached as Appendix 2.

- March 27, 2017- Status Report to Council / Direction to establish a Design Review Committee as a pilot project

Council considered a staff report on the Review status, and adopted the recommended timeline for completion of the Review, including holding a Public Meeting on May 1, 2017 to receive public input and consider approval of staff recommendations for changes to the Official Plan the Zoning By-law, and related development review and evaluation procedures and practices.

At that time, Council also directed that a Design Review Committee be established, as a one (1) year pilot project, specifically to review severance applications brought before the Committee of Adjustment.

The Council motion is as follows:

“That Council endorse the timeline for completion of the Residential Infill and Intensification Development Review as set out in this report; and

That Council schedule a special meeting of Council to be held on May 1, 2017 for the purposes of holding a legislated public meeting, pursuant to the Planning Act, to receive public comment and input and to consider approval of staff recommendations for amendments to the Official plan and Zoning By-law; and, also consider staff recommendations related to matters concerning development review, evaluation and approval procedures and practices as it applies to the Residential Infill and Development Review; and

Whereas Step 2 of the Review Timeline Report indicates that the preparation of Urban Design Guidelines and evaluating a Design Review Committee will take longer than official plan and zoning by-law amendments;

Therefore be it resolved to expedite the process, Council approve in principle a Design Review Committee as a pilot project for a period of one year from the date of appointment of the Committee, made up of staff and knowledgeable individuals, and that staff be directed to report back to Council on June 26, 2017 with a Design Review Committee framework based on best practices from other jurisdictions; and

That the Design Review Committee be limited to providing advice only on severance applications that create new infill lots for new development ; and

Further, that the pilot project for the Design Review Committee be reviewed after one year from the date of appointment of the Committee.”

- April 10, 2017- Notice of Legislated Public Meeting and Release of formal draft Official Plan and Zoning By-law Amendments for public review and comment

Formal draft amendments to the City’s Official Plan and Comprehensive Zoning By-law were released for public review and comment on April 10, 2017. Public Notice of the May 1, 2017 Legislated Public Meeting was given via notice in the St. Catharines Standard, the City’s website and by individual email to participatory stakeholders in the Review.

The draft amendment to the Official Plan is attached as Appendix 3

The draft amendment to the Zoning By-law is attached as Appendix 4.

Also attached are Track Changes showing exactly where and what changes to Official Plan policy and Zoning By-law standards are proposed in the draft amendments. The Track Changes are attached as Appendix 5 and 6.

- May 1, 2017 – a Public Meeting held by City Council to receive public input and comment will occur where Council may consider approval of recommended Official Plan and Zoning By-law amendments and related development review and evaluation procedures and practices.

Report

Pursuant to Provincial legislation, the City's Official Plan, and Zoning By-law, must be consistent with Provincial and Regional growth targets, and the growth management policies established through the Provincial Policy Statement (PPS), Places to Grow (P2G) Plan, Greenbelt Plan (GB) and the Niagara Escarpment Plan (NEP).

Combined, Provincial land use plans emphasize accommodation of growth through mixed use, and land, service and cost efficient development and intensification of the built environment.

One of the concerns expressed through the Review is that the local Official Plan promotes intensification because the City is mandated to do so through Provincial legislation, and to be consistent with Provincial Land Plans.

Notwithstanding Provincial policy, when having regard for our local context, the City needs to support intensification of the built environment if to maintain and protect the City's 'world class' agricultural lands, and at the same time, support accommodation of future population, housing and employment growth.

Local Planning Framework/Context

- **Growth Target**

Based on Provincial and Region of Niagara growth forecasts and allocations, the municipality is projected to grow by 32,000 people to 2041. It is estimated that 15,200 new dwelling units will be required to accommodate this population growth target.

- **Existing Land Use Structure**

The municipality is approximately 9800 hectares in size, with 70% of land within the Urban Area boundary, and 30 % in the Agricultural Area. Up until the 1950's, the City's urban /agricultural land base was opposite (30% urban/70% agricultural).

The City's Urban Area boundary was established in the 1970's. It was established to curtail expansive urban sprawl that had taken place in the City post World War II, wiping out a significant portion of the City's agricultural land base, and also to protect the remaining agricultural lands recognizing the 'world class' value of this resource, and their contribution to the City's economy, diversity, community and 'sense of place'.

Agricultural Area

Based on agriculture soil classifications and the unique local micro-climate generated by the Niagara Escarpment and Lake Ontario, the City's remaining agriculture lands are considered 'world class' for the growing and production of tender fruit and other crops. The Provincial Greenbelt Plan designates these lands as 'Specialty Crop', affording the highest agricultural land classification and most restrictive policy base for land protection in the Province.

Urban Area

The Urban Area comprises approximately 48,500 properties, of which 88% of properties are zoned specifically for residential use, and of those, 85% are zoned under the City's lower density residential zone classifications: the Low Density Residential-Suburban Neighbourhood (R1) zone and the Low Density Residential - Traditional Neighbourhood (R2) zone. The other 15% of residential lands are zoned Medium Density Residential (R3) and High Density Residential (R4).

The current housing mix in the City is approximately 60% single detached housing, 20% for multiple townhouses, and 20% apartments.

Much of the Urban Area is built out. There are 132 hectares of designated vacant developable residential lands remaining in the Urban Area. If all these lands were developed based on traditional growth rates and mix of housing towards a development pattern for low density housing, the vacant developable residential land supply may accommodate up to 3000 new housing units, would likely be built out in approximately 10 to 12 years, and accommodate only 20 % of projected housing need to 2041.

- **Official Plan - Growth Management Plan**

The City's Official Plan establishes a land use planning framework to accommodate future population, housing and employment growth and development in keeping with the direction of Provincial land use policy. Also having regard for our local context and a sustainable planning ethic, the growth management plan established in the Official Plan supports and emphasizes the following:

- intensification of the built environment.
- the efficient use of land, hard and soft services, and infrastructure capacity vs. urban sprawl.
- financial sustainability to support cost efficiencies and maintenance of infrastructure over the long term.
- compact, mixed use, transit and service supportive development.
- minimum density standards to accommodate future housing and employment to support growth forecasts.
- housing diversity, mix, choice and affordability to promote inclusive community and support cultural/lifestyle shifts towards smaller household and housing types vs. 1960's space expansive housing accommodation.
- accessibility, and walkable, bikeable and connected neighbourhoods, and complete streets.
- enhanced urban design to support compatible integration of new uses, built form, protection of the tree canopy, greening, reduction of the carbon footprint, and energy efficiency.
- protection and conservation of natural and cultural heritage.
- protection and promotion of the agricultural land base, economy and community vs. expansion of the Urban Area to accommodate new growth and resulting long term costs to maintain required additional infrastructure.

- **Priority Areas for Growth**

Concerns have been expressed through the Review that new housing growth should not be directed towards the City's established lower density residential neighbourhoods, but rather, towards locations more suitable to support higher density housing such as the Downtown, along arterial road intensification corridors, and at major nodes and larger vacant properties.

The growth management plan established in the Official Plan contains policies that direct exactly this type and location of growth.

The land use planning framework supports the accommodation of approximately 92 % of the City's future housing target through development and redevelopment within the Downtown, along Intensification corridors and Nodes, and on larger vacant/developable residential properties specifically zoned for medium and higher density residential use (R3 and R4 residential zones).

Although the lower density residential zones (R1 and R2) make up 75% of all City properties, and 85% of all residential zoned properties, the development and redevelopment of vacant and occupied lands within these zones are planned to accommodate only 8 % of the City's future housing target to 2041.

Priority areas for housing growth are set out on Appendix 7, and are as follows:

1. Downtown

The Downtown is designated as an Urban Growth Centre in the Provincial P2G, and is intended to support the highest density, concentration and mix of housing, employment, commercial and civic uses in the municipality.

The Downtown is zoned to accommodate medium and higher density housing types (multiples, apartments) and accommodation for 4,600 new dwelling units. This represents accommodation for approximately 30% of the City's housing growth target to 2041

2. Intensification Corridors/Nodes

The Official Plan designates a number of arterial roads as Intensification Corridors, and which are zoned to support reuse and rehabilitation of the built environment for a mix of commercial and medium and higher density housing types (multiples, apartments).

The Official Plan and Zoning By-law also establishes permission for the integration of residential apartment uses within the City's major, community and neighbourhood scale commercial plazas and nodes.

The intensification corridors and nodes are planned to support approximately 4,600 new dwelling units, and represents accommodation for 30% of the City's housing growth target to 2041.

3. Vacant/Developable Residential Land Supply

There are 315 vacant developable residential properties in the Urban Area, located on 132 hectares of land, that are zoned under the four residential zone categories in the Zoning By-law, as follows:

- Low Density Residential – Suburban Neighbourhood (R1)
- Low Density Residential – Traditional Neighbourhood (R2)
- Medium Density Residential (R3)
- High Density Residential (R4)

a) R3/R4 properties:

Of all the vacant developable residential properties, 120 properties are located in the R3 and R4 zones, on 104 hectares of land, and include both vacant parcels of land, partially vacant underutilized properties, and former industrial, commercial and institutional properties now zoned residential for future housing accommodation. They are typically larger properties located along or close too arterial roads and major nodes, and zoned to permit medium and higher density housing developments. These properties are planned to support approximately 4800 new dwelling units, and represents accommodation for 31.5 % of the City's housing growth target to 2041.

b) R1/R2 properties:

Based on vacant land supply, existing lottage patterns, density permissions, an aging housing stock, and cultural and lifestyle shifts towards smaller households and housing types, it is estimated that 1200 new dwelling units may be created within the R1 and R2 zones through vacant land development, and new lot creation and replacement of existing housing stock on occupied lands.

This represents accommodation for 8% of the City's housing growth target to 2041, and only a 3% increase to existing housing stock in the City's established lower density residential neighbourhoods over the next 25 years.

• Vacant Land Supply

There are 180 vacant R1 and R2 properties within established residential neighbourhoods, located on 20 hectares of land. The vast majority of these properties are small, ranging in size between 0.03 and 0.10

hectares of land. These properties are zoned to accommodate a range of housing types (single detached, semi-detached and townhouses) at a low density housing standard.

Based on current zoning permissions, vacant R1 properties may accommodate approximately 200 new dwelling units, and vacant R2 properties may accommodate 160 new dwelling units. Combined this represents 360 new dwelling units on vacant R1 and R2 properties, and accommodation for 2.4% of the City's entire housing growth target to 2041.

- Residential Infill/Intensification on Occupied Lands

Residential infill may come in varying forms, including but not limited to new lot creation through severance, lot boundary adjustments and land assembly, building demolition and replacement, building additions, expansions, reuse and rehabilitation, conversions, and accessory apartments.

It is difficult to predict how many new housing units may be established through redevelopment of occupied lands within the R1 and R2 zones. It is estimated that new housing accommodation on occupied R1 and R2 lands may accommodate 5.6 % of the housing growth target to 2041. A further breakdown of these lands are as follows:

- i) Based on review of the existing lot pattern within the R1 and R2 zones, there are approximately 15 occupied but substantially underutilized properties, located on 8 hectares of land, and which are large enough to support private road development subject to future development approvals. Based on current density permissions, it is estimated that up to 260 new dwelling units may be accommodated on these lands, and represents accommodation for 1.7% of the housing growth target to 2041.
- ii) There have been 25 applications in the past 3 years for new small lot creation in the R1 and R2 zones. If this trend continues, it would represent the creation of 190 new building lots to 2041, add about 0.05 % to the existing lot inventory within these zones, and represent potential accommodation for about 1.3 % of the housing growth target to 2041.
- iii) There are also opportunities for demolition and replacement of existing housing stock to add additional dwelling units on existing property, including opportunities to create accessory dwelling units. If 400 additional dwelling units were added through these means, at an

average of 16 per year, this would accommodate 2.6 % of the housing growth target to 2041.

Review Evaluation and Recommendations

Pursuant to the Planning Act, there are a number of planning mechanisms and processes that the municipality may use in managing residential infill development and redevelopment. These include:

- Official Plan policy
- Zoning By-law standards and regulations
- Urban Design Guidelines
- Site Plan Approval (applied to developments of 4 or more dwelling units)
- Development Agreements (as a condition of severance)
- Committee of Adjustment, which considers severance approvals and minor variances to zoning standards
- Public notification procedures
- Enhanced review processes, including the establishment of Advisory Committees to assist in development review
- Enhanced public engagement and consultation.

Not one of these mechanisms has the legislative or regulatory teeth to comprehensively manage growth and development on it's own. To do so requires a multi-faceted approach.

Staff is recommending a number of changes to the various planning mechanisms to best manage the integration of new housing infill and intensification within established residential neighbourhoods.

Rationale for Recommended Changes

To accommodate growth in a sustainable manner, the growth management plan established in the City's Official Plan, and implemented through the Zoning By-law, supports intensification of the built environment, and permits a greater mix, range and density of housing types (detached, semi-detached, townhouses) in residential neighbourhoods than what has traditionally been permitted.

A number of comments received through the Review have requested that the range of housing types permitted in residential neighbourhoods be limited to traditional housing forms, primarily detached housing. The majority of comments received, however, relate to improved urban design measures to accommodate new housing, establishing a more rigorous review process, and enhanced opportunities for input into the evaluation of development/redevelopment and lot creation proposals.

The land use framework addressed above identifies the need to support intensification in all neighbourhoods if the City wants to continue to grow and evolve. In keeping with the City's growth management plan established through the Official Plan, staff is not

recommending changes to limit the range of housing types permitted in residential zones, or the density of development permitted.

It is the opinion of staff that a greater mix and range of housing significantly contributes to the evolution and growth of the City in a sustainable manner, and in a manner to provide for diversity of housing choices in all neighbourhoods to promote accessible and affordable housing options to support an inclusive community.

Most of the recommended changes to the existing planning framework relate to improved urban design measures and enhanced review and evaluation processes to best manage the integration of compatible infill development within established neighbourhoods.

The Official Plan recognizes that intensification, where appropriate, will generate a greater mix and integration of new uses, and different and alternative uses and building forms within the established environment. In doing so, the existing policy framework is also, and significantly, predicated on providing a balance through enhanced urban design policies and principles in support of compatible and context sensitive design.

Consideration for urban design in the evaluation of new development is a cornerstone of the Official Plan, and relevant policies serve to implement this goal. Current policy sets out a number of design principles and components to be used in the evaluation of development opportunities, including regard for building scale, massing, height, spacing of buildings, access, streetscape, shadowing, landscaping, greening, tree protection, architectural details and elevations.

Notwithstanding the above, good urban design is sometimes a debatable topic, means different things to different people, and the Official Plan lacks specific policy direction, or 'teeth', to ensure proper implementation is had for design principles in the review, evaluation and approval of development and redevelopment. To enhance the Plan's resolve, staff is recommending a number of amendments to Official Plan policy, Zoning By-law standards, Committee of Adjustment processes, and public facilitation measures to strengthen implementation and ensure regard is had for urban design in the evaluation of development, redevelopment and lot creation.

Official Plan Amendment

The draft Official Plan amendment is attached as Appendix 3. Track changes showing specifically where and what changes are proposed to Official Plan policy is attached as Appendix 5.

Proposed changes include the follow:

- Urban Design Guidelines

Recommendation One (1)

That the Official Plan urban design policies be amended as set out in the Official Plan amendment;

That established residential neighbourhoods be identified as a priority for establishing Urban Design Guidelines;

That a comprehensive set of Urban Design Guidelines be prepared and used, together with design principles already established in the Official Plan, in the review and evaluation of development and redevelopment and lot creation proposals in established residential neighbourhoods.

Staff recommends that priority be given to preparing Urban Design Guidelines for established residential neighbourhoods. The City has urban design guidelines for small lot infill development (for lots less than 370 m² (4000 sq. ft.) and townhouse dwellings within private road developments. They must be augmented to provide comprehensive guidelines to reflect development and redevelopment in residential neighbourhoods.

Design Guidelines should build upon the design principles and policies established in the Official Plan, and serve as a framework to guide decision making on the physical layout, massing, function and relationship of new and existing dwellings within established residential neighbourhoods.

They are intended to address changes occurring within established residential neighbourhoods so that compatibility can be achieved within the existing context and neighborhood character. Achieving compatibility is not about replicating the existing form or reproducing architectural styles or details, but rather, how new development can be designed to maintain and preserve neighborhood character.

Design Guidelines will assist development proponents in providing guidance on important design elements for new buildings, assist the municipality in evaluating development proposals, and provide guidance for neighborhood residents in design expectations and the review process.

- Design Review Panel

Recommendation 2

That a Design Review Panel be established to provide knowledgeable design guidance and advice to staff and proponents alike in the review and evaluation of development/redevelopment and lot creation;

That Terms of Reference to establish a Design Review Panel, and when it should be used, be considered by Council for approval on June 26, 2017.

As part of the original motion to undertake this Review, Council directed that consideration be given to establishing a Design Review Committee to provide input

into the review of development applications using Council approved planning policy and design guidelines as the basis for review.

On March 27, 2017, in considering a status report on the Review, Council further directed that a Design Review Committee be first established, as a one (1) year pilot project, to give design guidance and advice on new housing proposed through lot creation; and that terms of reference for the establishment of the Design Review .Committee be brought before Council for consideration on June 26, 2017.

The establishment of a Design Review Committee (or Panel) may serve to strengthen the urban design policy framework established in the Official Plan, and enable a systematic approach to ensure that the review and evaluation of development proposals has regard for established design principles and Urban Design Guidelines.

Proponents for new lot creation will be required to bring development concept plans before the Design Review Panel for review in advance of making application to the Committee of Adjustment for severance. In this manner, proposed future use and development on proposed new lots may be thoroughly vetted against established design principles and guidelines in the review and evaluation of lot creation proposals.

This will lead to increased time and more up-front costs to the proponent to prepare concept plans and requirements for submission of an application. Having concept plans addressed by the Design Review Panel prior to the submission of an application, the actual time to process applications should remain similar.

- Lot Creation policies /Development Agreement/Delegation By-law

Recommendation 3

That Official Plan lot creation policy be amended as set out in the Official Plan amendment;

That proposals for lot creation are to be reviewed by the Design Review Panel once formally established;

That among other conditions of approval, the municipality shall routinely require, as a condition of lot creation in established residential neighbourhoods, a Development Agreement to be registered on title, and which will address conditions for future development design of the site, including but not limited to site servicing, grading, landscaping, tree protection, access, architectural details and building elevations.

That the City's Delegation By-law 2004-277 be amended so to delegate approval authority for Development Agreements to the Director of Planning and Building Services.

a) Development Agreement

Residential development proposals for 4 or more dwelling units on a lot are subject to site plan approval and a site plan agreement registered on the title of the lands. The site plan agreement typically establishes conditions for the future development design of the site, including items such as site servicing, grading, drainage, tree protection, landscaping and building elevations.

Residential development for less than 3 or less dwelling units is not subject to site plan approval, and unless triggered by a planning application (minor variance, lot creation, zoning by-law amendment) development is subject only to obtaining a building permit in conformity with the Building Code, Fire Code, and Zoning By-law.

If, however, a planning application is required to facilitate the proposed development, Section 45 of the Planning Act provides that the municipality may require, as a condition of approval, that a Development Agreement be registered against the title of the subject lands

Depending on the scope of proposed development, conditions of the Development Agreement may be narrow or wide, and may address matters similar to site plan approval including serving, grading, drainage, landscaping, tree protection, access, building elevations and facades.

One of the concerns expressed through the Review is that new lots may be created without any clear indication of what the future development of the lot will be, or any detailed review of building and site design.

To support compatible integration of new development within established residential neighbourhoods, staff recommends that Development Agreements be routinely used in a systematic manner to establish conditions of future development design on newly created lots.

This will lead to increased cost for development proponents and time to secure complete approvals.

b) Amendment to Delegation By-law

It is unclear in the City's Delegation By-law By-law 2004-277 whether approval of Development Agreements was intended to be delegated to the Director of Planning and Building Services. Until clarified, staff have erred on the side of caution and have recommended Council approve Development Agreements.

On January 30, 2017, Council deferred consideration of a staff report which recommended that this issue be clarified, and that the Delegation By-law be

amended to give delegated approval authority for Development Agreements to the Director of Planning and Building Services. This will facilitate a more timely and streamlined approvals process.

In view of the recommended additional requirement for a Development Agreement as a condition of lot creation, the resulting additional costs and timing incurred by proponents to finalize lot creation approval, and in support of a more timely and streamlined approvals process, staff recommend that Council reconsider staff's earlier recommendation and direct that the Delegation By-law be amended to delegate approval authority for Development Agreements to the Director of Planning and Building Services.

- Public Facilitation and Notification

Recommendation 4

That the Official Plan be revised to introduce policies related to public facilitation and notification as set out in the Official Plan amendment;

That Council implements a two-step process for consideration of Official Plan amendments, Zoning By-law amendments, and draft plans of subdivision and condominium, as follows:

- that Council hold a legislated public meeting pursuant to the Planning Act for the express purpose of receiving public input on proposed Official Plan and Zoning By-law amendments, and Draft Plans of Subdivision and Condominium, and that consideration of a staff recommendation report on proposed amendments be given at a subsequent Council meeting;

That Council approve direction that, except for minor applications, public notice be given for new site plan approval applications, including amendments to existing approvals, for all types of development (residential, commercial, employment, institutional), and that a public open house meeting be required to present and discuss the subject application; and

That notice be given to all properties within a 120 metre radius of the subject lands.

The Planning Act, amended by Bill 73 'Smart Growth of Our Communities Act, 2015', requires local municipalities to establish policies within the Official Plan related to public participation and required notification of planning matters. The Planning Act allows that where a municipality has public participation and notification policies established in the Official Plan, the municipality may establish alternative public meeting requirements and notification of planning matters.

- a) Public Meeting Process for Official Plan amendments, Zoning By-law amendments, and Draft Plans of Subdivision and Condominium

The Planning Act prescribes specific public meeting and notification requirements on planning matters related to Official Plan and Zoning By-law amendments, and Plan of Subdivision and Condominium approval.

Although the proposed new Official Plan policy for public participation and notification establishes the opportunity to set out alternative requirements, it is the opinion of staff that current notice requirements in the Planning Act for the above planning matters are appropriate and responsive, and do not require change.

Notwithstanding the above, staff recommend the following changes to meeting process.

Staff recommends changes to the actual format and timing of the legislative public meeting process for official plan and zoning by-law amendments, and draft plans of subdivision and condominium, and the implementation of a two-step process for the date of holding a public meeting, and subsequent date for Council consideration of a staff recommendation report and adoption of any implementing by-laws.

Under the current system, Council hosts the required legislative meeting (pursuant to the Planning Act) to receive public input on official plan amendments, zoning by-law amendments, and draft plans of subdivision and condominium, and later at the same meeting, considers a staff recommendation report for approval of the amendments.

Staff recommend that the legislative public meeting be held at one Council meeting for the express purpose of receiving public input and comment on proposed amendments and draft plans, and that a staff recommendation report for approval of amendments be considered by Council at a subsequent meeting.

The two-step process for the legislated public meeting and Council consideration of a staff recommendation report allows for:

- more time for Council to consider public input received;
- a greater timeline for staff to comprehensively review, evaluate and respond to public input received at the legislative public meeting, and to better inform the staff recommendation report for Council's consideration and decision at a subsequent meeting.

The two-step process will extend the timeline for Council consideration and approval of applications for official plan and zoning by-law amendments, and

draft plans of subdivision and condominium, but allow for more informed review and decision making.

b) Public Meeting Process for Site Plan Approval applications

The Planning Act does not contain any public meeting or notification requirements for planning matters related to site plan approval, nor does the municipality require a public meeting or give notice for this type of application. The municipality requires site plan approval for private road (or cluster) developments of 4 or more dwelling units.

Staff recommends that, except for minor applications, that public notice be given for new site plan approval applications, including amendments to existing approvals, for all types of development (residential, commercial, employment, institutional); and, that a public open house meeting be required to present and discuss the subject application; and that notice be given to all properties within a 120 metre radius of the subject lands.

It should be noted that this is more a courtesy to inform area residents of proposed new development, given that the purpose of site plan approval is to facilitate and ensure that proposed developments, already permitted in accordance with the Official Plan and Zoning By-law, satisfy site, engineering and service standards already established through municipal guidelines.

Zoning By-law Amendment

Staff is recommending a number of changes to Zoning By-law standards in which to support and enhance compatibility and context sensitive development design. The proposed revisions are set out in the draft Zoning By-law amendment attached as Appendix 4. Track changes showing specifically where and what changes are proposed to the Zoning By-law is attached as Appendix 6

Proposed revisions to zoning standards apply primarily, but not exclusively, to the Low Density Residential – Suburban Neighbourhood (R1) zone. To a lesser degree, they also affect the other residential zone categories (R2, R3, R4) established in the Zoning By-law.

- Height

One of the concerns expressed through the Review is building height, and impacts of overlook and privacy on adjacent properties.

Recommendation 5

That revision to the maximum dwelling height provisions for the R1 and R2 zone be adopted.

That revision to the minimum interior side yard requirement for the R1 zone to require and increased interior side yard in relation to increased height, be adopted.

a) Maximum building height

The current maximum height requirement in both the R1 and R2 zone categories is 11 m (36 ft.), which provides for the construction of a 3 story dwelling. This height requirement is carried over from previous zoning in the City dating back to the 1960's.

However, the vast majority of dwellings traditionally constructed in the City's residential neighbourhoods has not been built to the maximum height limit, but rather are 1, 1 1/2, and 2 stories in height.

To support compatibility, and context sensitive design with regard to the established built form evident in residential neighbourhoods, staff recommend reducing the maximum height limit in the R1 and R2 zones to 9.5 m (31 ft.). In consultation with industry stakeholders, the 9.5 m height (31 ft.) is sufficient to provide for the construction of a 2 storey dwelling, including opportunity to create an accessory basement apartment, and reduction in the maximum height limit will reduce potential impact of overlook and privacy on adjacent properties.

Concerns have been expressed that the reduction in height is contrary to supporting increased density of development and intensification afforded through Official Plan policy. More specifically, requests have been made that reduced height limits should not be enacted in a number of R2 zoned neighbourhoods in which are supported by Community Improvement programs and Official Plan policy to generate intensification and greater density of development. These include neighbourhoods such as old Downtown Merritton, Oakdale Avenue and Western Hill.

It is the opinion of staff that the proposed height limit will not compromise the ability to maximize allowable density provisions on individual properties. In addition, the existing height character of the neighbourhoods identified above is not dissimilar to other neighbourhoods in the R1 and R2 zones, and is still subject to concerns with overlook and privacy. Where appropriately located, proposals for additional height can be considered along arterial and collector roads, or within and adjacent to identified areas for intensification through the minor variance process.

b) Yard related to height

The required interior side yard for a dwelling from the property line in the R1 zone is 1.2 m (4 ft.). To support greater spatial separation of dwellings on abutting properties, and to minimize impact of overlook and privacy, staff recommend that

the required interior side yard of a dwelling increase in relation to increased building height.

The existing requirement of 1.2 m would apply to dwellings up to 4.5 m in height (1 storey). For any portion of the dwelling in excess of 4.5 m, the required side yard setback would increase to 2 m (6.5 ft.).

This recommendation does not apply to the R2 zone. Based on existing development patterns, lots within this zone category are typically narrower in relation to lots located in the R1 zone. Increasing side yard requirements in the R2 zone may compromise the usability of the lot and appropriate and compatible building design.

- Lot Width/Maximum Lot Area

Recommendation 6

That the revision to minimum lot frontage requirements for the R1, R2, R3 and R4 zone as set out in the draft Zoning By-law amendment be adopted.

That the maximum lot area requirement for detached dwellings in the R1 zone be increased from 490 m² to 538 m². This recommendation represents a change to the draft Zoning By-law amendment released on April 10, 2017 and is based on consideration of input received since release of the draft amendment concerning lot width requirements for detached dwellings as set out in b) below.

a) Lot Width

In support of the growth management plan established in the Official Plan towards intensification and increased density of development, the current zoning by-law establishes minimum lot frontage requirements that are typically less than the average lot widths traditionally established along many roads in residential neighbourhoods.

The lot frontage requirements established in the Zoning By-law are reflective of current industry standards and cultural/ lifestyle shifts towards smaller households and housing types.

To support enhanced compatibility and context sensitive development design within established residential neighbourhoods, the draft Zoning By-law amendment proposes moderate increases in the minimum lot frontage requirements for all dwelling types within the R1 zone, as follows:

- Dwelling, Detached: from 15m to 16.5m
- Dwelling, Semi-detached: from 11m to 12 m per unit

- Dwelling, Quadruplex: from 11m to 12 m per unit
- Townhouse: from 8 m to 10 m per unit

The draft Zoning By-law amendment also proposes two additional changes to lot frontage requirements, as follows:

- R2 zone: to support enhanced compatibility with lot widths for detached frontage requirement for detached dwellings in the R2 zone from 9 m to 10.5 m
- R2,R3, R4 zones: reduce the lot frontage requirement for a Triplex dwelling in the R2, R3 and R4 zone from 16 m to 12 m. The reduced requirement better reflects the lot frontage requirements for similar dwelling types (duplexes) and will not detract from the adequate provision of parking and landscaping on site.

b) Maximum Lot Area

After release of the draft Zoning By-law amendment for public review on April 10, 2017, concerns have been expressed with respect to the proposed increase in lot width for detached dwellings in the R1 zone, and that the existing lot width requirement of 15 m should be maintained.

The proposed increase in lot width would require a reduced lot depth in order to meet the maximum lot area requirements in the Zoning By-law for detached dwellings in the R1 zone. The reduced lot depth would represent a departure from typical lot depth patterns established in the R1 zone.

Staff concur with the concerns expressed.

However, the proposed increase in lot width is, in part, intended to provide a balance to support greater flexibility of dwelling design that may otherwise be compromised by the proposed regulation in the draft amendment for increased interior side yards in relation to increases in building height (addressed in Recommendation 5 above).

The increase in lot width also serves to support greater spatial separation between adjacent dwellings, minimize impacts on privacy and overlook, and support flexibility of design to better reflect the existing character of development within established neighbourhoods.

Rather than decrease the proposed lot width requirement, staff recommend a moderate increase in the maximum lot area provision for detached dwellings in the R1 zone, from 490 m² to 538 m². This will enable the proposed increase in lot width but in a manner to maintain lot depth requirements established through current regulations in the Zoning By-law. It will provide for lot depths, and lot

areas, more in keeping with established lottage patterns within neighbourhoods. It will also result in a slight decrease in minimum development densities, but still in keeping with the general density parameters established through the Official Plan.

- Averaging as a basis to determine required yard setbacks

Recommendation 7

That minimum front yard and exterior side yard requirements for the R1 and R2 zone, based on 'averaging' of yards, be adopted.

Throughout the Review, significant concern has been expressed regarding potential impact of new development on the established streetscape character in established residential neighbourhoods.

In the R1 zone, the minimum front yard requirement for a dwelling from the front property line is 6 m. On a corner lot, the minimum required exterior yard for a dwelling from the flanking cross street is 4 m.

These minimum yard requirements do not reflect a significant change from the requirements established in the City's previous zoning by-laws. However, in many instances, dwellings have been constructed well in excess of the minimum setback that was required. There are a number of locations where the average setback of dwellings from the road is in excess of 10 m (33 ft.).

To support and maintain 'rhythm' along the street, the Zoning By-law amendment introduces 'averaging' of existing yard setbacks as a basis to determine the required front and exterior side yard for new dwellings.

This new provision requires that where the average yard of dwellings on abutting lots is in excess of 2 m of the minimum yard requirement currently established in the Zoning By-law (6 m), then the 'average' would become the required yard for a new dwelling, with an as-of-right variance of 0.5 m allowed.

If the calculated 'average' is less than 2 m greater than the minimum yard requirement established in the Zoning By-law, the minimum yard requirement established in the Zoning By-law would continue to apply.

The Zoning By-law currently permits reduced yard requirements for all building structures in all zones where the 'average' is less than the required minimum yard requirement established in the By-law. The draft amendment does not propose any changes to this provision other than clarity of implementation.

The requirement for 'averaging' applies to front and exterior side yard requirements in both the R1 and R2 zone, except for private road development.

Where discrepancies may occur in the determination of the 'average', development proponents may be required to provide surveyed determination, and incur additional costs to provide required information to obtain a building permit.

- Corner Lot – Multi Unit Development

Recommendation 8

That the revised definition for front lot line and exterior yard lot line as it applies to multi-unit development on corner lot be adopted.

By definition in the Zoning By-law, for a corner lot, the shortest lot line is considered the front lot line, and the longest lot line is the exterior side yard lot line.

When a multi-unit development (semi-detached, townhouse) is built on a corner lot, the Zoning By-law requires that the building be constructed to meet the zoning requirements applying to all housing types. In the R1 zone, this means a front yard of 6 m, an exterior side yard of 4 m, an interior side yard of 1.2 m, and a rear yard of 7.5 m.

In most cases, the front of the dwellings are constructed to face towards the exterior lot line, given that it is the longest lot line, and after constructing the building and then dividing the individual units by severance, the exterior yard (4 m) effectively becomes the front yard for dwelling units. And in progression, the interior side yard (1.2 m) becomes the rear, the front (6 m) becomes the exterior yard, and the rear yard (7.5 m) becomes the interior side yard. Effectively, the usable rear yard for dwelling units is the original interior side yard at 1.2 m, and leaves little opportunity for appropriate amenity space, greening, and buffering from adjacent properties.

The Zoning By-law amendment proposes to revise, and switch, the definition for front and exterior lot lines when it applies to multi-unit development on a corner lot, with the longest lot line defined as the front, and the shortest lot line defined as the exterior side yard. Effectively, this would create a 6 m front yard for dwelling units, a 4 m exterior side yard, a 1.2 m interior yard, and a 7.5 m rear yard. This would propagate yard requirements similar to other dwelling types, and allow for an enhanced rear yard to support useable amenity space and opportunities for landscaping, greening and buffering from adjacent properties

- Private Road Development

Recommendation 9

That revision to minimum rear and interior side yard requirements for private road development in the R1, R2, R3 and R4 zones be adopted.

Private road development generally takes place on larger properties, and is for development of four or more dwelling units typically accessed by a private road.

Under the current Zoning By-law, the minimum rear and interior side yard requirement for dwellings in private road development is less than those required for lots that are not within private road development. This has been established, in part, to recognize that private road development typically takes place on lots of variable lot configuration and shape, and requires flexibility of design to support the appropriate placement of dwellings within the subject lands. In certain situations, the lesser yard requirements for private road development have not afforded appropriate spatial separation from adjacent dwellings on abutting residential properties.

Consequently, the Zoning By-law amendment proposes to increase rear and interior side yard requirements within private road development to ensure adequate spatial separation of buildings from adjacent properties. The proposed change will bring yard requirements for private road development more in line with those required for properties located outside and abutting private road developments.

Concern has been expressed that Increasing yard requirements within private road development may detract from proposed developments satisfying minimum density requirements in the Official Plan. To counter this concern, the Official Plan amendment adds policy to support reduced density in private road developments in consideration for enhanced development design measures such as increased landscaping and provision of additional trees.

Proposed changes to private road development requirements applies to the R1 and R2 zones, and to the R3 and R4 zones where private road development within those zones abuts property within an R1 or R2 zone.

- Minimum Landscape Open Space / Total Lot Coverage

Recommendation 10

That revision to landscape open space requirements for private road development in the R1, R2, R3 and R4 zones be adopted;

That lot total coverage provisions for the R1, R2 and R3 zones be adopted.

- a) The Zoning By-law establishes a minimum landscaped open space provision on all residential lots at 25% of lot area. This is somewhat a negligible requirement given that landscape open space is effectively dictated by minimum building yard distances, and maximum lot coverage provisions for parking areas and accessory structures. However, the provision exists to ensure that minimum landscaped open space is not compromised where there may be a planning application (zoning amendment, minor variance) to revise other zoning by-law standards, especially on existing undersized lots.

The Zoning By-law amendment increases the minimum open landscaped provision to 35 % of the lot area for all residential zone categories. This increase

is representative of Official Plan policies in support of greening initiatives, and to ensure that potential development on a lot does not compromise the adequate provision of landscaped open space.

- b) The Zoning By-law amendment introduces a maximum total lot coverage provision of 45% of the lot area. The lot coverage requirement applies to all dwelling types in the R1, R2 and R3 zones except private road development, townhouses and apartments.

This provision also only applies to lots that exceed the maximum lot area requirements of the Zoning By-law, and has been established to minimize the potential for development of large scale 'monster homes' on large lots which may significantly contribute to massing of development, and compromise compatible and context sensitive development within established residential neighbourhood.

Committee of Adjustment

Pursuant to the Planning Act, the Committee of Adjustment is the approval authority for applications for minor variance to Zoning By-law requirements, and lot creation by way of severance.

As opposed to larger properties requiring Council approval for development applications (zoning by-law amendments, subdivision plans, etc.), most new development applications within established residential neighbourhoods are typically for a minor variance or lot severance, and usually have the most direct implications on neighbourhood design and character.

Recommendation 11

That the timeline for giving Notice of Hearing for Committee of Adjustment applications be extended to 21 days;

That the number of Committee of Adjustment Hearings be reduced from 17 to 12 a year;

That Notices of Hearing, including posted notice signs, be amended to provide for simpler language, greater transparency, and direction to facilitate enhanced public input opportunities;

That application forms be updated and complete application requirements amended to require more detailed information to evaluate proposals, including submission of concept plans vetted through the Design Review Panel;

That changes to Committee of Adjustment processes, timelines, Notice requirements and application forms be phased in by September, 2017

- a) Notice timeline, language, Hearing schedule

In accordance with the requirements of the Planning Act, property owners within a 60 metre (200 ft.) radius of the subject property are given 14 day notice of the Hearing date to consider approval of the application. Notice of Hearing is also posted on the property.

Concern has been expressed that the 14 day notice of Hearing is not sufficient time to prepare and provide informed input at the Hearing or in writing. There have also been many negative views expressed with respect to the 'legalese' and language of Notices.

To enhance public facilitation and notice measures, staff recommend that Notice for the Hearing should be extended to 21 days, similar to the time given for notice of public meetings for zoning by-law amendments. This time change enables more time for the public to meet, consider the application and provide meaningful feedback to staff and the Committee of Adjustment.

The change in Notice requirements will generate a shift in the Committee of Adjustment hearing schedule, application intake dates and related processes. Currently there are 17 hearings a year, approximately every 3 weeks. The shift in hearing dates will mean 12 Hearings a year held once a month.

Hearing notices are required to contain specific information and wording prescribed by regulation pursuant to the Planning Act. While maintaining this requirement, staff recommend Hearing Notices, and notices posted on the subject property, be revised to also support simpler language, and provide greater transparency and direction to facilitate enhanced public input opportunities.

Given current scheduling and application intakes, staff recommends that the revisions to notice timelines, language, and hearing schedule be phased in by September of this year.

b) Complete application requirements

Establishing a Design Review Panel to review lot creation proposals will require proponents to provide more detailed information with their application, including concept plans for the future use of the subject lands. Complete application requirements for lot creation applications should be amended to reflect this requirement. Complete application requirements for minor variance applications should also be reviewed to clarify and ensure that necessary information to process applications is provided.

Certain components of Committee of Adjustment application forms for both minor variance and lot creation are outdated. Staff recommends that Committee of Adjustment applications be reviewed and updated accordingly. This should be

phased in with the other components of the Committee of Adjustment identified in a) above.

Public Facilitation and Notification

Recommendation 12

That a platform be established through the City's web site to provide systematic notice for all new submissions for development application matters.

Recommended changes to the planning framework support enhanced public facilitation and notification of planning application matters. This includes new notice requirements given for site plan approval applications, and improvements to Committee of Adjustment notice requirements and timelines.

However, one of the concerns expressed through the Review is a general lack of timely and appropriate notice given for all types of development applications.

Pursuant to the Planning Act, the municipality provides public meeting notification on planning matters coming before Council for consideration of approval. These typically include larger development proposals which require approval of official plan and zoning by-law amendments, and plan of subdivision/condominium approval.

However, this notice is given later in the planning process as one of the last steps for approval. It doesn't provide the general public, residents or Council with a comprehensive base in which to be informed, at the outset of application submission, of all new future development activity that may be taking place in neighborhoods.

To support enhanced public facilitation and notice on all planning application matters, staff recommends changes to the City's web site in a manner to implement a systematic platform to publish notice for all new submissions of development application matters. This notice will be issued at the time of staff's decision that the application is complete. Working with the City's Corporate Communication Department, this system would be phased in respecting staff commitments and current internet protocols.

As well, Council has expressed a need to be informed earlier in the approvals process both for development applications as well as when a building permit is issued. To this end, staff propose to issue lists of proposals considered at pre-consultation meetings to Councilors. In addition, approved building permits will be issued on the City's web site on a monthly basis.

It should be noted, that to a certain extent, this notification process will be significantly enhanced upon the completion of the Amanda upgrades which will enable the status of applications to be known on a more current basis by both Councilors and the public.

Agency Circulation

The draft Official Plan and Zoning By-law amendment was circulated to relevant agencies for review and comment. No negative comments or concerns were received.

Public Input

As part of the Review, staff hosted 2 public information sessions to solicit input on Review issues, concerns, and evaluations. Both sessions were very well attended by development stakeholders, residents, and members of Council.

As well, staff has received 13 written submissions regarding review issues, and also a number of comments provided through response to the City's on-line survey. Comments received are attached as Appendix 8.

There is no real consensus on residential infill. Comments received have been both in support and against increased density and provision for a greater range of housing types in residential neighbourhoods. However, an overriding theme expressed through the Review is urban design as a critical component to best manage the integration of new development and lot creation within established neighbourhoods.

Through the comments and recommendations contained in this report, staff have attempted to synthesis and address the issues identified through the public process to date.

Financial Implications

Report recommendations support more rigorous complete application requirements (development concept plans), and condition of approval requirements (Development agreements) for Committee of Adjustment applications. This will increase the cost to development proponents in submission and finalizing lot creation applications.

Changes to Committee of Adjustment protocols, and establishing a two-step public meeting process for official plan and zoning by-law amendment applications will also increase staff timelines for review evaluation of applications

Relationship to Strategic Plan

Recommended amendments to the Official Plan, Zoning By-law, Committee of Adjustment processes, and related procedures with respect to managing growth and development, as outlined in this report, have significant connection to the Strategic Plan, including:

Goal one (1) to attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business; and Action 1.2 and 1.5, as follows:

- Prioritize redevelopment initiatives consistent with provincial planning legislation and City's Official Plan to intensify mixed-use residential developments and ultimately enhance the property tax base and support job creation;
- Identify and quantify the City's technology requirements for the next four years for long-term cost savings, and to improve service delivery and enhance customer service

Goal 2 to be an affordable city for young people, families and retired older adults; and, Action 2.4 to optimize capital infrastructure through effective asset management and sustainable investment.

Goal 5 to connect people, places and neighbourhoods; and, Action 5.1, 5.2, 5.3 and 5.5, as follows:

- To be a city that embraces connectivity between people, places and neighbourhoods.
- Establish a complete neighbourhoods matrix to ensure that redevelopment of properties enhance the livability of neighbourhoods.
- Accelerate the implementation of active transportation networks that link people with parks, trails and waterfront and support the development of complete streets.
- Work together with the local organizations and other levels of government to support the successful settlement and integration of newcomers, celebrate our diversity and create a welcoming and inclusive community.

Goal 6 to provide excellent customer service and communication with citizens: and, Action 6.1 to develop and implement a plan using innovative new technologies to enhance two-way communications between residents and the City.

Goal 7 to lead in the protection of our environment for future generations; and, Action 7.2 to continue to achieve the tree canopy targets in the city as identified in the Urban Forestry Management Plan.

Conclusion

Staff has completed the review of residential and intensification development within established residential neighbourhoods, as directed by Council. As a result, staff are recommending a multi-faceted and comprehensive planning framework to best manage the compatible integration of new development with established neighbourhoods. This approach includes amendment to current Official Plan policy and Zoning By-law standards, and the systematic use of Urban Design Guidelines, and formation of a Design Review Panel to provide knowledgeable guidance in the review and evaluation of development and redevelopment opportunities. Integrated through this planning framework are enhanced public facilitation and notification measures to support a more transparent, informed, and integrated review process on planning matters

Notification

Notification of Council's decision regarding the recommendations contained in this report will be provided upon request.

Prepared by:

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Approved by:

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Director of Planning and Building Services



Residential Infill / Intensification Development Review



**How Best to Manage The Compatible
Integration of New Housing
Within Established Residential
Neighbourhoods**

Council Motion

- **Acknowledge intensification as a desirable principle to reduce urban sprawl and enable more efficient use of land and infrastructure**
- **Direction to review official plan policies, zoning by-law standards, procedures, practices to support appropriate and compatible integration of new housing in established neighbourhoods**



CITY OF ST. CATHARINES

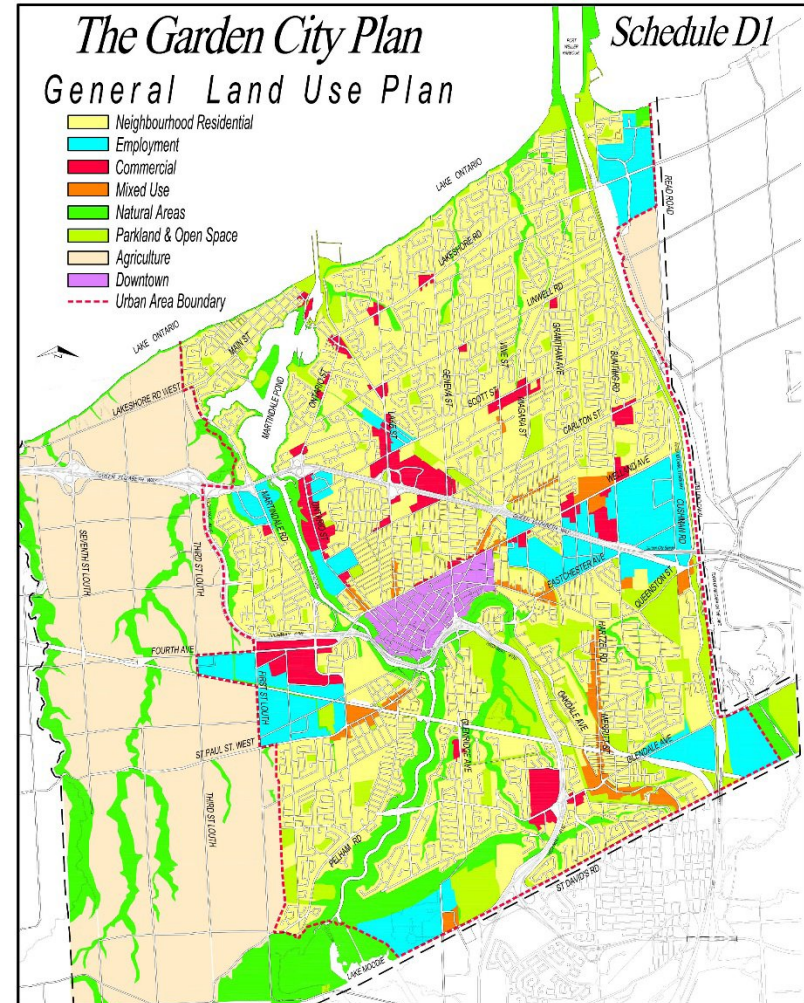
Interim Control By-Law

- **Moratorium on multi-unit housing development and new vacant lot creation in the residential R1 zone until review is complete**

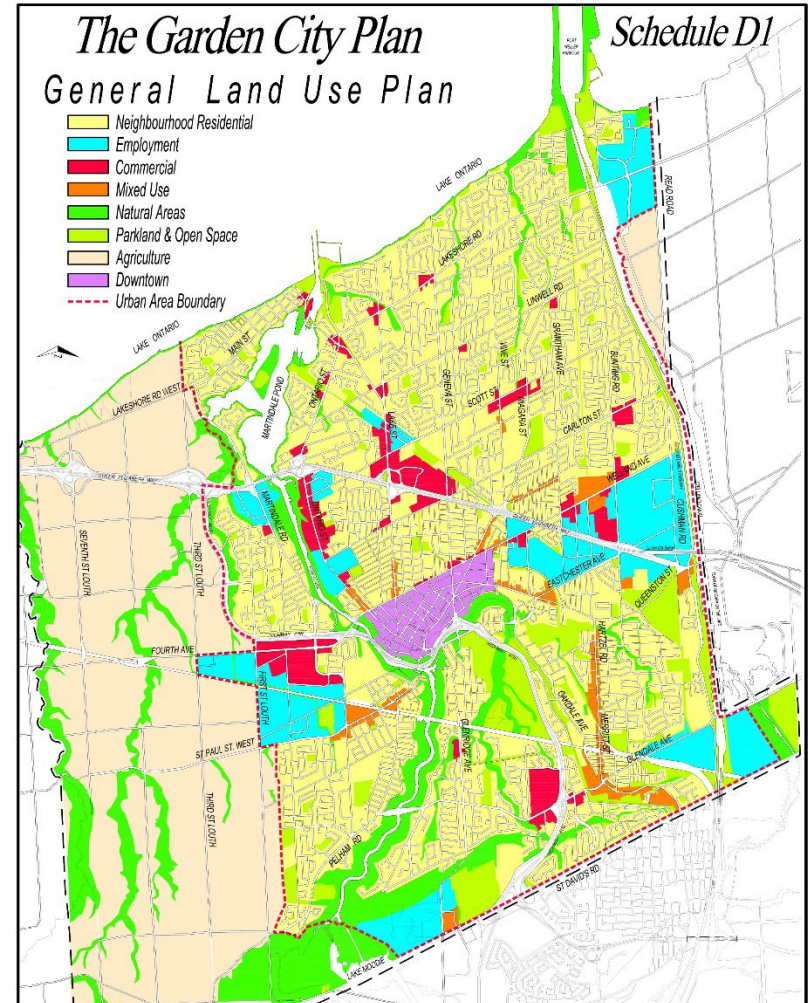


Official Plan

- General land use plan
 - Where/how to accommodate projected growth
- Must be consistent with Provincial land use plans
 - Emphasis on intensification, efficient use of land, infrastructure, greater mix of housing
 - Minimum density targets to accommodate housing growth in Urban Area



- **42,600
RESIDENTIAL
PROPERTIES**
- **74% ZONED
LOW DENSITY
RESIDENTIAL
R1 OR R2**
- **PRIMARY
HOUSING TYPE =
SINGLE DETACHED**



MANY FORMS OF INFILLING

- **Small lot creation**
- **Demolition/replacement for alternative housing forms**
- **Land assembly**
- **Private road (cluster) developments on larger lots**
- **Building re-use/conversions**
- **Building additions**



Identification of Issues

- Privacy/overlook on adjacent properties
- Building height, unsuitable transition of height
- Neighbourhood, streetscape design - incompatible lot areas and lot widths
- Tree Protection
- Overdevelopment on undersized lots, inappropriate lot coverage
- Inappropriate rear, side yard building setbacks to ensure adequate spacing, separation, orientation with adjacent buildings



Identification of Issues

- Dominance of front yard parking vs landscaped open space
- Traffic Infiltration
- Lack of architecture design, facades, building materials compatible with adjacent properties
- Lot grading, drainage



Tools to Regulate Development

- **Official Plan:** Sets out land use framework, densities, policies to manage accommodation of growth
- **Zoning By-Law:** Standards to regulate lot sizes, height, landscaping, yard setbacks
- **Site Plan Approval** (4 units or greater): drainage, servicing, site grading, building elevations, facades, tree protection, site design features
- **Development Agreement :** Condition of lot severance approval, may apply narrow or broad scope of conditions of approval
- **Committee of Adjustment:** Conditions of zoning variance approvals

Preliminary Evaluations

- Multi-pronged approach
- Zoning By-law amendment to revise standards, – height, yard setbacks, averaging front yard setbacks, minimum lot area, lot widths
- Site plan approval - continue to apply to development 4 units or greater
- Development agreement - apply to lot severance approval
- Develop urban design guidelines as a basis to evaluate residential infill development



Next Steps

- Thursday, March 2, 2017 6:00pm
 - Present draft recommendations
- Council consideration
 - April 10





Residential Infill / Intensification Development Review



**How Best to Manage The Compatible
Integration of New Housing
Within Established Residential
Neighbourhoods**

Identification of Issues

- **Privacy/overlook/height**
- **Spacing, separation, building mass, lot sizes**
- **Streetscape, site design**
- **Overdevelopment on undersized lots**
- **Tree protection**
- **Front yard parking vs landscaping**
- **Range of housing types**
- **Diversity**
- **Property values**
- **Affordability**
- **Architectural design**
- **Construction impacts**
- **Process - public input**



• Tools

- Official Plan
- Urban Design Guidelines
- Zoning By-law
- Site Plan Approval
(4 or more units)
- Development Agreement
(condition of severance)
- Process
- Committee of Adjustment

□ How best to Manage

- Multi – Pronged



Provincial Land Use Policy

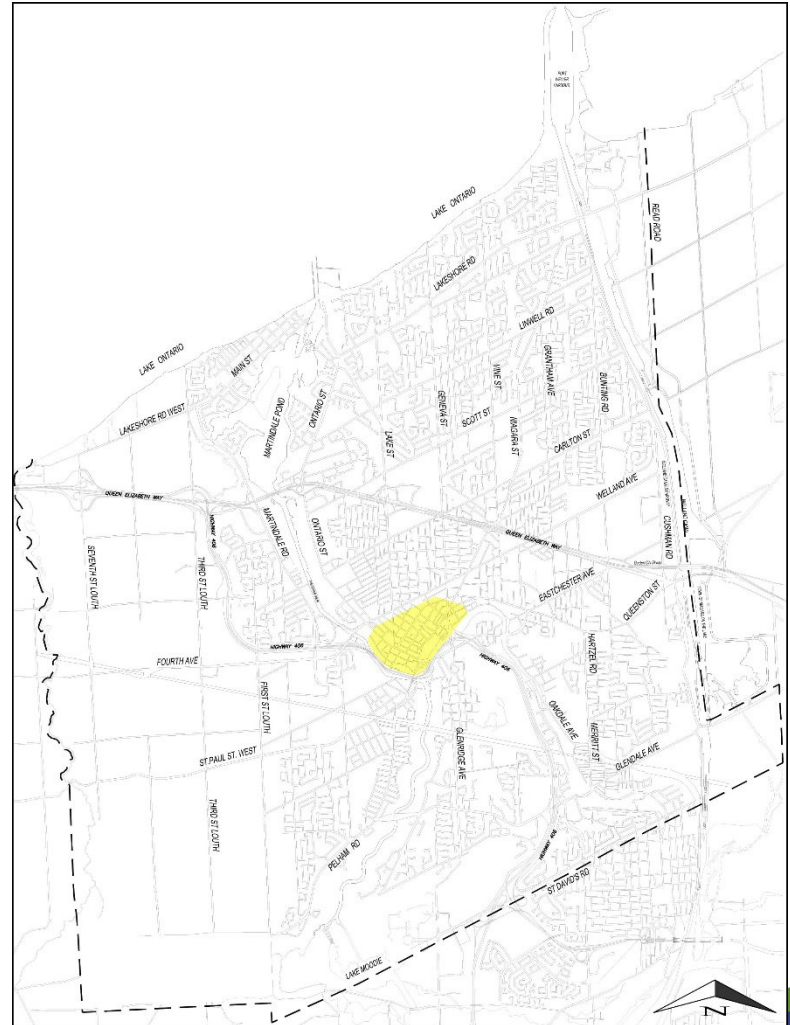
Local Official Plan – must be consistent

Emphasis

- ❑ Efficiency - land, service, infrastructure, cost
- ❑ Intensification of built environment
- ❑ Compact, mixed use, transit supportive
- ❑ Minimum density standards
- ❑ Financial sustainability
- ❑ Housing diversity, mix, affordability
- ❑ Reduce carbon footprint, energy efficient
- ❑ Protect natural, cultural, agricultural resources



- **9,800 hectares**
 - ◆ 70/30 urban, agricultural
- **57,000 residential dwellings**
 - ◆ 60% single detached
 - ◆ 20% semis/townhouse
 - ◆ 20% apts
- **Growth forecast (2041)**
 - ◆ 15,400 new dwelling units
- **Vacant residential land supply**
= 150 hectares



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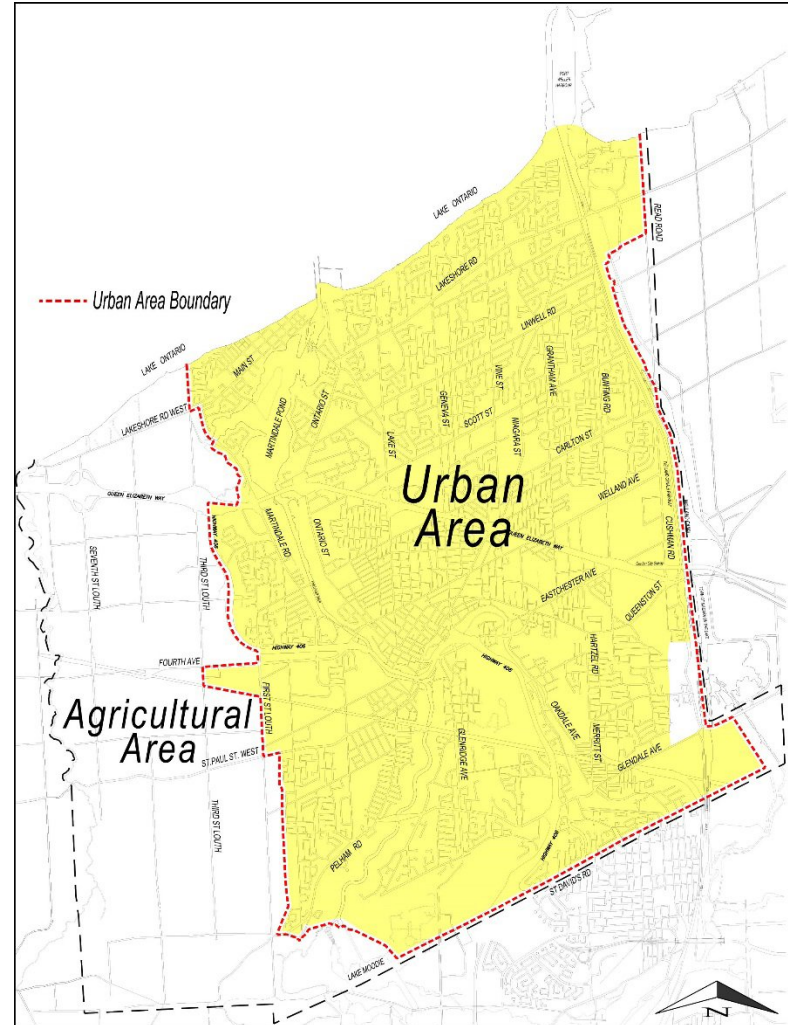
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Agricultural Lands

- Unique soils, micro-climate
- World class amenity
- Sustainable food/crop production
- Economic growth, prosperity
- Sense of place
- Cost of development, long term maintenance



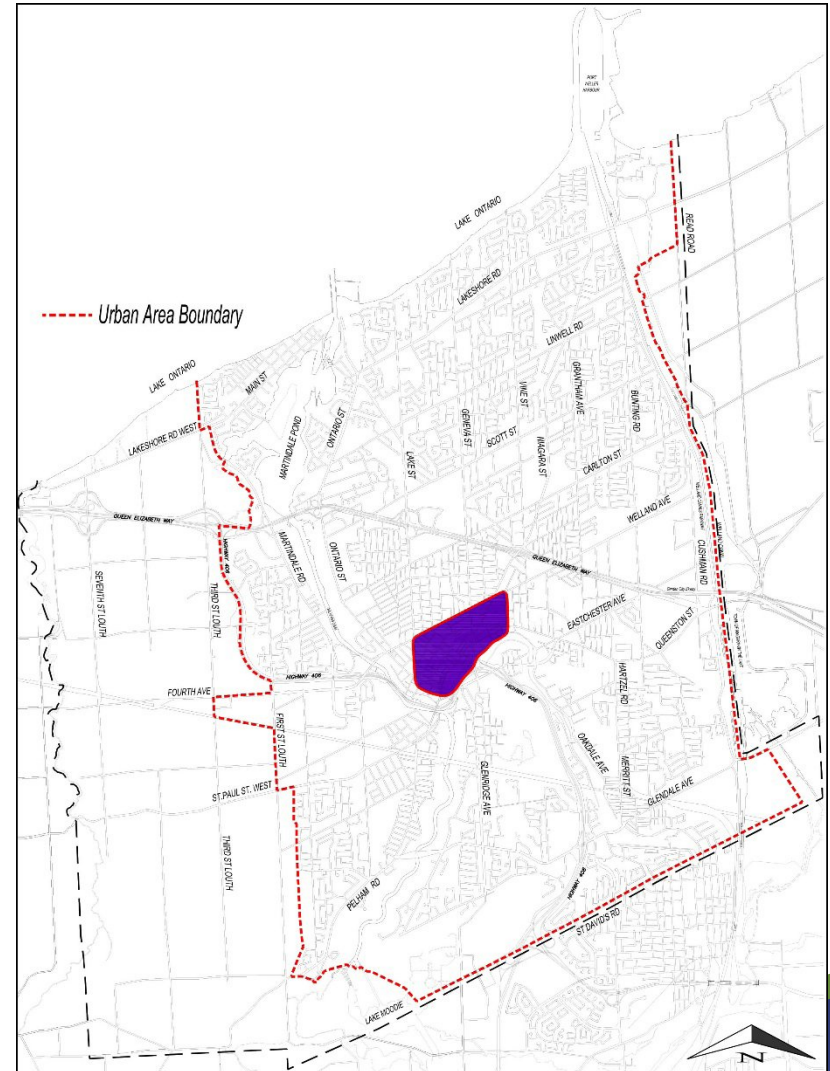
Intensification

- Land, service, infrastructure, cost efficient
- Financial sustainability
- Integrated, inclusive, connected community, affordability
- Reduce carbon footprint
- Protect valuable resource
- Supports cultural shift in housing choice, lifestyle



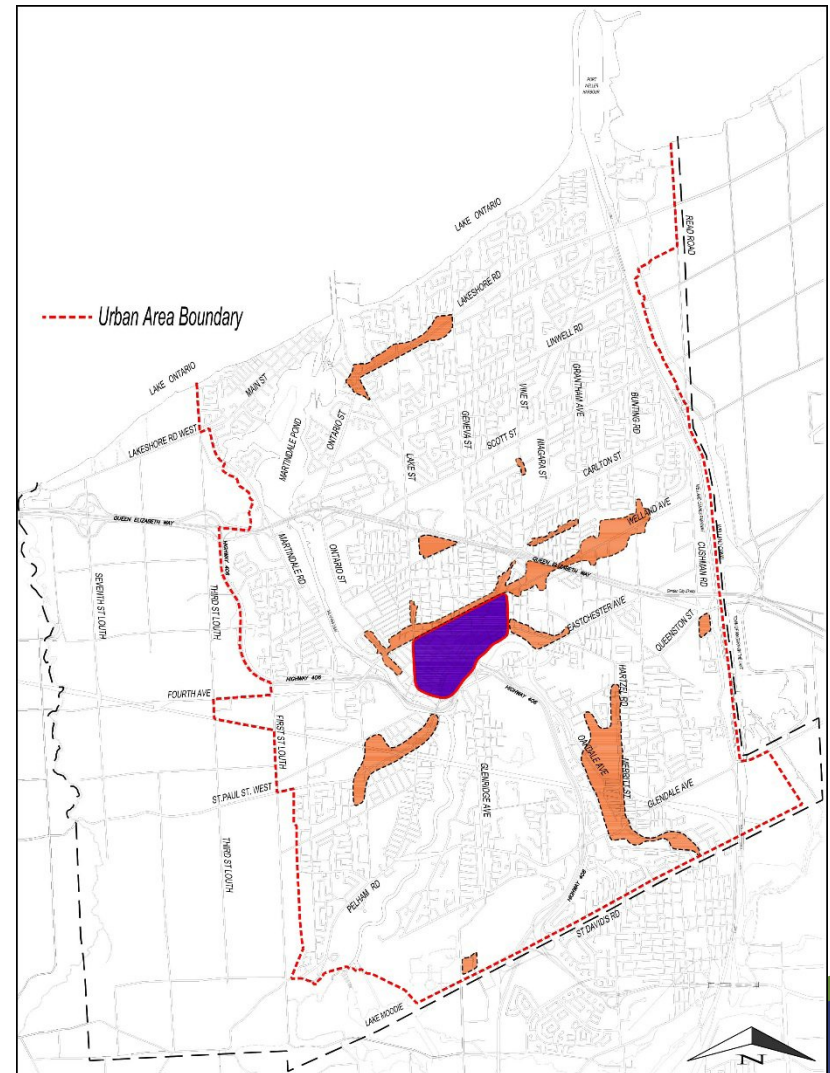
Managing Growth

- Downtown
 - ◆ Med./ High density (apts)
 - ◆ 4,600 dwelling units (30%)
- Intensification
 - ◆ Corridors, nodes, reuse
 - ◆ Med./High Density (towns, apts)
 - ◆ 4,800 dwellings units (31%)
- Vacant Residential
 - ◆ R3, R4 Zones
 - Larger Properties
 - Med./High Density (semis, towns, apts)
 - 4,500 Dwelling Units (29%)
 - ◆ R1, R2 zones
 - Smaller properties
 - Low density (singles, semis, towns)
 - 290 Dwelling units (2%)



Managing Growth

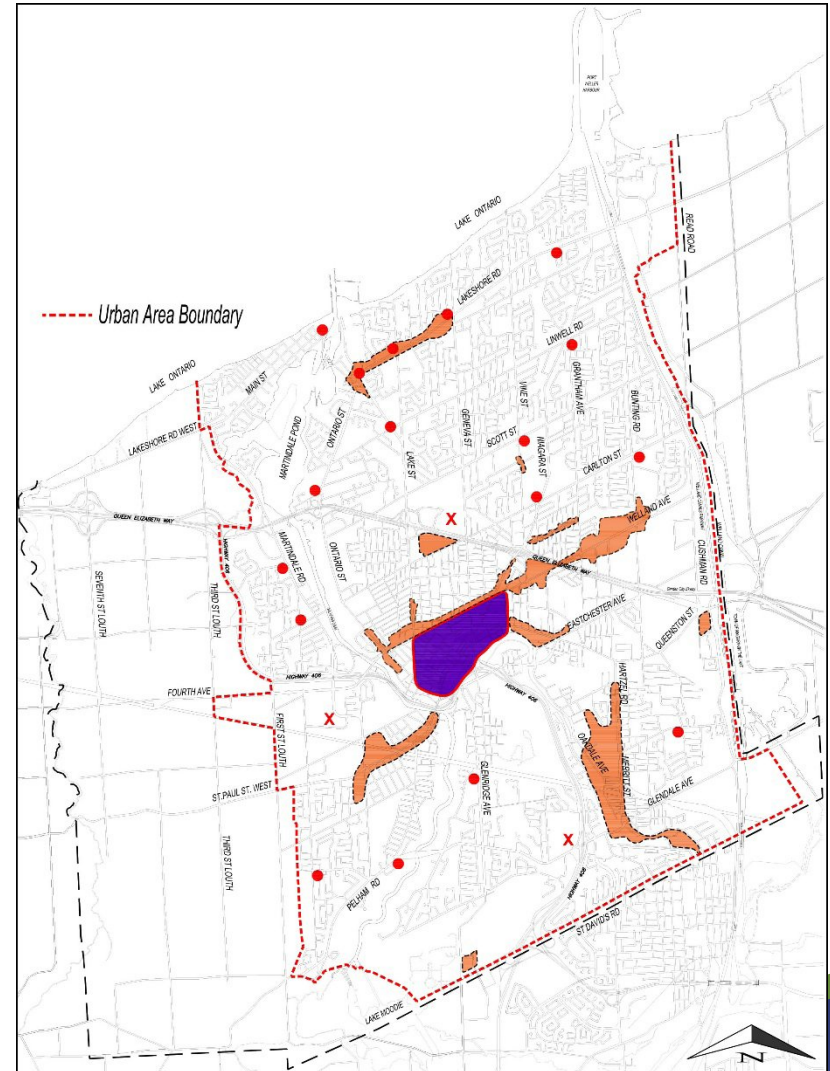
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CITY OF ST. CATHARINES

Managing Growth

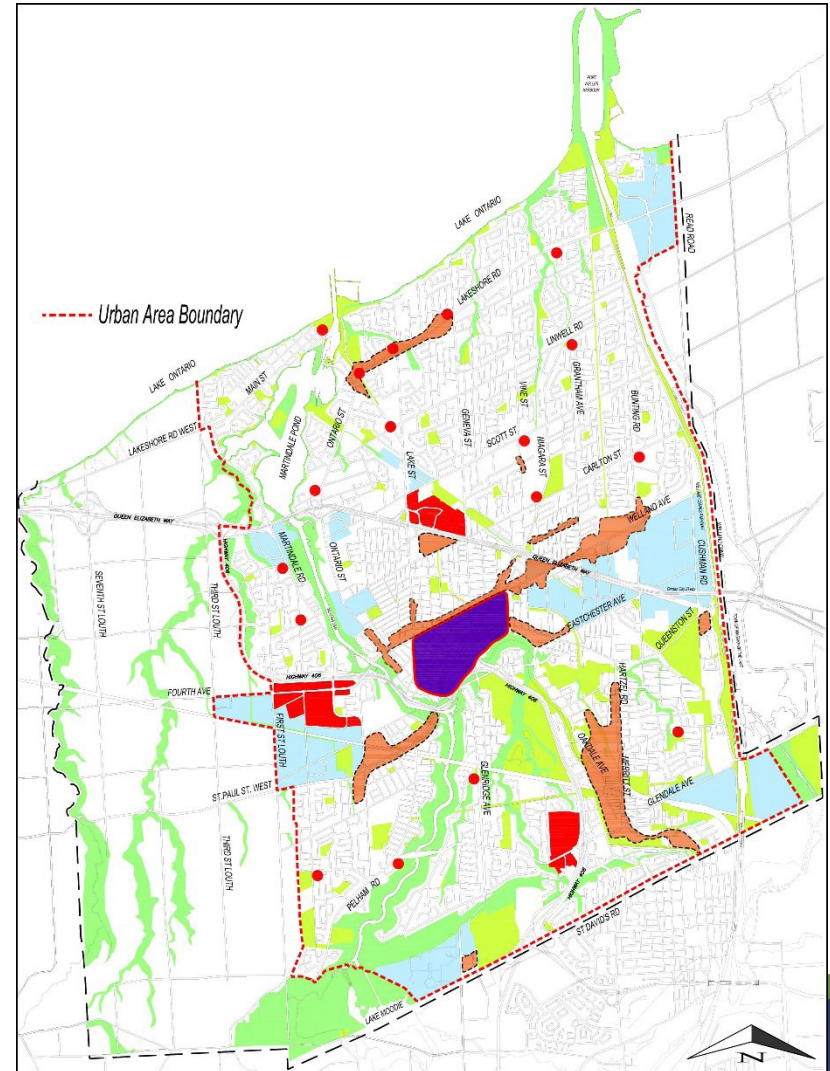
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CITY OF ST. CATHARINES

Managing Growth

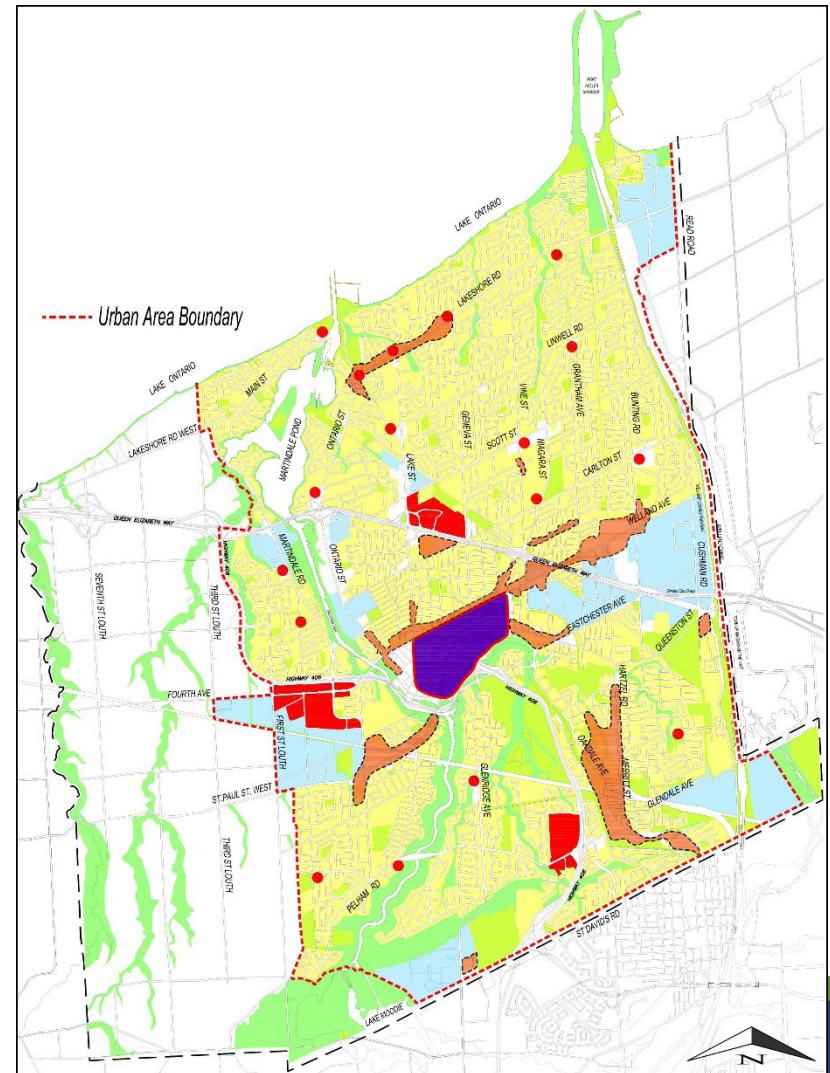
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CITY OF ST. CATHARINES

Managing Growth

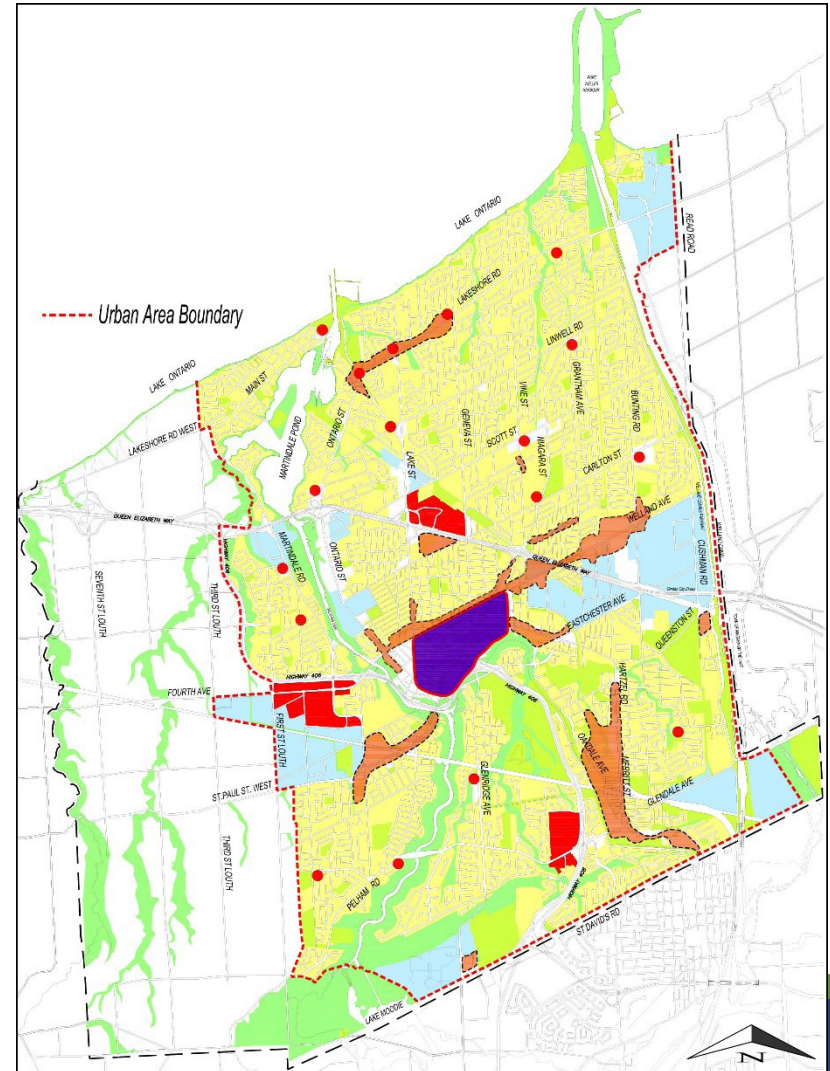
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CITY OF ST. CATHARINES

Managing Growth

- Residential infill
 - ◆ Smaller properties
 - ◆ Small lot creation, demolition/ replacement for alternative housing, land assembly, reuse/ conversion
 - ◆ Low density (singles, semis, towns)
 - ◆ 1,200 dwelling units (8%)
 - 3 % of all lands zoned R1,R2



CITY OF ST. CATHARINES

Zoning By-law

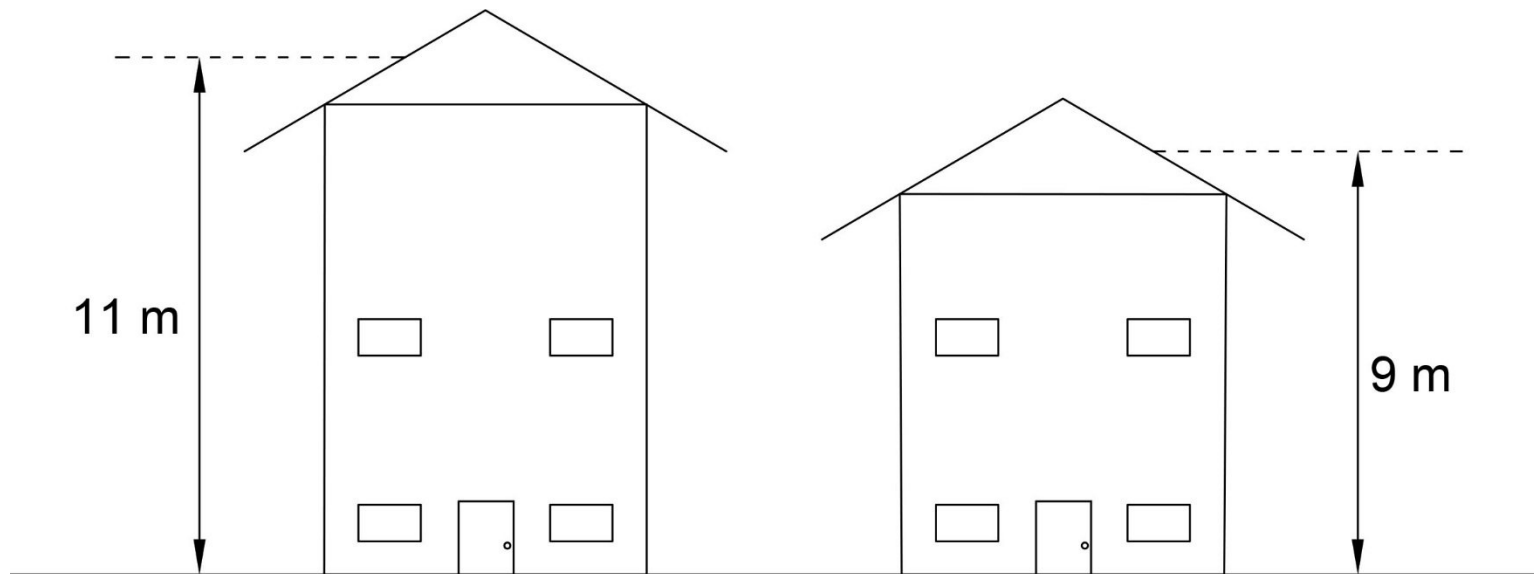
Reduce Building Height

Current

- R1 Zone 11m (3 storeys)
- R2 Zone 11m (3 storeys)

Proposed

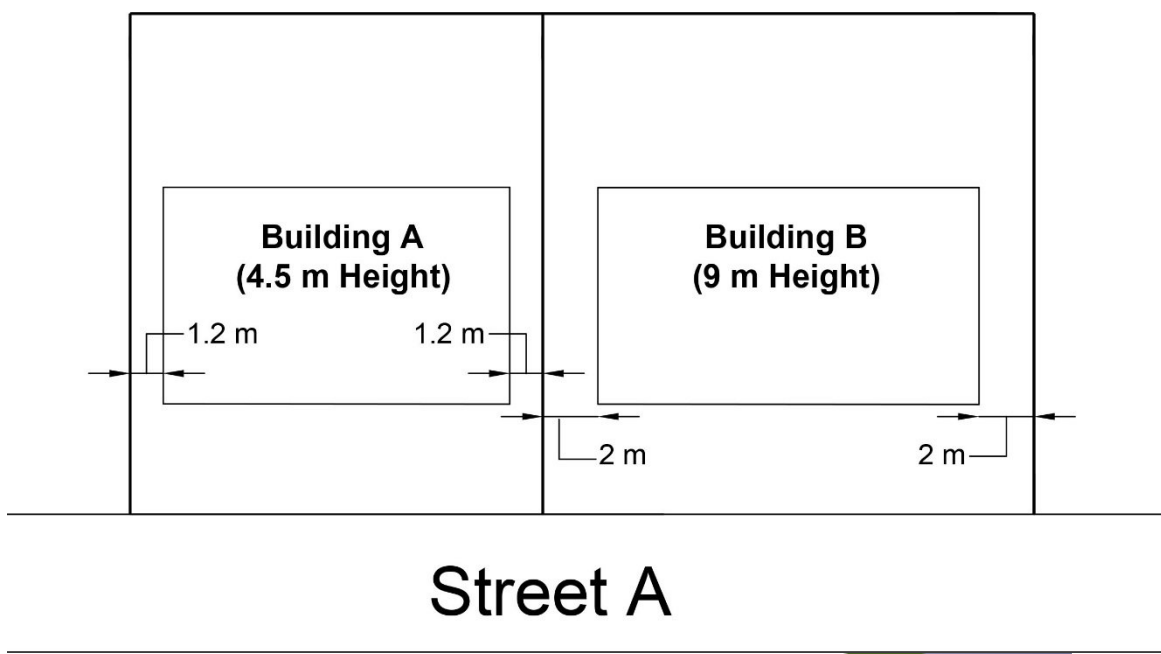
- 9m (2 storeys)
- 9m (2 storeys)



Street A

Interior Side Yard Setback related to Height

	<u>Current</u>	<u>Proposed</u>
• R1 Zone	1.2m	1.2m for the first 4.5m (1 storey) in height/2m for additional height (2 Storeys)
• R2 Zone	1.2m	1.2m



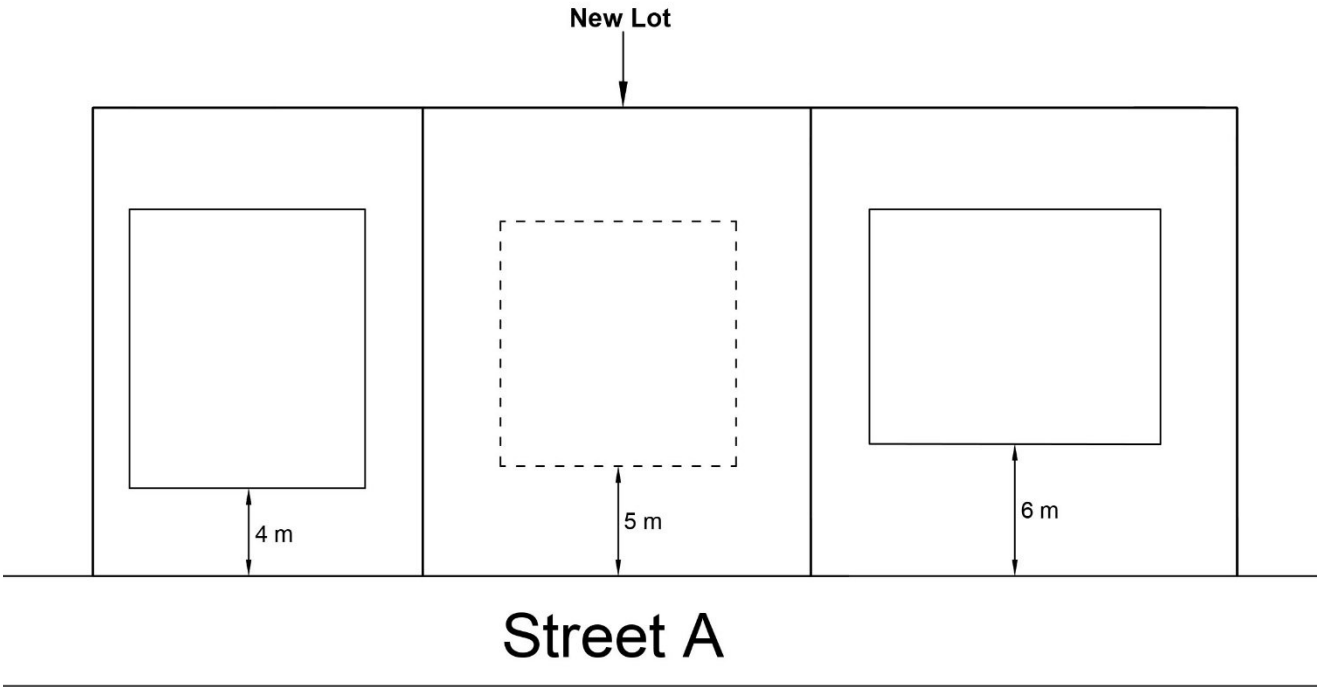
Front Yard Setback

Current

Proposed

- R1 Zone 6m
- R2 Zone 3m

Average of adjacent properties
Average of adjacent properties



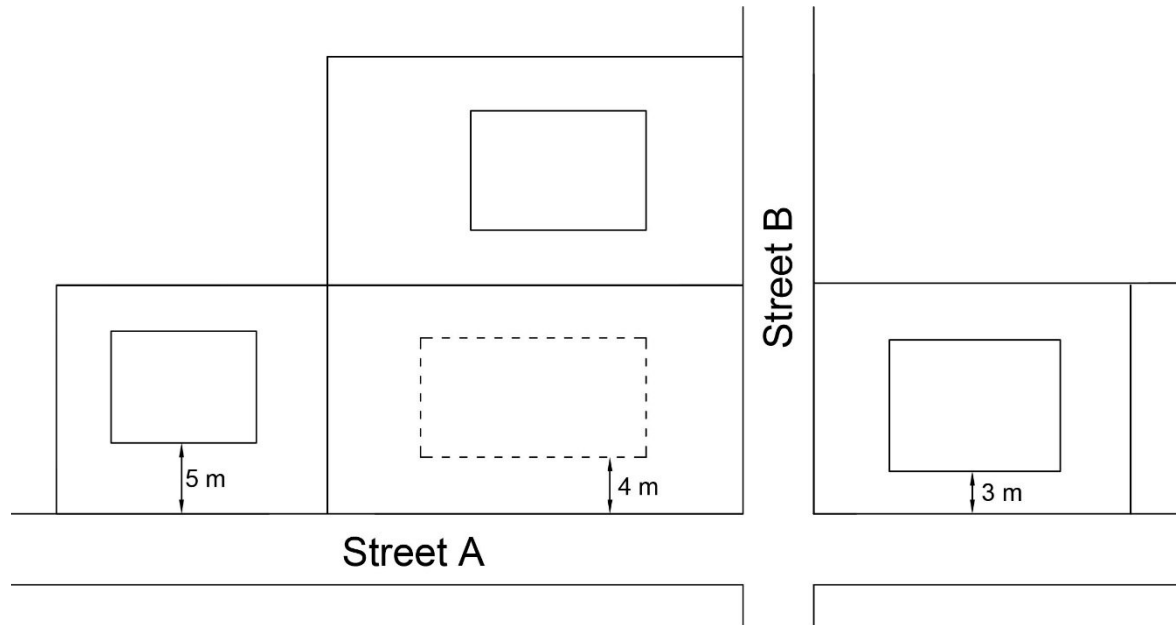
Corner Lot-Exterior Side Yard

Current

- R1 Zone 4m
- R2 Zone 3m

Proposed

Average of adjacent properties
Average of adjacent properties

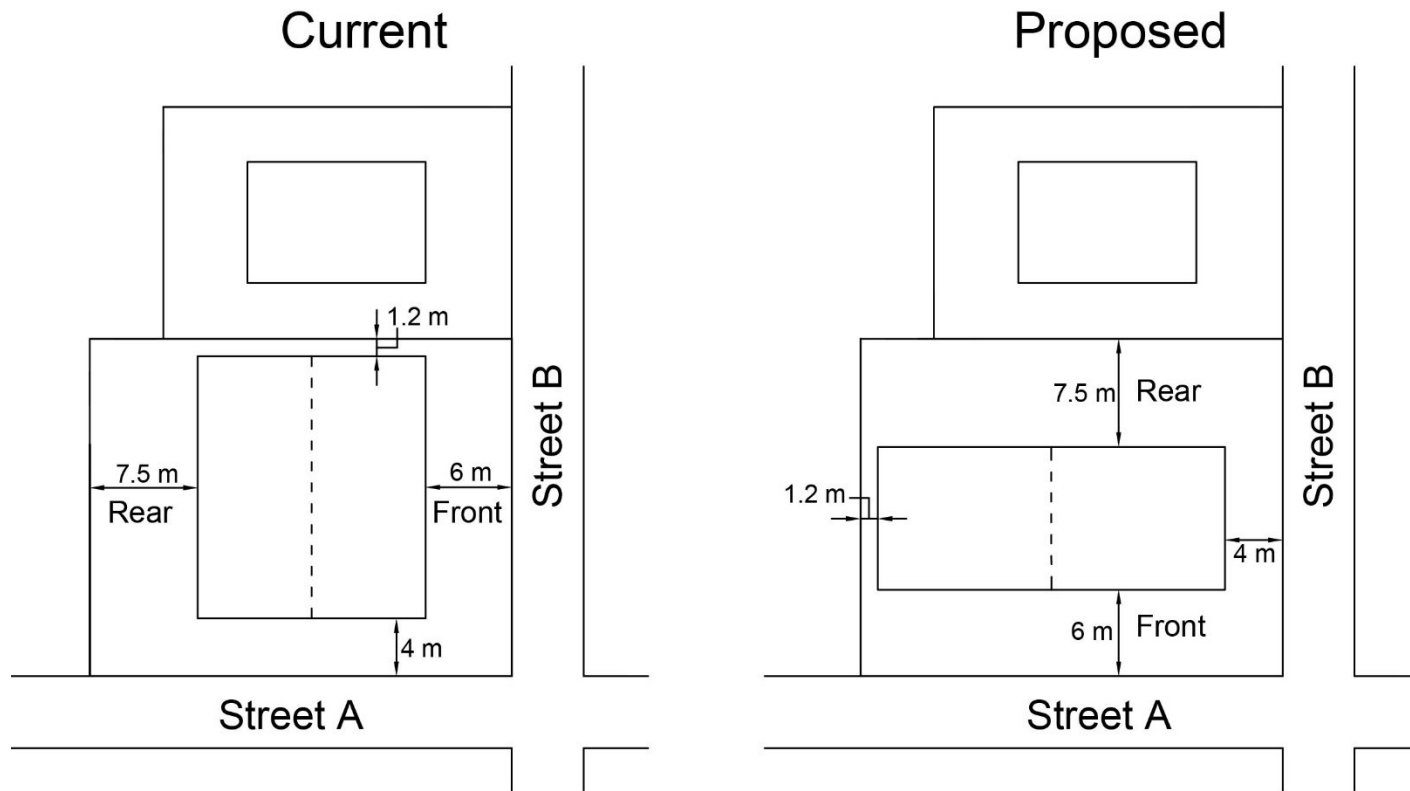


Increase Minimum Lot Width

	<u>Current</u>	<u>Proposed</u>
• R1 Zone		
• Single	15m	16.5m
• Semi	22m	23.5m
• Quadruplex	11m per unit	12m per unit
• Townhouse	8m per unit	10m per unit
• R2 Zone		
• Single	9m	
• Semi	15m	
• Duplex	12m	
• Triplex	16m	12m
• Fourplex	18m	
• Quadruplex	7m	
• Townhouse	6m	

Corner Lot

- Multi Unit Development
- Change Yard definitions/setbacks



- Driveway Width
 - ◆ R1 Zone - reduce from 50% to 40% of lot frontage to a maximum of 7.5m
- Garage Setback - eliminate yard setback distance, maintain 1m setback from façade
- Private Road Development – increase yard setbacks from adjacent properties – 1.5m / 2m increase in R1 zone
- Development on Undersized Lots - maintain existing yard requirements without variance

Official Plan

- Existing policy base
 - Lacks specific criteria to evaluate new lot creation
 - enhance lot creation policies, criteria
 - Lot coverage
 - Building mass
 - Symmetry with adjacent properties (lot size, width, shape)
 - Tree Protection
 - Lacks specific design criteria to evaluate building design
 - prepare, incorporate Urban Design Guidelines for residential infill
 - Elevation, façade treatment, entrances, front porches, garage location, roof articulation, grading
- Enhanced lot creation policies, Urban Design Guidelines = Basis for evaluating new housing through lot creation

Development Agreement

- Recommended - condition of lot severance
- Basis to incorporate urban design guidelines, lot creation criteria in approval of lot severances

Process

- Committee of Adjustment
 - Update Procedural By-law
 - Extend hearing notice timeline
 - Provide clear notice information
- Design Committee - not recommending at this time
 - strengths and weaknesses
 - further evaluation

Next Steps

- Draft recommendations – commenting period extended to March 17, 2017
- 2 part Public Process to Consider Official Plan Amendment / Zoning By-law Amendment
- Target – Special Meeting of Council May 1, 2017 for legislated public meeting. Council consideration of amendments subsequent meeting



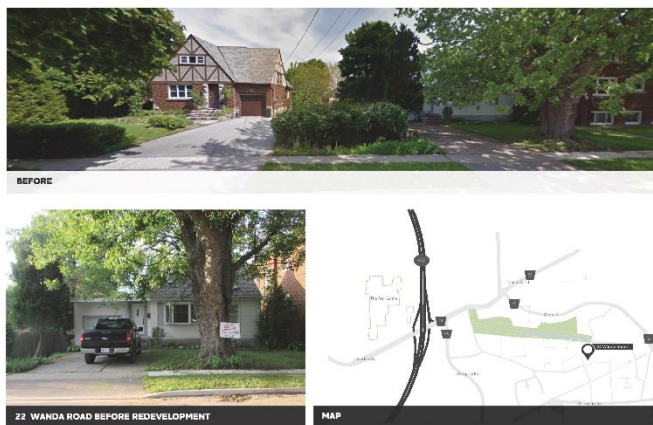
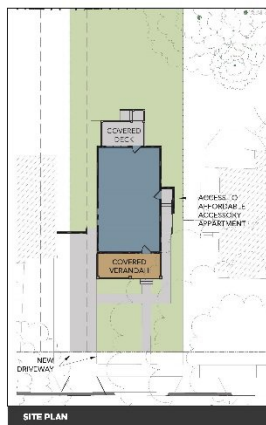
24 Wanda Road, St. Catharines

Small Scale Project

Demonstrates how infilling can increase property values while adding diversity

About the Project

- Lots created from portions of lots from side lots of #22 Wanda Road and #26 Wanda Road
- #22 Wanda Road was re-built
- #24 Wanda Road contains 1322 square feet 'upside down' family home
- #24 Wanda Road also contains a 640 square feet accessory basement apartment for affordable housing that will pay for the mortgage costs
- Large front porch increases 'eyes on the street'
- Architecture compatible with diversity of the street
- Encourages future smart growth development
- Increases the attractiveness of the street



better
neighbourhoods
DEVELOPMENT CONSULTANTS

CITY OF ST. CATHARINES

BY-LAW NO. 2017-

A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines.

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts
as follows:

1. The attached text forming Amendment No. 13 to the Garden City Plan (City of St. Catharines Official Plan) is hereby adopted.
2. This By-law shall come into force and effect on the day after the last day for filing notice of appeal or as otherwise provided for in the Planning Act.

Read a first time this day of 2017.

Read a second time this _____ day of _____ 2017.

Read a third time and passed this _____ day of _____ 2017.

CLERK

MAYOR

Amendment No. 13 to the Garden City Plan
(City of St. Catharines Official Plan)

This Amendment No.13 to the Garden City Plan (City of St. Catharines Official Plan), which has been adopted by the Council of the Corporation of the City of St. Catharines, is approved under Section 17 of the Planning Act.

DRAFT

PART A – THE PREAMBLE	An explanation of the amendment but does not constitute part of the amendment.
PART B- THE AMENDMENT	Consisting of the following text which constitutes Amendment No.13 to the Garden City Plan (City of St. Catharines Official Plan).
PART C- THE APENDICES	Do not constitute part of this Amendment. These Appendices contain background data, planning considerations and public involvement associated with the amendment.

DRAFT

PART A – THE PREAMBLE

St. Catharines City Council directed the Planning and Building Services Department to undertake a review of Official Plan policies, Zoning By-law standards and implementation procedures and practices as they relate to infill and intensification development and redevelopment in established residential neighbourhoods. The purpose of the review is to evaluate and potentially amend existing Official Plan policies, Zoning By-law standards, development review practices and procedures in a manner to support appropriate and compatible infill and intensification in residential neighbourhoods.

As a result of this review, Official Plan Amendment No. 13 makes certain revisions and additions to Official Plan policy. Most of the revisions to the existing policy framework relate to strengthening urban design and lot creation policies contained within the Plan, and in a manner to provide an enhanced comprehensive policy framework to evaluate, guide and manage the appropriate and compatible integration of infill and intensification development within residential neighbourhoods. Other changes to Official Plan policy include greater emphasis placed on Urban Design Guidelines as a mechanism to evaluate development and redevelopment opportunities, guidance for establishing a Design Review Panel to assist the municipality and proponents alike in evaluating development proposals, and the introduction of policy related to public facilitation and notification.

In association with Amendment No.13 is an amendment to the City's Comprehensive Zoning By-law No. 2013-283 to revise certain residential zone regulations and standards to better implement the policies of the Official Plan in relation to urban design matters and compatibility of new development and redevelopment within established residential neighbourhoods.

Neither Official Plan Amendment No.13 nor the associated amendment to the Zoning By-law effect changes to site specific provisions or mapping related to individual properties.

PART B – THE AMENDMENT

Details of Official Plan Amendment No. 13

The Garden City Plan (City of St. Catharines Official Plan) is hereby amended as follows:

1. Part B, Section 2.3.3 Accommodation of Growth, Subsection 3. vii), first bullet point, is amended by deleting the word 'and' and inserting the words 'streetscape, neighbourhood and community' after the word 'site'.
2. Part C, Section 4, Urban Design, third paragraph, is amended by replacing the words 'man – made' with the words 'human – made'; and, replacing the word 'our' with the words 'the City's'.
3. Part C, Section 4. Urban Design, fourth paragraph, is deleted and replaced with a new Section 4.1 Urban Design Guidelines and a new Subsection 1. Design Review Panel, as follows:

'4.1 Urban Design Guidelines

The urban design policies and principles of this Plan describe the general intent for development and redevelopment. They provide the framework for, and should be read in conjunction with, the City's Urban Design Guidelines.

The City shall prepare Urban Design Guidelines to better inform, evaluate, manage, support and enhance the compatible integration of new development and redevelopment opportunities. The Guidelines shall set out more specific design details, features and standards to be used as a tool in the evaluation of development and redevelopment.

Urban Design Guidelines shall be prepared for different development types and initiatives, and according to specific use and activity areas of the City.

Priority areas for establishing Urban Design Guidelines should be concentrated to the built up areas and environments of the Urban Area, and include:

- a) Established Residential Neighbourhoods
- b) Downtown and the Urban Growth Centre as set out on Schedule D 'Municipal Structure'
- c) Intensification Areas as set on Schedule D 'Municipal Structure'.

- d) City and Neighbourhood nodes, gateways, and traditional main streets as identified in the City's Urban Design Guidelines.
- e) Major activity centres, Mixed use areas, Commercial centres.

1. Design Review Panel

This City may consider the establishment of a Design Review Panel to provide knowledgeable guidance with respect to design matters, consistent with City Urban Design Guidelines and the policies of this Plan, and in a manner to support both the municipality and proponents in the evaluation of development and/or redevelopment proposals, and lot creation including land assembly and boundary adjustments.

4. Part C, Section 4.1 Urban Design Principles is amended by renumbering the Section to 4.2.; and:
 - revising the second paragraph to read as follows: 'Development and redevelopment within St.Catharines will be based on the following sustainable design principles:'
 - revising Subsection b) by deleting the word 'and' and adding the words 'and context sensitive building, site, streetscape and neighbourhood design.'
 - revising Subsection d) by deleting the word 'with' and adding the words "and redevelopment within" after the word 'development'.
 - adding new Subsection m) as follows: 'm) greening.'
5. Part C, Section 4.5 Built Form is amended by re-numbering the Section to 4.3, and:
 - revising Subsection 1., first sentence, to change the existing reference of 'Part C, Section 4.1' to 'Part C, Section 4.2'; and, to add the words 'supports and' before the word 'maximizes';
 - revising Subsection e) by deleting the word 'and' and adding the words 'and other features including garages, porches and other platform structures' after the word 'windows'.
 - revising Subsection 1. j) to add the words 'and massing' after the words 'expanses of walls'.

6. Part C, Section 4.2 Community Identity-The “Garden City” and Section 4.3 The Natural Environment, are amended by re-numbering the Sections to 4.4 and 4.5
7. Part C, Section 4.4 The Public Realm is amended by:
 - re-numbering the Section to 4.6;
 - revising Subsection 5., first sentence, to delete the words ‘The City’s’, and adding the words ‘for public realm opportunities and initiatives’ after the words ‘priority areas’;
 - revising Subsection 5. a) to add the words ‘as set out on Schedule D ‘Municipal Structure’ at the end of the sentence.
 - revising Subsection 5. d) to delete the word ‘and’, and add the words ‘commercial centres’ at the end of the sentence.
 - adding a new Subsection 5. f), as follows: ‘ f) established residential neighbourhoods’
 - revising Subsection 6. to change the reference from Section 4.4.5 to Section 4.6.5; deleting the words ‘the City’s’ and adding the word ‘,greening’ after the words ‘entrance features’.
8. Part C, Section 4.6 Universal Access, Section 4.7 Personal Safety, Section 4.8 Landscaping, and Section 4.9 Public Art are amended by re-numbering the Sections to 4.7, 4.8, 4.9 and 4.10
9. Part D, Section 7.1, Subsection c), first sentence, is amended by deleting the word ‘and’ and adding the words ‘ and neighbourhood’ after the word ‘streetscape’
10. Part D, Section 7.1, Subsection c) iv) is amended by replacing the words ‘Adequacy of’ with the words ‘Adequate and appropriate’ and adding the words ‘shape and configuration’ after the words ‘size’.
11. Part D, Section 7.3 Urban Design Guidelines is amended by:
 - adding the words ‘as set out in Part C, Section 4.1,’ at the start of the Section;
 - replacing the words ‘setting out specific design details and requirements for’ with the following words: ‘setting out design details, features and standards for’;

- deleting the words 'of the City' and replacing the words 'regulated through zoning regulation, site plan control, or a condition of development approval or other approval process' with the words 'used as a tool to evaluate development and redevelopment opportunities and proposals.'

12. Part D, Section 8.2 General Policies is amended by:

- revising Subsection 2., second paragraph by deleting the word 'and' after 'site' and adding the words 'and neighbourhood' after the word 'streetscape';
- revising Subsection 3., second sentence by deleting the word 'and' after 'site' and adding the words 'and neighbourhood' after the word 'streetscape'.

13. Part F, Section 16.11 Lot Creation is amended by:

- revising Subsection 3., first paragraph, to add the words 'including land assembly and lot boundary adjustments' after the word 'land'; and, deleting the word 'given' and replacing it with the word 'permitted';
- revising Subsection 3. c) to delete the word 'and' after the word 'size' and adding the words 'and configuration' after the word 'shape';
- adding a new Subsection 4., as follows:

'4. The creation of, and use, of new lots as well as remnant parcels of land created through consent, including new lots and remnant parcels created through land assembly or boundary adjustments, shall be evaluated having regard for the Urban Design policies and principles of this Plan, together with other relevant policies of this Plan.

Conditions of approval may be established, including but not limited to Development Agreements registered on title, to ensure that existing or new development/redevelopment on new lots or remnant parcels of land created through consent, including through land assembly and boundary adjustment, is in keeping with the policies of this Plan and having regard for the matters set out in Section 51 (24) of The Planning Act, as amended.'

- adding a new Subsection 5., as follows:

'5. As set out in Part C, Section 4.1.1 of this Plan the City may consider the establishment of a Design Review Panel to provide

knowledgeable guidance with respect to design matters, consistent with City Urban Design Guidelines and the policies of this Plan, and in a manner to support both the municipality and proponents in the evaluation of lot creation proposals, including land assembly and boundary adjustments, and the subsequent development and/or redevelopment of the subject lands.'

- Re-numbering existing Subsections 4. and 5. to Subsections 6. and 7.

14. Part F, Section 16.15 Committee of Adjustment is amended by deleting the wording in the Section and replacing it with the following wording:

'The City shall appoint a Committee of Adjustment to consider applications in accordance with the Planning Act, as amended. The Committee shall be guided by the general intent and purpose of the policies and principles of this Plan, and the standards established in the implementing zoning by-law, in making decisions on applications for consent and minor variances.'

15. Part F, Implementation and Interpretation is amended by adding a new Section 16.18 Public Facilitation and Notification, as follows:

'16.18 Public Facilitation and Notification

One of the principles of sustainability is transparent and participatory government. The City recognizes and supports integrated public engagement and consultation as a key component in the land use planning process.

1. This Plan:
 - i) strongly supports opportunities for citizen and stakeholder participation and input while balancing the need to process development applications within the timelines prescribed within the Planning Act;
 - ii) encourages the involvement of citizens, business, stakeholders, other level of government and related agencies, community groups, networks and associations in the development of planning policies, regulations and standards, and implementation through the planning process.
2. The City will follow the public notification procedures and regulations for informing and obtaining input on planning

matters that are contained within the Planning Act. Notwithstanding, the City may exceed these requirements as deemed appropriate.

3. Where a notice of public meeting or a notice of a development application is required, notice will be given, at a minimum, in accordance with the applicable requirements of the Planning Act.
4. The City:
 - i) may set out public meeting requirements and notification on planning matters where such requirements and notification are not required or prescribed in the Planning Act;
 - ii) should establish protocol for the consistent and timely provision and disbursement of information on planning documents, planning matters, and development applications outside of the requirements of the Planning Act;
 - iii) will use a variety of communication methods to provide information, notification, and to seek public engagement and input on planning matters and development applications. Depending on the issues and in accordance with the Planning Act, the City shall choose the most appropriate method of communication, Communication may be in the form of:
 - a) direct mail outs, electronic or otherwise;
 - b) public notice signs;
 - c) newspaper advertisements
 - d) surveys, electronic or mail out;
 - e) public information open houses;
 - f) workshops/charettes;
 - g) public meetings;
 - h) the City web site and other forms of social media.'
16. Part F, Implementation and Interpretation is amended by re-numbering Section 16.18, 16.19, 16.20 and 16.21 to Section 16.19,16.20, 16.21 and 16.22.

17. Part F, Section 17.10 Density, Subsection 3. is amended by deleting from the first sentence the words 'small lot creation by way of an individual consent, where the consent' and adding them as a new subsection a) followed by existing subsections i), ii) and iii); and, adding a new subsection b) for private road development, so that the amended Section reads as follows:

'3. Within a low density designation, consideration to relax the established minimum density standard may be given for:

- a) small lot creation by way of an individual consent, where the consent:
 - i) maximizes the potential development of the subject lands, including the proposed severed and remnant parcel of land; and
 - ii) does not jeopardize future development opportunities on the subject or adjacent lands; and
 - iii) will result in compatible and context sensitive lot design and development.
- b) private road development, where
 - i) enhanced design details and features are provided to support optimum compatible and context sensitive development with adjacent properties, including but not limited to gateway and building design features, greening, landscaping, fencing and additional provision of trees.

PART C – THE APPENDICES

The following Appendices do not constitute part of the amendment to the Official Plan but are included as information supporting the amendment.

- Appendix 1 A copy of the “Public Notice” to citizens which outlines City Council’s intent to consider an amendment to the Official Plan in association with the accompanying amendment to the City’s Comprehensive Zoning By-law
- Appendix 2 A copy of the staff report which relates to the proposed Official Plan amendment and the associated amendment to the City’s Comprehensive Zoning By-law.
- Appendix 3 Minutes of the Public Meeting held in the Council Chambers of City Hall on May 1, 2017.

CITY OF ST. CATHARINES

BY-LAW NO. 2017- _____

A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines."

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES
enacts as follows:

That By-law No.2013-283, as amended, is further amended as follows:

- 1) Section 2.17 Average Building Line is amended by deleting the Section and replacing it with new Section 2.17 Reduced Building Line, as follows:

‘ 2.17 Reduced Building Line

For all zone categories, the minimum required front yard and/or minimum required exterior side yard may be reduced to the average of the established front yard and /or exterior side yard on abutting lots on either side of the subject lot, provided that, with the exception of the Downtown Traditional Main Street (C6) Zone, the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.

- a) On a corner lot, the average of the established yard will be calculated from the immediate abutting occupied lot and the occupied lot across the road on the same side of the road.
 - b) On a corner lot with no through road cross section, the average of the established yard will be calculated from the abutting lot on the same side of the road and the next adjacent lot thereto.
 - c) Where an abutting lot or adjacent lot thereto, or a lot across the road and on the same side of the road, is vacant, the next closest occupied lot on the same side of the road to the vacant property will be utilized to calculate the established average. ‘
- 2) Section 3.6.2 Recreational Vehicle, Boat, Recreation Trailer, Utility Trailer is amended by deleting the Section and replacing it with a new Section 3.6.2 Recreational Vehicle, Boat, Recreation Trailer, Utility Trailer, as follows:

‘Section 3.6.2 Recreational Vehicle, Boat, Recreation Trailer, Utility Trailer

The minimum required yard setbacks for the location of a parking area for recreational vehicles, boats, recreation trailers or utility trailers shall be as follows:

ZONE	Minimum Yards		
	Front Yard	Exterior Side Yard	Interior Side Yard
R1	6 m	4 m	0.6 m
R2	3 m	3 m	0.6 m
All Other Zones	outside of required yard		0.6 m

- 3) Section 5.3 Provisions for Residential (R1) ZONE is amended by increasing the Minimum Lot Frontage requirement in the Table for the following permitted uses, as follows:

Dwelling, Detached: from 15 m to 16.5 m

Dwelling, Semi-detached: from 11 m^(a) to 12 m^(a).

Dwelling, Quadruplex: from 11 m^(a) to 12 m^(a).

Townhouse: from 8 m^(a) to 10 m^(a)

- 4) Section 5.3 Provisions for Residential (R1) Zone is amended by revising the Minimum Interior Side Yard requirement in the Table, and adding footnote (f) to the Table for Interior Side Yard for the following permitted uses, as follows:

Dwelling, Detached: from 1.2 m to 1.2 m/2 m^(f)

Dwelling, Semi-detached: from 1.2 m^(c) to 1.2 m/2 m^{(c) (f)}

Dwelling, Quadruplex: from 1.2 m^(c) to 1.2 m/2 m^{(c) (f)}

Townhouse: from 1.2 m^(c) to 1.2 m/2 m^{(c) (f)}

- 5) Section 5.3 Provisions for Residential (R1) ZONE is amended by adding footnote (g) to the 'Front Yard' and the 'Exterior Side Yard' requirement for semi-detached and townhouses in the Table.
- 6) Section 5.3 Provisions for Residential (R1) ZONE is amended by adding footnote (h) to the Table for 'Front Yard' and the 'Exterior Side Yard'

- 7) Section 5.3 Provisions for Residential (R1) ZONE is amended by decreasing the Maximum Building Height for all permitted uses in the Table from 11 m to 9.5 m
- 8) Section 5.3 Provisions for Residential (R1) ZONE is amended by increasing the Minimum Landscaped Open Space for all permitted uses in the Table from 25% to 35%.
- 9) Section 5.3 Provisions for Residential (R1) ZONE is amended by adding a new column to the Table for 'Total Lot Coverage', and applying a total lot coverage percentage of 45% with a new footnote (i) for the following permitted uses: detached dwelling, semi-detached dwelling, and quadruplex.
- 10) Section 5.3.1, Footnotes for Section 5.3 Provisions for Residential (R1) Zone is amended by adding at the end of footnote e), the following:

‘ ; and, in addition to the minimum required yard for an attached garage in Table 5.3, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.’
- 11) Section 5.3.1, Footnotes for Section 5.3 Provisions for Residential (R1) Zone is amended by adding a new footnote (f), as follows:

‘ The minimum interior side yard shall be 1.2 m for the first 4.5 m in building height, and 2 m for any portion of the dwelling in excess of 4.5 m in building height.’
- 12) Section 5.3.1, Footnotes for Section 5.3 Provisions for Residential (R1) Zone is amended by adding a new footnote (g), as follows:

‘ (g) Notwithstanding the definition for ‘Lot Line, Front’ and ‘Lot Line, Exterior Side’ in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit that is divided vertically, the following shall apply:

i) ‘Lot Line, Front’ means the longest lot line along a public road, and ‘Lot Line, Exterior Side’ means the shortest lot line along a public road; and, the corresponding requirements in Table 5.3 shall apply. ‘

13) Section 5.3.1, Footnotes for Section 5.3 Provisions for Residential (R1) Zone is amended by adding a new footnote (h), as follows:

‘ (h) Yard for Dwellings, Average

i) If the average front yard and /or average exterior side yard for a dwelling is in excess of 2 m of the minimum required yard for a dwelling in Table 5.3, then the average front yard and /or average exterior side yard will be the required minimum and maximum yard for the dwelling, plus or minus 0.5 m.

ii) The minimum required front yard and/or minimum required exterior side yard for a dwelling in Table 5.3 may be reduced to the average front yard and /or average exterior side yard for dwellings, provided that the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.’

- 14) Section 5.3.1, Footnotes for Section 5.3 Provisions for Residential (R1) Zone is amended by adding a new footnote (i), as follows:

‘ (i) Only applies to a lot in excess of the Maximum Lot Area regulation.’
- 15) Section 5.4 Provisions for Residential (R2) ZONE is amended by increasing the Minimum Lot Frontage requirement for detached Dwelling, Detached in the Table from 9 m to 10.5 m; and, decreasing the Minimum Lot Frontage requirement for a Dwelling, Triplex in the Table from 16 m to 12 m.
- 16) Section 5.4 Provisions for Residential (R2) ZONE is amended by adding footnote (g) to the ‘Front Yard’ and the ‘Exterior Side Yard’ requirement for semi-detached and townhouses in the Table.
- 17) Section 5.4 Provisions for Residential (R2) ZONE is amended by adding footnote (h) to the Table for ‘Front Yard’ and the ‘Exterior Side Yard’
- 18) Section 5.4 Provisions for Residential (R2) ZONE is amended by decreasing the Maximum Building Height for all permitted uses in the Table from 11 m to 9.5 m
- 19) Section 5.4 Provisions for Residential (R2) ZONE is amended by increasing the Minimum Landscaped Open Space for all permitted uses in the Table from 25% to 35%.
- 20) Section 5.4 Provisions for Residential (R2) ZONE is amended by adding a new column to the Table for ‘Total Lot Coverage’, and applying a total lot coverage percentage of 45% together with a new

footnote (i) for all permitted uses except townhouse and private road development.

- 21) Section 5.4.1, Footnotes for Section 5.4 Provisions for Residential (R2) Zone is amended by adding at the end of footnote f), the following:

‘ ; and, in addition to the minimum required yard for a garage in Table 5.4, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.’

- 22) Section 5.4.1, Footnotes for Section 5.4 Provisions for Residential (R2) Zone is amended by adding a new footnote (g), as follows:

‘ (g) Notwithstanding the definition for ‘Lot Line, Front’ and ‘Lot Line, Exterior Side’ in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:

i) ‘Lot Line, Front’ means the longest lot line along a public road, and ‘Lot Line, Exterior Side’ means the shortest lot line along a public road; and, the corresponding requirements in Table 5.4 shall apply. ‘

- 23) Section 5.4.1, Footnotes for Section 5.4 Provisions for Residential (R2) Zone is amended by adding a new footnote (h), as follows:

‘ (h) Yard for Dwellings, Average

i) If the average front yard and /or average exterior side yard for a dwelling is in excess of 2 m of the minimum required yard for a dwelling in Table 5.4, the average front yard and

/or average exterior side yard will be the required minimum and maximum yard for the dwelling, plus or minus 0.5 m.

ii) The minimum required front yard and/or minimum required exterior side yard for a dwelling in Table 5.4 may be reduced to the average front yard and /or average exterior side yard for dwellings, provided that the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.'

- 24) Section 5.4.1, Footnotes for Section 5.4 Provisions for Residential (R2) Zone is amended by adding a new footnote (i), as follows:
'(i) Only applies to a lot in excess of the Maximum Lot Area regulation.'
- 25) Section 5.5 Provisions for Residential (R3) ZONE is amended by decreasing the Minimum Lot Frontage requirement for a Dwelling, Triplex in the Table from 16 m to 12 m.
- 26) Section 5.5 Provisions for Residential (R3) ZONE is amended by adding footnote (g) to the 'Front Yard' and the 'Exterior Side Yard' requirement for semi-detached and townhouses in the Table.
- 27) Section 5.5 Provisions for Residential (R3) ZONE is amended by increasing the Minimum Landscaped Open Space for all permitted uses in the Table from 25% to 35%, except for Apartment Building / Long Term Care Facility on an Arterial Road where the Minimum Landscaped Open Space requirement is amended from 20% to 30%.

- 28) Section 5.5 Provisions for Residential (R3) ZONE is amended by adding a new column to the Table for 'Total Lot Coverage', and applying a total lot coverage percentage of 45% together with a new footnote (h) for all permitted uses except townhouse, private road development and apartments.
- 29) Section 5.5.1, Footnotes for Section 5.5 Provisions for Residential (R3) Zone is amended by adding at the end of footnote f), the following:
 ' ; and, in addition to the minimum required yard for a garage in Table 5.5, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.'
- 30) Section 5.5.1, Footnotes for Section 5.5 Provisions for Residential (R3) Zone is amended by adding a new footnote (g), as follows:
 ' (g) Notwithstanding the definition for 'Lot Line, Front' and 'Lot Line, Exterior Side' in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:
 i) 'Lot Line, Front' means the longest lot line along a public road, and 'Lot Line, Exterior Side' means the shortest lot line along a public road; and, the corresponding requirements in Table 5.5 shall apply. '
- 31) Section 5.5.1, Footnotes for Section 5.5 Provisions for Residential (R3) Zone is amended by adding a new footnote (h), as follows:

'(h) Only applies to a lot in excess of the Maximum Lot Area regulation.'

- 32) Section 5.6 Provisions for Residential (R4) ZONE is amended by decreasing the Minimum Lot Frontage requirement for a Dwelling, Triplex in the Table from 16 m to 12 m.
- 33) Section 5.6 Provisions for Residential (R4) ZONE is amended by adding footnote (f) to the 'Front Yard' and the 'Exterior Side Yard' requirement for Townhouse in the Table.
- 34) Section 5.6.1, Footnotes for Section 5.6 Provisions for Residential (R4) Zone is amended by adding at the end of footnote c), the following:

' ; and, in addition to the minimum required yard for a garage in Table 5.6, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.'
- 35) Section 5.6.1, Footnotes for Section 5.6 Provisions for Residential (R4) Zone is amended by adding a new footnote (f), as follows:

' (f) Notwithstanding the definition for 'Lot Line, Front' and 'Lot Line, Exterior Side' in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:

 - i) 'Lot Line, Front' means the longest lot line along a public road, and 'Lot Line, Exterior Side' means the shortest lot line along a public road; and, the corresponding requirements in Table 5.6 shall apply. '

- 36) Section 5.7 Additional Private Road Development Provisions is amended by deleting the existing Table and replacing it with a new Table which enacts the following:
- a) includes specific provisions related to each Residential Zone category as opposed to the existing provisions applying to all Residential Zone categories;
 - b) revises the following requirements:
 - i) For the R1 zone, amending Interior Side Yard requirement for End Wall from 3 m to 5 m, and for Rear Wall from 6 m to 7.5 m; amending Rear Yard requirement for End Wall from 3 m to 5 m, and for Rear Wall from 6 m to 7.5 m;
 - ii) For the R2 zone, amending Interior Side Yard requirement for End Wall from 3 m to 5 m, and for Rear Yard requirement for End Wall from 3 m to 5 m;
 - iii) For the R3 and R4 Zone, where abutting an R1 or R2 zone, the same requirements for the R2 zone apply.
 - c) the new Table is as follows:

Minimum Yard Requirements										
	Interior Side Yard		Rear Yard		Between Buildings			Min. Distance From Private Road		Maximum Unit Driveway Width
ZONE	From End Wall	From Rear Wall	From End Wall	From Rear Wall	Between End Walls	Between Rear Walls	Between End and Rear Wall	To attached Garage	To Dwelling	
R1	5 m	7.5 m	5 m	7.5 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R2	5 m	6 m	5 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R3 and R4 where abutting an R1 or R2 Zone	5 m	6 m	5 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R3, R4 Zone where not abutting an R1, R2 Zone	3 m	6 m	3 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width

37) Section 12 DEFINITIONS is amended by revising the definition for Private Road Development to add the words '4 or more primary' before the words 'residential dwellings'.

38) Section 12 DEFINITIONS is amended by adding a new definition for 'Yard for Dwellings, Average', as follows:

'Yard for Dwellings, Average: means the average of the established yard for dwellings, save and except apartments, located on abutting lots on either side of the subject lot.

- a) On a corner lot, the average of the established yard will be calculated from the immediate abutting occupied lot and the occupied lot across the road cross section on the same side of the road.
 - b) On a corner lot with no through road cross section, the average of the established yard will be calculated from the abutting lot on the same side of the road and the next adjacent lot thereto.
 - c) Where an abutting lot or adjacent lot thereto, or a lot across the road cross section and on the same side of the road, is vacant, the next closest occupied lot on the same side of the road to the vacant property will be used to calculate the established average.
 - d) Where, on one side of the subject lot, the abutting lot is occupied by an apartment building or non-residential use, the average of the established yard will be calculated from the abutting lot, and the adjacent lot thereto, on the other side of the subject lot.'
- 39) This By-law shall come into force and effect on the date of passing by Council, subject to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read a first time this	day of	2017.
Read a second time this	day of	2017.
Read a third time and passed this	day of	2017.

DEPUTY CLERK

MAYOR

Residential Infill and Intensification Review – Draft Official Plan Amendment - Track Changes

The following sets out the track changes to the City’s Official Plan as per the proposed amendment.

(Words/numbers *shaded and italicized* represent additions to the Plan. Words/numbers ~~shaded and crossed out~~ represent deletions to the Plan.)

**** Track Change 1** (the following relates to Amendment item 1)

2.3.3. Accommodation of Growth

1. Projected population, housing and employment will primarily be accommodated within the Urban Area as defined on Schedule D ‘Municipal Structure’.
2. The Plan recognizes a finite Urban Area, and within it, a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth.
3. Growth will be accommodated by:
 - i) the efficient usability of vacant and occupied lands;
 - ii) more compact built form and density of development;
 - iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment;
 - i) redevelopment and build out of underutilized properties

- v) a more integrated, interactive mix of uses, activity and functions;
- vi) service, infrastructure, energy, transportation sustainable, accessible, efficient and supportive development;
- vii) design initiatives to support:
 - compatible, innovative, efficient and sustainable building, and site, streetscape, neighbourhood and community design;
 - enhanced natural and cultural heritage protection, preservation and conservation;
 - greening;
 - an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;

**** Track Change 2** (the following relates to Amendment item 2 to 4)

4. URBAN DESIGN

Urban design is the art of shaping communities. It is concerned with how buildings, landscapes, and public spaces look and function together to create an overall character that reflects unique aspects of a community’s history and culture.

Good urban design can create lively community places with distinctive character and meaningful connections between public spaces and built form. For residents, it means safe, accessible, appealing places to live and visit; for businesses, increased productivity and prestige; for developers, a better return on investment; for the environment, sustainability; and for the community - civic pride and preserved identity.

Urban design applies to individual sites, neighbourhoods, as well the whole community, ensuring that the new fits with the old, that human man-made and natural environments are compatible, and that the City’s our heritage is protected and enhanced. Urban design is particularly crucial in St.

Catharines which is a mature city with a finite urban boundary. Future growth will occur primarily through intensification and redevelopment. Compact development and mixed-use environments will require innovative and sensitive design to ensure compatibility and to create a sense of place.

4.1 Urban Design Guidelines

The following urban design policies and principles of this Plan describe the general intent for development and redevelopment. They provide the framework for, and should be read in conjunction with, the City’s Urban Design Guidelines.

The City shall prepare Urban Design Guidelines to better inform, evaluate, manage, support and enhance the compatible integration of new development and redevelopment opportunities. The Guidelines shall set out more specific design details, features and standards and requirements to be used as a tool in the evaluation of development and redevelopment proposals.

Urban Design Guidelines shall be prepared for different development types and initiatives, and according to specific use and activity areas of the City.

Priority areas for establishing Urban Design Guidelines should be concentrated to the built up areas and environments of the Urban Area, and include:

- a) Established Residential Neighbourhoods
- b) Downtown and the Urban Growth Centre
- c) Intensification Areas as set on Schedule D ‘Municipal Structure’.
- d) City and Neighbourhood nodes, gateways, and traditional main streets as identified in the City’s Urban Design Guidelines.
- e) Major activity centres, Mixed use area, Commercialcentres.

1. Design Review Panel

This City may consider the establishment of a Design Review Panel to provide

knowledgeable guidance with respect to design matters, consistent with City Urban Design Guidelines and the policies of this Plan, and in a manner to support both the municipality and proponents in the evaluation of development and/or redevelopment proposals, and lot creation including land assembly and boundary adjustments.

4.2.1- Urban Design Principles

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

The Development *and redevelopment within* of St. Catharines will be based on the following sustainable design principles:

- a) a strong sense of identity and place as the “Garden City”;
- b) innovative, and sustainable *and context sensitive building, site, streetscape and neighbourhood design*;
- c) a stimulating, attractive, and safe public realm;
- d) compatibility of new development *and redevelopment* with *in* established areas;
- e) universal access to public areas;
- f) conservation of heritage buildings and structures;
- g) protection of the natural environment and processes;
- h) a compact, walkable, bikeable and well connected community;
- i) a range of choices for housing and transportation ;
- j) mixed-use nodes and corridors;
- k) complete streets for all users;

l) building design to support street life;

m) greening.

**** Track Change 3** (the following relates to Amendment item 5 and 6)

4.3.5. Built Form

Built form refers to the arrangement of buildings and their relationship to each other, and to the natural environment. It plays a large role in defining the character of an area. New development in St. Catharines will primarily be by way of intensification and redevelopment, and urban design will have a significant impact on how the new development will fit with established areas. Compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area. Where there is no discernable character, new development will set the standard for future development.

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.1 of this Plan and that *supports and* maximizes compatibility with the surrounding area in terms of the following matters:
 - a) Building scale, height, gradation of height, and massing.
 - b) Spacing of buildings.
 - c) The level and visibility of the ground floor relative to exterior grade.
 - d) Roof form and pitch, together with any other structures on the roof.
 - e) The placement, number, type and proportion of doors, ~~and~~ windows *and other features including garages, porches and other platform structures.*
 - f) Use of materials, textures, and colours.
 - g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.

- h) Preservation and enhancement of significant views and vistas.
 - i) Retention of natural vegetation and other distinctive landscape or streetscape features.
 - j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls, and **massing**; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
 - k) Mitigating light trespass and glare and to minimize the effects of sky glow.
 - l) Mitigating wind, sun shadow impacts.
2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by:
- a) Consolidating and minimizing the width of driveways and curb cuts.
 - b) Providing underground parking or parking structures where possible.
 - c) Limiting surface parking between the front and flanking face of a building and the public street.
 - d) Providing perimeter landscaping as well as landscaped interior islands.
 - e) Using permeable pavement systems or other low impact development practices.
 - f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
 - g) Integrating utilities as part of the building and site design, where feasible.
 - h) Ensuring safety for active transportation.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding neighbourhood.
4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

4.4.2. Community Identity – The “Garden City”

4.5.3. The Natural Environment

**** Track Change 4** (the following relates to Amendment item 7)

4.6.4. The Public Realm

The public realm – the streets, parks, squares, public buildings, and open spaces, is a critical component of city life, drawing people together and providing the setting for festivals, cultural events, and recreational and leisure activities, as well as for daily casual contact. They create strong social bonds and help establish our public identity.

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:
 - a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
 - b) improvements to streetscapes, including pedestrian-scale lighting, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation wherever road improvements occur;
 - c) naturalization opportunities including the use of native species of trees in development of open spaces;

- d) the placement of a broad range of art works in publicly accessible and visible locations;
 - e) roadway design to maximize the preservation and maintenance of natural features and the development of complete streets;
 - f) the protection and enhancement of major vistas, gateways, and scenic routes;
 - g) measures to mitigate light trespass and glare to minimize the effects of sky glow.
2. Public buildings will be located and designed to promote their public status on prominent, accessible sites. Public space associated with public buildings will be designed to accommodate a variety of public functions.
 3. Where feasible, major public and private development projects will be required to incorporate public spaces, bicycle facilities and sidewalks to support connections to the City's pedestrian, bike and transit network.
 4. Wherever feasible, utilities will be placed underground and/or designed to minimize negative impacts, maintain existing area character, and enable further aesthetic improvements such as boulevard trees planting.

Consideration shall be given to the location of utilities within the public rights of way as well as on private property. Utilities shall be clustered or grouped where possible to minimize visual impact. The City encourages utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc. when determining appropriate locations for large utility equipment and utility cluster sites.

5. ~~The City's~~ Urban Design Guidelines shall identify certain locations as design priority areas *for public realm opportunities and initiatives* given their importance as growth areas, major activity areas, or prominent focal points. These areas will include:
 - a) Downtown and the Urban Growth Centre *as set out on Schedule D 'Municipal Structure'.*
 - b) Intensification Areas as set on Schedule D 'Municipal Structure'.
 - c) City and neighbourhood nodes, gateways, and traditional main streets as identified in the City's Urban Design Guidelines.
 - d) major activity centres, ~~and~~ mixed use areas, *commercial centres*.

e) major vistas, landscapes.

f) *established residential neighbourhoods*

6. Design features for the design priority areas identified in Part C, Section 4.6 4.5 above will be established through the City's Urban Design Guidelines, and may include but are not limited to decorative lighting, public art, distinct signage, wider sidewalks, boulevard and median treatment and planting, traffic calming, entrance features, *greening*, and enhanced pedestrian surfaces to support the achievement of complete streets.

**** Track Change 5** (the following relates to Amendment item 8)

~~4.7.6. Universal Access~~

~~4.8.7. Personal Safety~~

~~4.9.8. Landscaping~~

~~4.10.9. Public Art~~

**** Track Change 6** (the following relates to Amendment item 9 and 10)

PART D : LAND USE POLICIES

7. GENERAL POLICIES

This Plan emphasizes more compact, innovative and alternative design to manage development.

Zoning regulations, design guidelines, standards, and other tools to manage land use development shall encourage efficient, integrated, accessible, sustainable, environment friendly, and context sensitive development.

7.1 Development / Redevelopment

Development and redevelopment within the Urban Area shall be evaluated having regard for the following:

- a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City’s public realm and open space network.
- b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.
- c) Building, site, ~~and~~ streetscape **and neighbourhood** context sensitive design to ensure:
 - i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;
 - ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.
 - iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;
 - iv) ~~Adequacy of~~ **Adequate and appropriate** lot size, **shape and configuration**, access; on-site facilities and outdoor amenity areas to accommodate use;
 - v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.
- d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.

- e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.
- f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.
- g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.
- h) Surface parking areas should be minimized and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.

Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.
- i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.
- j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.
- k) Alternative and innovative lottage patterns are supported provided that compatible street, building and site context sensitive design with adjacent properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.
- l) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.

**** Track Change 7** (the following relates to Amendment item 11)

- 7.3** Urban Design Guidelines – as set out in Part C, Section 4.1, the City shall develop Urban Design Guidelines setting out specific design details, features and standards requirements for different development types and initiatives, and according to specific use and activity areas of the City, and

which will be *used as a tool to evaluate* regulated through zoning regulation, site plan control, or condition of development *and redevelopment opportunities and proposals.* approval or other approval process.

**** Track Change 8** (the following relates to Amendment item 12)

8.2. General Policies

1. Residential development, redevelopment and intensification will be integrated within Low, Medium and High Density residential designations having regard for Part D, Section 7 and all other policies of this Plan.
2. New Medium and High Density development sites may be permitted in the Neighbourhood Residential designation by way of zoning by-law amendment, provided:
 - a) the permission represents only a change from low to medium density residential, or medium to high density residential, as defined in Part D, Section 8.1 above;
 - b) the subject lands are located on arterial or collector roads, in close walkable proximity and accessibility to commercial centres, community facilities and parks, are well served by public transit and should most appropriately be located adjacent to or in close proximity to existing medium or high density residential sites;

Any proposal for new medium or high density residential development will be evaluated having regard for urban design principles and policies set out in this Plan to ensure building, site, and streetscape *and neighbourhood* design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands; and, may be subject to studies as set out in Part F, Section 16.16 of this Plan.

Through regular monitoring of this Plan, the subject lands will be appropriately designated in Part E 'District Plans', and subject to the applicable policies established for that designation.

3. Apartments are permitted on arterial roads in low density residential designations, subject to zoning by-law amendment, having regard for the density and height provisions established in Section 8.1.1. Any such proposal will be evaluated having regard for urban design principles and policies set out in this Plan to ensure building, site, and streetscape *and neighbourhood* design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands, and may be subject to studies as set out in Part F, Section 16.16 of this Plan.

4. New residential development may be subject to Provincial guidelines to ensure adequate minimum distance separation from designated employment lands.

**** Track Change 9** (the following relates to Amendment item 13)

16.11. Lot Creation

1. Creation of lots shall only be effected through consent or plans of subdivision,
2. Consents to sever parts of lots as an alternative to a registered plan of subdivision will be discouraged and will only be permitted when such a plan would clearly not be needed to ensure the intent of applicable policies in this Plan are followed.
3. Consents to sever individual parcels of land, *including land assembly and lot boundary adjustments*, will only be *permitted* ~~given~~ where:
 - a) It is clearly apparent that no development could take place which would lead to significant expense by the City for public works or which would lead to further development leading to such expenses.
 - b) They contribute to the infilling of areas that are already substantially developed.
 - c) The size, ~~and shape~~ *and configuration* of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.
4. *The creation of, and use, of new lots as well as remnant parcels of land created through consent, including new lots and remnant parcels created through land assembly or boundary adjustments, shall be evaluated having regard for the Urban Design policies and principles of this Plan, together with other relevant policies of this Plan.*

Conditions of approval may be established, including but not limited to Development Agreements registered on title, to ensure that existing or new development/redevelopment on new lots or remnant parcels of land created through consent, including through land assembly and boundary adjustment, is in keeping with the policies of this Plan and having regard for the matters set out in Section 51 (24) of The Planning Act, as amended.

5. *As set out in Part C, Section 4.1.1 of this Plan the City may consider the establishment of a Design Review Panel to provide knowledgeable guidance with respect to design matters, consistent with City Urban Design Guidelines and the policies of this Plan, and in a manner to support both the municipality and proponents in the evaluation of lot creation proposals, including land assembly and boundary adjustments, and the subsequent development and/or redevelopment of the subject lands.*
- 6.4. Provisions for severing individual parcels of land within the Agriculture Area are found in the Agriculture policy section of the Plan.
- 7.5. It is the general intent of this Plan to provide for the severance of land or the creation of easements for public parks, open space and trails, where such consents do not result in the creation of additional building lots.

**** Track Change 10** (the following relates to Amendment item 14)

16.15. Committee of Adjustment

The *City shall appoint a* Committee of Adjustment ~~for the City of St. Catharines~~ *to consider applications in accordance with the Planning Act, as amended. The Committee* shall be guided by the general intent and purpose of *the policies and principles of* this Plan, and *the standards established in* the implementing zoning by-law, in making decisions on applications for *consent* and minor variances.

**** Track Change 11** (the following relates to Amendment item 15 and 16)

16.18 Public Facilitation and Notification

One of the principles of sustainability is transparent and participatory government. The City recognizes and supports integrated public engagement and consultation as a key component in the land use planning process.

1. This Plan:

- i) strongly supports opportunities for citizen and stakeholder participation and input while balancing the need to process development applications within the timelines prescribed within the Planning Act;*
- ii) encourages the involvement of citizens, business, stakeholders, other level of government and related agencies, community groups, networks and associations in the development of planning policies, regulations and standards, and implementation through the planning process.*

2. The City will follow the public notification procedures and regulations for informing and obtaining input on planning matters that are contained within the Planning Act. Notwithstanding, the City may exceed these requirements as deemed appropriate.

3. Where a notice of public meeting or a notice of a development application is required, notice will be given, at a minimum, in accordance with the applicable requirements of the Planning Act.

4. The City:

- i) may set out public meeting requirements and notification on planning matters where such requirements and notification are not required or prescribed in the Planning Act;*
- ii) should establish protocol for the consistent and timely provision and disbursement of information on planning documents, planning matters, and development applications outside of the requirements of the Planning Act;*

- iii) will use a variety of communication methods to provide information, notification, and to seek public engagement and input on planning matters and development applications. Depending on the issues and in accordance with the Planning Act, the City shall choose the most appropriate method of communication, Communication may be in the form of:
- a) direct mail outs, electronic or otherwise;
 - b) public notice signs;
 - c) newspaper advertisements
 - d) surveys, electronic or mail out;
 - e) public information open houses;
 - f) workshops/charettes;
 - g) public meetings;
 - h) the City web site and other forms of social media.

16.198.	Monitoring
16.20.19.	Acquisition of Lands
16.210.	Special Study Areas
16.221.	Exemption Status

**** Track Change 12** (the following relates to Amendment item 17)

17.10 Density

1. Density is measured based on gross site hectares.
2. Notwithstanding Section 17.10.1 above, for the purposes of measuring density requirements, consideration may be given for excluding from the measurement of gross site hectares, the following:
 - i) lands to be conveyed for parkland dedication, public road widening, and public roads.

- ii) lands within and to be protected for wetlands, significant valleylands, significant woodlands, fish habitat, areas of natural and scientific interest, significant habitat of threatened and endangered species, significant wildlife habitat, and the shoreline dynamic beach hazard limit;
- iii) lands within any required adjacent land setback or buffer zone for natural heritage and hazard lands as set out in ii) above, where the required adjacent land setback or buffer zone, or portion thereof, cannot be included within a required yard to a principal building on the site;
- iv) lands required by the Ministry of Transportation, Ministry of Environment, CN Rail, or other public agency, for distance separation from principal buildings, where the required lands for distance separation, or portion thereof, cannot be included within a required yard to a principal building on the site.

3. Within a low density designation, consideration to relax the established minimum density standard may be given for ~~small lot creation by way of an individual consent, where the consent:~~

a) small lot creation by way of an individual consent, where the consent:

- i) maximizes the potential development of the subject lands, including the proposed severed and remnant parcel of land; and
- ii) does not jeopardize future development opportunities on the subject or adjacent lands; and
- iii) will result in compatible and context sensitive lot design and development.

b) private road development, where:

- i) *enhanced design details and features are provided to support optimum compatible and context sensitive development with adjacent properties, including but not limited to gateway and building design features, greening, landscaping, fencing and additional provision of trees.*

Residential Infill and Intensification Review – Draft Zoning By-law Amendment - Track Changes

The following sets out the track changes to the City's Comprehensive Zoning By-law No. 2013-283 as per the proposed amendment.

(Words/numbers *shaded and italicized* represent additions to the By-law. Words/numbers ~~shaded and crossed out~~ represent deletions to the By-law.)

**** Track Change 1** (the following relates to By-law Amendment item 1)

2.17 ~~Average~~ *Reduced* Building Line

For all zone categories, the ~~The~~ minimum *required* front yard and/or minimum *required* exterior side yard may be reduced to the average of the established front and/or exterior side yards on abutting lots on either side of the subject lot, provided that, with the exception of the Downtown Traditional Main Street (C6) Zone, the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands. ~~On a corner lot, the average of the established front and/or exterior side yard will be taken from the immediate abutting lot and the lot across the road on the same side of the road.~~

- a) *On a corner lot, the average of the established yard will be calculated from the immediate abutting occupied lot and the occupied lot across the road on the same side of the road.*
- b) *On a corner lot with no through road cross section, the average of the established yard will be calculated from the abutting lot on the same side of the road and the next adjacent lot thereto.*
- c) *Where an abutting lot or adjacent lot thereto, or a lot across the road and on the same side of the road, is vacant, the next closest occupied lot on the same side of the road to the vacant property will be utilized to calculate the established average.*

**** Track Change 2** (the following relates to By-law Amendment item 2)

3.6.2 Recreation Vehicle, Boat, Recreation Trailer, Utility Trailer

Recreation vehicles, boats, recreation trailers or utility trailers shall only be located in a parking area that is outside of the required front and / or required exterior side yard and shall be located a minimum of 0.6 metres from the interior side lot line.

The minimum required yard setbacks for the location of a parking area for recreational vehicles, boats, recreation trailers or utility trailers shall be as follows:

ZONE	Minimum Yards		
	Front Yard	Exterior Side Yard	Interior Side Yard
R1	6 m	4 m	0.6 m
R2	3 m	3 m	0.6 m
All Other Zones	outside of required yard		0.6 m

**** Track Change 3** (the following relates to By-law Amendment items 3 to 9)

5.3 Provisions for Residential (R1) ZONE

Permitted Uses	Lot Area per Dwelling Unit ^(d)		Min. Lot Frontage ^(d)	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units ^(d)	Density Per Hectare ^(d)	Min. Landscaped Open Space	Total Lot Coverage
	Min.	Max.		Front Yard ^(e) ^(h)	Rear Yard	Interior Side Yard	Exterior Side Yard ^(e) ^(h)					
Dwelling, Detached	400 m ²	490 m ²	16.5 15 m	6 m to dwelling / 7 m to garage	7.5 m	1.2 m / 2 m ^(f)	4 m to dwelling/6 m to garage	9.5 11 m	-	-	35 25%	45% ⁽ⁱ⁾
Dwelling, Semi- detached	370 m ²	465 m ²	11 12 m ^(a)	6 m to dwelling / 7 m to garage ^(g)	7.5 m	1.2 m / 2 m ^(c) ^(f)	4 m to dwelling/6 m to garage ^(g)	9.5 11 m	-	-	35 25%	45% ⁽ⁱ⁾
Dwelling, Quadruplex	350 m ²	465 m ²	11 12 m ^(a)	6 m to dwelling / 7 m to garage	7.5 m ^(c)	1.2 m / 2 m ^(c) ^(f)	4 m to dwelling/6 m to garage	9.5 11 m	-	-	35 25%	45% ⁽ⁱ⁾
Townhouse	315 m ²	-	10 8 m ^(a)	6 m to dwelling / 7 m to garage ^(g)	7.5 m	1.2 m / 2 m ^(c) ^(f)	4 m to dwelling/6 m to Garage ^(g)	9.5 11 m	4	Min. = 20 units	35 25%	-
Private Road Development ^(b)	315 m ²	-	12 m	6 m to dwelling / 7 m to garage	See Section 5.7		4 m to dwelling/6 m to garage	9.5 11 m	4	Min. = 20 units	35 25%	-

**** Track Change 4** (the following relates to By-law Amendment items 10 to 14)

5.3.1 Footnotes for Section 5.3 Provisions for Residential (R1) Zone

- (a) Minimum lot frontage shall be per dwelling unit
- (b) Private Road Development shall permit all dwelling types that are permitted in the Low Density Residential – Suburban Residential (R1) Zone.
- (c) Common walls shall be centred on the common lot line. (See Section 2.4)
- (d) Accessory dwelling units shall not be included in the calculation of lot area, lot frontage, or density, nor shall accessory dwelling units be included in the maximum number of attached dwelling units.
- (e) The yard requirement for garage applies to an attached garage and to the yard from which the attached garage is accessed by a driveway; *and, in addition to the minimum required yard for an attached garage in Table 5.3, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.*
- (f) *The minimum interior side yard shall be 1.2 m for the first 4.5 m in building height, and 2 m for any portion of the dwelling in excess of 4.5 m in building height.*
- (g) *Notwithstanding the definition for ‘Lot Line, Front’ and ‘Lot Line, Exterior Side’ in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit that is divided vertically, the following shall apply:*
 - i) *‘Lot Line, Front’ means the longest lot line along a public road, and ‘Lot Line, Exterior Side’ means the shortest lot line along a public road; and, the corresponding requirements in Table 5.3 shall apply.*
- (h) *Yard for Dwellings, Average*
 - i) *If the average front yard and /or average exterior side yard for a dwelling is in excess of 2 m of the minimum required yard for a dwelling in Table 5.3, then the average front yard and /or average exterior side yard will be the required minimum and maximum yard for the dwelling, plus or minus 0.5 m.*
 - ii) *The minimum required front yard and/or minimum required exterior side yard for a dwelling in Table 5.3 may be reduced to the average front yard and /or average exterior side yard for dwellings, provided that the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.*
- (i) *Only applies to a lot in excess of the Maximum Lot Area regulation.*

**** Track Change 5** (the following relates to By-law Amendment items 15 to 20)

5.4 Provisions for Residential (R2) ZONE

Permitted Uses	Lot Area ^(e)		Min. Lot Frontage ^(e)	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units ^(e)	Density Per Hectare ^(e)	Min. Landscaped Open Space	<i>Total Lot Coverage</i>
	Min.	Max.		Front Yard ^(f) ^(h)	Rear Yard	Interior Side Yard	Exterior Side Yard ^(f) ^(h)					
Dwelling, Detached	300 m ²	465 m ²	10.5 9 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Dwelling, Semi- detached	280 m ² ^(d)	465 m ² ^(d)	7.5 m ^(a)	3 m to dwelling/ 6 m to garage ^(g)	6 m	1.2 m ^(c)	3 m to dwelling / 6 m to garage ^(g)	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Dwelling, Duplex	560 m ²	930 m ²	12 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Dwelling, Triplex	840 m ²	1395 m ²	12 16 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Dwelling, Fourplex	1120 m ²	1860 m ²	18 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Dwelling, Quadruplex	280 m ² ^(d)	465 m ² ^(d)	7 m ^(a)	3 m to dwelling / 6 m to garage	6 m ^(c)	1.2 m ^(c)	3 m to dwelling / 6 m to garage	9.511 m	-	-	3525%	45% ⁽ⁱ⁾
Townhouse	280 m ²	-	6 m ^(a)	3 m to dwelling/ 6 m to garage ^(g)	6 m	1.2 m ^(c)	3 m to dwelling / 6 m to garage ^(g)	9.511 m	4	Min. 20 units	3525%	-
Private Road Development ^(b)	280 m ² ^(d)	-	12 m	3 m to dwelling / 6 m to garage	See Section 5.7		3 m to dwelling / 6 m to garage	9.511 m	4	Min. 20 units	3525%	- .

**** Track Change 6** (the following relates to By-law Amendment items 21 to 24)

5.4.1 Footnotes for Section 5.4 Provisions for Residential (R2) Zone

- (a) Minimum lot frontage shall be per dwelling unit
- (b) Private Road Development shall permit all dwelling types that are permitted in the Low Density Residential – Traditional Neighbourhood (R2) Zone.
- (c) Common walls shall be centred on the common lot line. (see Section 2.4)
- (d) Lot Area is per dwelling unit.
- (e) Accessory dwelling units shall not be included in the calculation of lot area, lot frontage, or density, nor shall accessory dwelling units be included in the maximum number of attached dwelling units.
- (f) The yard requirement for garage applies to an attached garage and to the yard from which the attached garage is accessed by a driveway; *and, in addition to the minimum required yard for a garage in Table 5.4, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.*
- (g) *Notwithstanding the definition for 'Lot Line, Front' and 'Lot Line, Exterior Side' in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:*
 - i) 'Lot Line, Front' means the longest lot line along a public road, and 'Lot Line, Exterior Side' means the shortest lot line along a public road; and the corresponding requirements in Table 5.4 shall apply.*
- (h) *Yard for Dwellings, Average*
 - i) If the average front yard and /or average exterior side yard for a dwelling is in excess of 2 m of the minimum required yard for a dwelling in Table 5.4, the average front yard and /or average exterior side yard will be the required minimum and maximum yard for the dwelling, plus or minus 0.5 m.*
 - ii) The minimum required front yard and/or minimum required exterior side yard for a dwelling in Table 5.4 may be reduced to the average front yard and /or average exterior side yard for dwellings, provided that the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.*
- (i) *Only applies to a lot in excess of the Maximum Lot Area regulation.*

**** Track Change 7** (the following relates to By-law Amendment items 25 to 28)

5.5 Provisions for Residential (R3) ZONE

Permitted Uses	Lot Area ^(d)		Min. Lot Frontage ^(d)	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units ^(d)	Density Per Hectare ^(d)	Min. Landscaped Open Space	Total Lot Coverage
	Min.	Max.		Front Yard ^(f)	Rear Yard	Interior Side Yard	Exterior Side Yard ^(f)					
Dwelling, Detached	275 m ²	370 m ²	9 m	3 m to dwelling /6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	-	35 25%	45% ^(h)
Dwelling, Semi- Detached	200 m ² ^(c)	350 m ² ^(c)	7.5 m ^(b)	3 m to dwelling /6 m to garage ^(g)	6 m	1.2 m ^(e)	3 m to dwelling / 6 m to garage ^(g)	11 m	-	-	35 25%	45% ^(h)
Dwelling, Duplex	280 m ²	700 m ²	12 m	3 m to dwelling /6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	-	35 25%	45% ^(h)
Dwelling, Triplex	420 m ²	1050 m ²	12 16 m	3 m to dwelling /6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	-	35 25%	45% ^(h)
Dwelling, Quadruplex	140 m ² ^(c)	350 m ² ^(c)	6 m ^(b)	3 m to dwelling /6 m to garage	6 m ^(e)	1.2 m ^(e)	3 m to dwelling / 6 m to garage	11 m	-	-	35 25%	45% ^(h)
Dwelling, Fourplex	560 m ²	1400 m ²	18 m	3 m to dwelling /6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	-	35 25%	45% ^(h)
Townhouse	165 m ² ^(c)	350 m ² ^(c)	6 m ^(b)	3 m to dwelling /6 m to garage ^(g)	6 m	1.2 m ^(e)	3 m to dwelling / 6 m to garage ^(g)	11 m	6	-	35 25%	-
Private Road Development ^(a)	-	-	12 m	3 m to dwelling /6 m to garage	See Section 5.7		3 m to dwelling / 6 m to garage	11 m	8	Min. 25 units/ Max 99 units	35 25%	-

Permitted Uses	Lot Area ^(d)		Min. Lot Frontage ^(d)	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units ^(d)	Density Per Hectare ^(d)	Min. Landscaped Open Space	Total Lot Coverage
	Min.	Max.		Front Yard ^(f)	Rear Yard	Interior Side Yard	Exterior Side Yard ^(f)					
Apartment Building / Long Term Care Facility on a Local / Collector Road	-	-	30 m	5 m	height of building	half the height of the building	5 m	16 m	-	Min. 25 units Max. 99 units	35 25%	-
Apartment Building / Long Term Care Facility on an Arterial Road	-	-	30m	5m for portion of building less than 16 m in height / 7m for portion of building 16 m in height or greater	height of building	half the height of the building	5 m for portion of building less than 16 m in height / 7 m for portion of building 16 m in height or greater	20 m	-	Min. 25 units / Max. 99 units	30 20%	-

**** Track Change 8** (the following relates to By-law Amendment items 29 to 31)

5.5.1 Footnotes for Section 5.5 Provisions for Residential (R3) Zone

- (a) Private Road Development shall permit all dwelling types that are permitted in the Medium Density Residential (R3) Zone
- (b) Minimum lot frontage shall be per dwelling unit
- (c) Lot Area is per dwelling unit
- (d) Accessory dwelling units shall not be included in the calculation of lot area, lot frontage, or density, nor shall accessory dwelling units be included in the maximum number of attached dwelling units.
- (e) Common walls shall be centred on the common lot line (see Section 2.4).
- (f) The yard requirement for garage applies to an attached garage and to the yard from which the attached garage is accessed by a driveway; *and, in addition to the minimum required yard for a garage in Table 5.5, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.*
- (g) *Notwithstanding the definition for 'Lot Line, Front' and 'Lot Line, Exterior Side' in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:*
 - i) *'Lot Line, Front' means the longest lot line along a public road, and 'Lot Line, Exterior Side' means the shortest lot line along a public road; and the corresponding requirements in Table 5.5 shall apply.*
- (h) *Only applies to a lot in excess of the Maximum Lot Area regulation.*

**** Track Change 9** (the following relates to By-law Amendment items 32 .and 33)

5.6 Provisions for Residential (R4) Zone

Permitted Uses	Min. Lot Frontage	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units	Min. Density Per Hectare	Min. Landscaped Open Space
		Front Yard ^(c)	Rear Yard	Interior Side Yard	Exterior Side Yard ^(c)				
Dwelling, Triplex	12 16 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	85 Units	25%
Dwelling, Fourplex	18 m	3 m to dwelling / 6 m to garage	6 m	1.2 m	3 m to dwelling / 6 m to garage	11 m	-	85 Units	25%
Dwelling, Quadruplex	6 m ^(b)	3 m to dwelling / 6 m to garage	6 m ^(d)	1.2 m ^(d)	3 m to dwelling / 6 m to garage	11 m	-	85 Units	25%
Townhouse	6 m ^{(b) (e)}	3 m to dwelling / 6 m to garage ^(f)	6 m	1.2 m ^(d)	3 m to dwelling / 6 m to garage ^(f)	11 m	6 ^(e)	85 Units ^(e)	25%
Private Road Development ^(a)	12 m	3 m to dwelling / 6 m to garage	see Section 5.7		3 m to dwelling / 6 m to garage	11 m	8	85 Units	25%
Apartment Building / Long Term Care Facility	30 m	3 m for portion of building less than 14 m in height / 5 m for portion of building 14 m in height or greater	4.5 m for portion of building up to 14 m in height / additional 0.5 m for each additional 1m of building height	3 m for portion of building up to 14 m in height / additional 0.5 m for each additional 1m of building height	3 m for portion of building less than 14 m in height / 5 m for portion of building 14 m in height or greater	-	-	85 Units	40%

**** Track Change 10** (the following relates to By-law Amendment items 34 and 35)

5.6.1 Footnotes for Section 5.6 Provisions for Residential (R4) Zone

- (a) Private Road Development shall permit all dwelling types that are permitted in the High Density Residential (R4) Zone.
- (b) Minimum lot frontage shall be per dwelling unit.
- (c) The yard requirement for garage applies to an attached garage and to the yard from which the attached garage is accessed by a driveway; *and, in addition to the minimum required yard for a garage in Table 5.6, the garage shall be setback at least 1 m beyond the corresponding wall of the dwelling unit.*
- (d) Common Walls shall be centred on the common lot line (see Section 2.4)
- (e) Accessory dwelling units shall not be included in the calculation of lot frontage or density, nor shall accessory dwelling units be included in the maximum number of attached dwelling units.
- (f) *Notwithstanding the definition for 'Lot Line, Front' and 'Lot Line, Exterior Side' in Section 12 Definitions, on a corner lot containing more than one principal dwelling unit divided vertically, the following shall apply:*
 - i) *'Lot Line, Front' means the longest lot line along a public road, and 'Lot Line, Exterior Side' means the shortest lot line along a public road; and, the corresponding requirements in Table 5.6 shall apply.*

**** Track Change 11** (the following relates to By-law Amendment item 36)

5.7 Additional Private Road Development Provisions

On Private Road Developments, all dwellings except apartment buildings and long term care facilities shall be subject to the following additional requirements. ~~Apartment buildings and long term care facilities in Private Road Developments in the R3 or R4 Zone are subject to the applicable yard and height regulations for apartment buildings and long term care facilities as set out in Section 5.5 or 5.6.~~

	Minimum Yard Requirements									
	Interior Side Yard		Rear Yard		Between Buildings			Min. Distance From Private Road		Maximum Unit Driveway Width
ZONE	From End Wall	From Rear Wall	From End Wall	From Rear Wall	Between End Walls	Between Rear Walls	Between End and Rear Wall	To attached Garage	To Dwelling	
R1	5.3 m	7.5 m	5.3 m	7.5 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R2	5.3 m	6 m	5.3 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R3 and R4 where abutting an R1 or R2 **	5.3 m	6 m	5.3 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width
R3 and R4 where not abutting an R1 or R2 **	3 m	6 m	3 m	6 m	3 m	7.5 m	6 m	6 m	3 m	50% of unit width

**** Apartment buildings and long term care facilities in Private Road Developments in the R3 or R4 Zone are subject to the applicable yard and height regulations for apartment buildings and long term care facilities as set out in Section 5.5 or 5.6.**

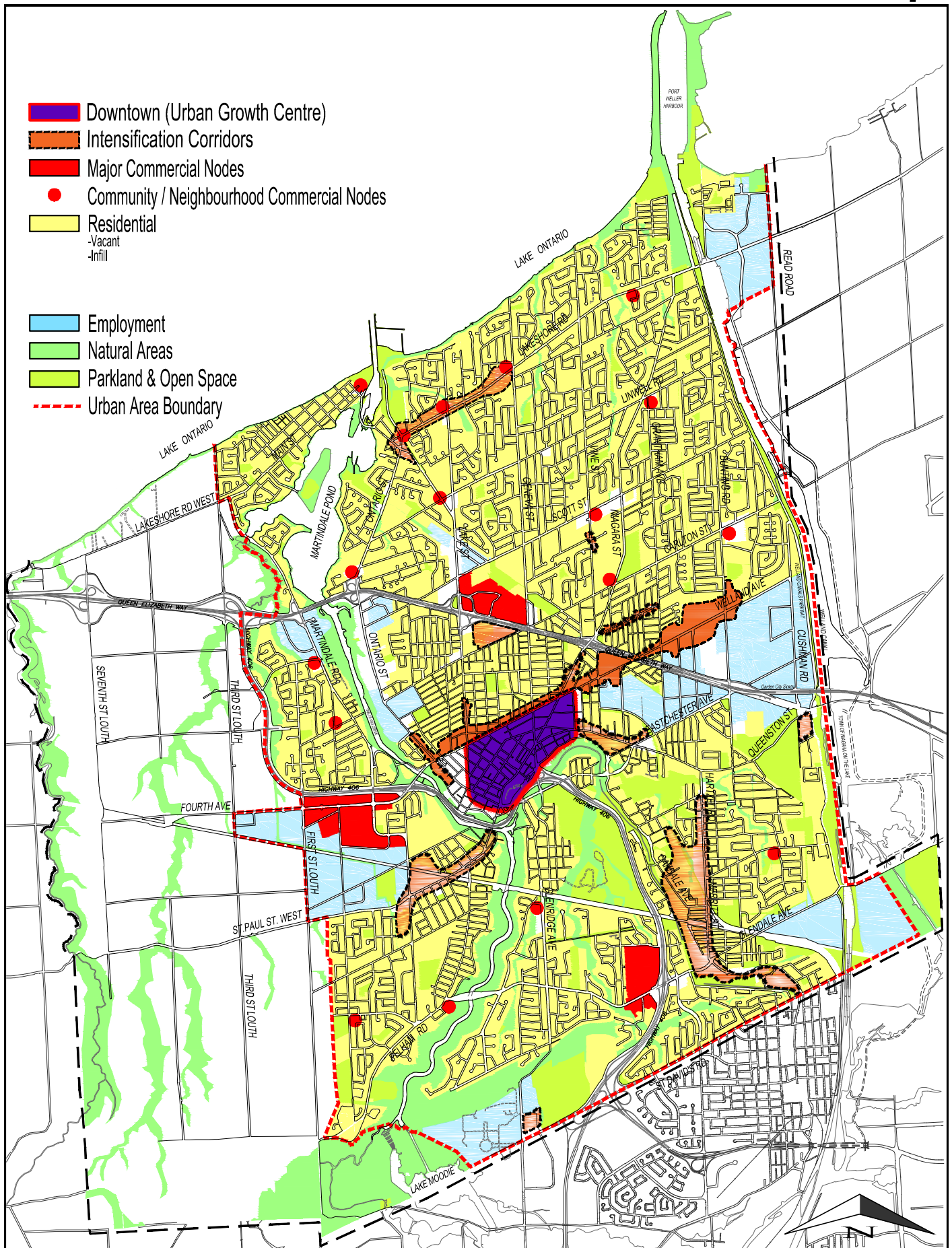
**** Track Change 12** (the following relates to By-law Amendment items 37 and 38)

Definitions:

Private Road Development: means a block of **4 or more primary** residential dwellings wherein each dwelling unit may or may not have lot frontage on a private or public road.

Yard for Dwellings, Average: means the average of the established yard for dwellings, save and except apartments, located on abutting lots on either side of the subject lot.

- a) On a corner lot, the average of the established yard will be calculated from the immediate abutting occupied lot and the occupied lot across the road cross section on the same side of the road.
- b) On a corner lot with no through road cross section, the average of the established yard will be calculated from the abutting lot on the same side of the road and the next adjacent lot thereto.
- c) Where an abutting lot or adjacent lot thereto, or a lot across the road and on the same side of the road, is vacant, the next closest occupied lot on the same side of the road to the vacant property will be used to calculate the established average.
- d) Where, on one side of the subject lot, the abutting lot is occupied by an apartment or non-residential use, the average of the established yard will be calculated from the abutting lot, and the adjacent lot thereto, on the other side of the subject lot.



Input Regarding Residential Infill and Intensification Development Review

ATTENTION: Bruce Bellows, Planner II (bbellows@stcatharines.ca)
Land Use and Policy Planner
City of St. Catharines

SUBMITTED BY: Eric and Linda Jones

I would like to congratulate staff, as I did at the Public Meeting, on the process being employed and their initial presentation identifying the issues.

After the public meeting, I believe that all (staff, residents and developers) now agree that redevelopment is supposed to "be provided in a manner not to compromise, but to accentuate and enhance the character, structure, function and accessibility of established residential neighbourhoods" as stated in the Official Plan (page 9, section vi Intensification Areas). The document goes on to state that "the Provincial Growth Plan directs . . . context sensitive building, site and streetscape design to support an accessible, connected, interactive and vibrant public realm, and compatible and appropriate transition of built form with adjacent areas." Once again, I congratulate staff on their efforts to try to achieve this with a new set of "rules" to govern the process of infilling and respect the differences between neighbourhoods across the City. I know that St. Catharines is not alone in struggling with this challenge on single lot severances. The newspapers are full of stories about residents across the province complaining bitterly, fights at the OMB, etc. I believe an innovative solution is possible through combining all the input as you have suggested and using multiple planning mechanisms to achieve a better planned result. Unfortunately, part of this involves closing the loopholes that admittedly only a few developers are exploiting on single lots to the detriment of the residents and the greater development community at large.

To say there is nothing available to develop in the City is not true. For example, there are two large lots for sale on Ontario Street alone (Comer of Cecil - albeit commercially zoned - and the Comer of Linwell) plus along Louth Street and many others that could be developed with multiple units designed to fit in those neighbourhoods. There are other large parcels like the General Hospital site, near the train station and some former school yards where high density development could occur. There were innovative suggestions made at the public meeting like units placed on top of the small plazas that exist all across our City. As I read the intensification targets, they are targeting City-wide objectives and not meant to target one street at a time or every hectare. Yet, the major uproar is over development on single lots, which does little to reach those overall targets by adding one extra unit at a time. To my mind, the small number of total units gained is not worth the cost to City staff, residents and the vast majority of developers.

Precedent in a "Neighbourhood" must be considered

The concept that each lot must be "considered in isolation", an issue we ran into at the 189 Lockhart COA meeting is a waste of valuable resources, particularly when there are earlier OMB or City staff decisions for nearby properties available. This doesn't mean because it was YES or NO on that property that the same decision should automatically apply on the latest consent. However, there are

often components, findings and processes from those earlier decisions that are just as applicable to the latest case.

For example, the recent 189 Riverview Blvd OMB decision clearly covered "context sensitive development" in our well-established 1950-60s suburban neighbourhood. The report describes our shared neighbourhood as "comprising low rise, horizontally oriented ranch style and side split homes on generous lots", featuring "consistent setback of homes to street" and "notes the low pitched roofs and modest height of the homes", resulting in "modest building coverage that has been the tradition in this area". The report goes on to state that "It has been made clear to the Board that the real issue in this case is the seeming misalignment between the character of this existing neighbourhood and its protection through approved OP policies and the potential development that can take place if the provisions of the by-law were to be exploited fully." The final decision was "to include further constraints on development of the proposed home by limiting the lot coverage on the lot to be severed to 35 percent and the height of any new structure to two storeys, nine metres (as measured in accordance with the City By-law)".

Similarly, for building height, the current by-law allows 11 m, which the OMB ruling pointed out allowed up to a 3 storey dwelling, completely inappropriate for the neighbourhood in question. The nine metres was judged more appropriate for the neighbourhood, so why not use that measurement as a guideline for the next proposal right down the road?

With 189 Lockhart, the technical report states "Staff have undertaken a cursory review of the existing lottage pattern in the neighbourhood, extending east and west of the subject lot for a distance of approximately 350 metres, north for a distance of approximately 200 metres, and to the south on Leawood Court and Camelot Court. The average lot size in this area is approximately 1200 m², and the average lot frontage approximately 24 metres." Based on these averages, staff found "The proposal would result in the creation of lots that are significantly smaller than the existing lots in the area and would represent a significant difference in the existing lottage pattern. In the opinion of staff, the creation of the lots as proposed will compromise the ability to construct new dwellings in a manner to support compatible site design, built form, spacing, orientation and massing of dwellings in relation to the surrounding properties."

Why would we waste time and money on all sides arguing the same points based on considered analysis over and over again for another lot just down the road? There was clear direction here reflecting the nature of the neighbourhood in general and setting guiding principles in light of that nature. To me, as we build a body of knowledge about applying this by-law across all types of intensification development, these restrictions should be respected in all future development within our neighbourhood, and indeed considered in each development in all neighbourhoods, case by case, across the City based on that neighbourhood's unique characteristics.

Design Review, Finishes, Materials

We fully support and agree with the concepts laid out in the Motion by Councillors Joe Kushner and Matt Harris that a design review committee consisting of staff and knowledgeable volunteers be established to provide input into the review of certain defined development applications, using Council approved planning policy and design guidelines as the basis for review.

These guidelines and review would include:

- site layout including building footprint, parking area location, landscaped areas
- architectural elevations
- proposed building materials
- and similar design criteria which contribute to infill development that is sensitive to the established neighbourhood

It is important that this Committee review and have "context sensitive development" input BEFORE the foundation placement(s) is approved on the proposed intensification lot. Once the foundation is placed and sited on the lot much of what can be done to ensure the dwelling fits into the neighbourhood will be severely hampered.

Static Measurements Don't Reflect Neighbourhoods, A Percentage Based on Averages Will

The problem with the system now in place is that neighbourhoods are, by their very nature, fundamentally different from each other. My interpretation is that "context sensitive building, site and streetscape design" refers to the "consistency" of a neighbourhood: the positioning of the buildings/homes on the street, their setbacks from street and/or sidewalk, the similar mass and angling of the buildings, etc. There is a feel or fabric to any neighbourhood that makes it a unit when standing on the street and looking down it. You see a "consistent line" along the fronts of those homes. It is not an exact line drawn on a Plan but there is a symmetry to the positioning, a cohesiveness to its appearance. There is a consistency to the mass of the buildings on their similarly sized lots. While these factors may vary from neighbourhood to neighbourhood, the "line" and "mass" and "feel" are consistent within each neighbourhood itself.

The Official Plan itself states that "urban design applies to individual sites, neighbourhoods, as well the whole community, ensuring that the new fits with the old". Yet, when I attend a COA meeting I hear the Committee talking about how the proposed plan "fits the measurements" as the basis for approval. The current standardized set of rules and simple fixed measurements used for frontage, setback, height, lot coverage simply do not work as they were intended to in the Official Plan. They tend to allow or promote assessment of lot development in isolation and are not context sensitive to the fit and feel of the surrounding neighbourhood. They simply cannot reflect the large differences between neighbourhoods that the Plan itself acknowledges should occur. Even worse, they allow abuses by an admittedly very small number of developers and builders.

If we refer to the recent OMB decision on 189 Riverview and the staff report on 189 Lockhart, the solution to this dilemma presents itself. The discussions here were based on average values reflecting the properties surrounding the lots in question - and not just one set of static numbers applied to the lot in isolation. The Official Plan itself has one set of guidelines that appear to meet the "spirit and intent" of this direction: the Small Lot Infill (Suburban) Guidelines. The guideline that "the front yard setback should be 1m from the average block face building set back" is undoubtedly meant to protect the integrity of the surrounding neighbourhood based on an average.

My recommendation, as a layman, would be to take this concept one step further and apply a percentage as the maximum variance from the established average for everything but the front yard set-back, which I believe is the critical measurement in maintaining the esthetic of any

neighbourhood. For the rest, an appropriate objective would be a 15% variance from the average of the surrounding properties. For 189 Lockhart, the study area was "extending east and west of the subject lot for a distance of approximately 350 metres, north for a distance of approximately 200 metres, and to the south on Leawood Court and Camelot Court." - An objective would be a required radius of 350m around the subject property. Then the following would occur (with the small lot exception still in place):

Front yard setback to dwelling:

If the current average set-back is used to establish the set-back on any proposed new infill development (as per the 10.7m average set-back when I looked at the ten properties along Lockhart on either side of 189 Lockhart), then the proposed new dwelling(s) would line up with the rest of the dwellings on the street (or be so close to that line as to be indistinguishable). Under this system, the set-back for any proposed single lot infill would be reflective of any neighbourhood surrounding it and still allow some room for insightful design. Under this system, some single lot properties simply won't have enough room for a second dwelling, but perhaps they shouldn't have been considered for infill in the first place.

Interior side yard and exterior side yard

Again, these would be based as a percentage over average (with minimums at 1.2 metres and 4 metres) when dealing with a lot in the middle of the block BUT these are also critical measurements where a new infill can dramatically impact on the overall esthetic of a neighbourhood. These might have to be under the control (or subject to review) of the proposed design review committee from Councillor Joe Kushner's Motion.

One area that must be included is the exterior side yard when a corner lot is involved. While a corner lot only has an address on one street, it faces both of the streets it abuts to. In this case, the exterior side yard should be treated as a "frontage" and subject to the same neighbourhood average. Having a dwelling 4 metres from the road based on it being an exterior side yard in this instance dramatically impacts the sightlines, creating a wall for the dwellings on the "side yard side" road. This destroys the neighbourhood esthetic just as surely as the former standard 6m front yard set-back did with the front yard.

An example of this varying impact exists at the corner of Linhaven Court and Henley Drive. The three front setbacks of the three new dwellings approved a number of years ago (built on the former Henley Drive single lot) line up and blend with the fronts of the original homes beside them on Linhaven Court, as you view them from Henley Drive. There is a sight line down all of the dwellings so they look like they belong together. Unfortunately, the use of exterior side yard has placed the dwelling closest to Henley Drive far too close to that road. When driving down Henley Drive, the "infill" is starkly apparent and creates the aforementioned "two storey wall" for the abutting Henley Drive properties to the East (as they look west). There are also issues with appropriate rear yard as compared to the existing homes and other concerns with this development approved under the existing rules but it is this "wall" that is the key point with this example.

Planners and developers and builders took great care to avoid this impact in the past (this is evident in every neighbourhood on almost every corner). It is also one of the most noticeable aspects of infill on a corner lot.

Frontage:

Again using the 189 Lockhart study as an example, and using the concept of applying a 5% average to the study area's average frontage, if the current average frontage is 24m as per that Lockhart study, then the frontage for a proposed infill can be no less than 20.4m under the 15% rule (the minimum across the City still has to be 15m so a proper structure can be created as outlined in the 189 Lockhart technical report). However, this is another area where the Design Review Committee must have some input as site layout including building footprint, parking area location and landscaped areas may be impacted.

Rear Yard:

If the current average rear yard is 10m, then it can be no less than 8.5m (minimum required across the City still 7.5 metre rear yard setback for the dwelling as per the 189 Lockhart report). This still protects against overlook and privacy concerns, provides adequate buffer space between adjacent dwellings, and also supports opportunities for adequate and appropriate outdoor amenity space as outlined in that report.

Lot area per dwelling unit

If averages are used for the other key dimensions, then the 400m² minimum works as a baseline across the City but the 490m² maximum will not. The actual lot size permitted in any neighbourhood must be based on the average of that neighbourhood in some way. A 490m² lot would look completely out of place in a neighbourhood with 1200 m² average lots as per the 189 Lockhart Technical Report. This is leading to the abuses that have the City in an uproar. Having driven by the Tecumseh infill brought up at the Public Meeting, the lot there (even at this early stage) is not in keeping with the surrounding properties on that street, although they appear far smaller than those in the Lockhart area.

Height and Lot Coverage

Here is where we apply the lessons from 189 Riverview. This decision "limited the lot coverage on the lot to be severed to 35 percent and the height of any new structure to two storeys, nine metres (as measured in accordance with the City By-law)". The 35% was based on a study by a qualified surveyor who was retained to investigate the pattern of lot coverage in the vicinity of the subject home lot. He measured the existing footprints of all the homes within the notification area and compared these to the lots sizes. Unencumbered by the principle of trespass, he was able to secure detailed measurements yielding a range of lot coverage from a low of 12-13 percent to a high of 40 percent." After all this effort was expended and cost incurred by resident and City alike, why wouldn't we apply the 35 % to other proposals in similar areas? Even if the average was the 35%, the maximum allowed under the 15% rule (in this case added to the average) would be 40.25% (still far less than the static 55% currently allowed).

For building height, the current by-law allows 11 m, which the OMB ruling pointed out allowed up to a 3 storey dwelling. Again an average for the neighbourhood makes more sense, although here perhaps the percentage above needs to be a bit more lenient (i.e., allowing a well-designed and appropriate two story in a one story neighbourhood). This might be under the control of the Design Review Committee. Personally, I have no problem with a mix of well-designed true two stories amongst one story dwellings. You see it here on different streets across my South end neighbourhood and others across the City. I also see the need for the kind of campused developments as were mentioned off Martindale Road. This is the kind of "diversity" we should be seeking, not two or three dwellings jammed on one lot. Nor should we be taking the dwelling design that worked in a campused neighbourhood/subdivision of similar dwellings and trying to force it onto a single lot in an established neighbourhood that looks nothing like it. The key is "well-designed to fit the neighbourhood" in question.

I am also not sure if the current "measurement system" used by the City to measure building height includes the foundation. If not, it should (i.e., from grade up) to stop the current trend towards dramatically raised foundations on some infill lots, making a two story into a three and even less appropriate in the neighbourhood setting (see our Belton example you also used in your presentation).

Does the Zoning for Certain Residential Areas Need to be Revisited?

The residential (R1) zone allows for a range of residential housing types or built forms. These include detached dwellings, semi-detached dwellings, quadruplex dwellings, townhouses and private row development. Some of these built forms, and in particular townhouses or quadruplexes, almost never can achieve a proper fit and feel in an older well established single family detached neighbourhood. Many of the slides used by the City in its presentation showed these forms of development and the lack of fit and feel of these forms of development in many neighbourhoods is plain and obvious. Among the matters that the City needs to consider or reconsider is whether such forms of housing are appropriate in all R1 residential zones or whether there should be a further refinement in the City's zoning categories to exclude some of these forms of development from certain neighbourhoods.

All Types of Possible Development on a Single Lot Must Be Included

If all of the current forms of development under the current zoning are to be allowed, then these same concepts of appropriate frontage, set-backs, exterior side yard, height, lot coverage and mass must be applied to semi-detached, quadruplex, 3-unit townhouse (not covered by site plan), etc. and any other development proposed for any single R-1 lot.

While I understand the removal of a side yard that would have existed between two or three single detached dwellings must be reflected for a townhouse, the current system allowing three townhouses or a duplex to be placed on a lot where three single dwellings were already rejected by staff and/or the COA, without further public input, is frankly ridiculous. If three single dwellings were judged inappropriate, surely three townhouses must be even more inappropriate, whether under site plan or not. The use of Part Lot Control (which I am told permits existing blocks or parcels with townhouses and semi-detached to be subdivided without consent or committee of adjustment involvement), leaves the lot just as severed as it would have been under a severance procedure. You still have two or three separate parcels at the end of the day. As we understand it, the intent of this system was dividing new

lots which were identified as townhouse or multi-unit blocks, which had been previously approved during some vetted planning exercise. We feel the use of this system by developers today in a clear R-1 single lot severance situation is circumventing the intent of having public input and the Plan itself. A severance is a severance is a severance when it results in separate lots, no matter which different terms are used to describe it.

Development Agreement

I will have to leave this to more experienced professional neighbours across the City to comment on but my understanding from reading COA and OMB minutes is that a development agreement would be between the City and the Applicants and does not contemplate involvement by other parties, such as the neighbours, in the event that changes are made to its terms. I also believe we are seeing instances (e.g. very recently on Henley Drive) where changes to an agreement are not necessarily in keeping with the original intent as far as the neighbours are concerned. However, if we are to have a Design Review Committee, there has to be a mechanism to record the final agreement and a mechanism to enforce it. I would assume the Design Review Committee would be part of decisions on what actually happens and the implementation of any agreements as well as the negotiations leading up to it and subsequently during its implementation to ensure the agreement is carried out. (Some further and better understanding is required in respect to whether a design review committee can make binding recommendations in respect to site development or whether the committee's recommendations are merely non-binding advices.)

Plans Supplied by the Proponent (or by staff)

Every COA I have been to shows a plan of the affected lot and proposed severance in isolation (perhaps with just a corner shown of the adjoining dwellings). I suggest that an additional Plan (or Plans) be required also showing the dwellings on the surrounding properties in full (covering the study area proposed earlier on either side of the property, the corresponding rear neighbours and the dwellings across the road) to give perspective as to what will occur. It's not difficult to do. I was able to do it on Niagara Navigator easily. In that case, it showed pretty clearly how inappropriate the proposed 189 Lockhart placement of the new dwellings was in regard to the neighbouring properties. In other instances, it may actually show how appropriate a proposal is in a different neighbourhood. Considering a plan of the single lot in isolation is not in keeping with the aim of ensuring fit with the neighbourhood and full disclosure to the City's residents.

Site Plan Control

One of the most important techniques for assessing the fit and feel of a proposed development in a neighbourhood is to have the presentation of an accurate site plan, including elevation drawings, so that there can be a meaningful and informed understanding of the impact of any development on a neighbourhood. "Pleasing" conceptual drawings or elevations presented to the Committee of Adjustments which have no binding status are not useful and are potentially very misleading. Having and creating binding site plans for a residential development is one of the best ways to ensure delivery of a development that is appropriate and promised for the neighbourhood.

It is unclear to me why the City of St. Catharines appears to have site plan control but does not apply it to situations where there are less than four dwelling units (your website talks about the application

of site plan control for residential purposes where there are five or more dwelling units). While I appreciate that this limitation is expressed in the City's Official Plan, it is an area that I respectfully suggest should be revisited when considering amendments to your Official Plan. Site Plan approval is a critical technique for ensuring a desired result is achieved.

Signage and Notice Period

There is the minimum the law requires and then there is what's fair to all concerned. The current signage with "discharge of partial mortgage", etc., etc. is meaningless to the average resident. The Shulman's and I knew what it meant because we had been through it before. Residents in other areas are not as savvy. If you intend to inform the public, then inform the public. Staff made a valiant effort at 189 Lockhart to add photocopies of the detailed proposal and plans in plastic sleeves behind the sign. We just need to work on improving how that sleeve is more firmly attached to the front of the sign. The paper clips didn't work so well. The key is to present the proposed plan to all residents via the signage provided.

A two week Notice Period is simply not fair to the residents. The developer has had years to prepare in some cases. Give the residents time to understand what is happening, get organized and discuss if they wish to comment and/or oppose. There should be a notice period to the neighbourhood of at least 4 weeks from the date the sign is put up and mailed notices received. Starting the period on a Friday should also be discouraged. If mailed on Friday, then the period should start on Monday at the earliest.

CONCLUSION

We ask that you give these submissions your careful consideration in formulating next steps and recommendations to Council.

Please Note: The concept of using percentages and other aspects could also just as easily apply to R2 (as per the discussion at Council by Councillors Garcia and Williamson) and possibly R3.

Bellows, Bruce

From: Greg Redden <GregR@mzearchitects.com>
Sent: Tuesday, February 21, 2017 10:14 AM
To: Bellows, Bruce
Cc: Pihach, Judy; Riddell, Jim
Subject: RE: City of St.Catharines Residential Infill/Intensification Development Review

City of St. Catharines - Residential Infill and Intensification Development Review

"Places to Grow is the Ontario government's program to plan for growth and development in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life across the province."

Ontario Ministry of Municipal Affairs

The City has committed to the Places to Grow Provincial Planning initiative and to encourage increased density in the R1 Zone through the current Official Plan and Zoning Bylaw appears to be the only vehicle to achieve the intent of the program.

My time on the *Committee of Adjustment and Consent* has exposed me to the self-interests of both the community and the developers - the former wants to maintain status quo, while the latter wants to maximize return on investment. Our Municipal Planning Staff have to make decisions that span the intervals of Council elections and the interests of individuals in our community for the benefit of long-term planning objectives. St. Catharines is an island that can only grow and develop within its established urban boundaries using existing infrastructure - this is the definition of sustainability, managing finite resources for effective and healthy long-term growth. The City's Official Plan and Zoning Bylaws, as established, meet the objectives of the Provincial Planning Act and it should be the continues role of Planning Staff and the Committee of Adjustment to review any applications that want to vary from the planning initiatives.

The comment raised in the public meeting regarding defining what is 'good design' is nearly impossible to establish. If ten people were to comment on one design there would be ten different opinions with no clear direction. Architects are the only licensed professionals recognized by the Province to design buildings, a distinction from BCIN holders who have successfully passed an exam for Ontario Building Code comprehension. Many developers won't invest in appropriate professional designs that consider community context, materials, massing and proportions. Design is a separate discussion that I would like to be part of, but not easily included as part of the current review.

Regards,

Greg A. Redden *M.Arch, OAA, RAIC*
 Principal, LEED-AP Architect

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Bellows, Bruce

From: Lisa [REDACTED]
Sent: Friday, March 03, 2017 1:08 AM
To: Britton, Mike
Cc: Mayor's Administration; Riddell, Jim; Bellows, Bruce; [REDACTED]
 [REDACTED] donna.woiceshyn@niagararegion.ca;
 willi.pankratz@niagararegion.ca
Subject: Fw: 527 Carlton Street
Attachments: Proposed Build Facts-lpg v2.pdf; Dining Room Ceiling Crack Feb2017.jpg; Hallway Ceiling Crack Feb2017.jpg

Dear Michael Britton,

Tonight, I attended the Public Information Session regarding the Residential Infill and Intensification Development Review. This is the FIRST information session I have been made aware of, and only due to the lucky notification from my father-in-law, who came upon it in an email. I would have been happy to be notified of other sessions, and would appreciate if the City of St. Catharines would take a very close look into their public notification procedures.

A resident I met at the meeting tonight suggested I write to you. I am contacting you today because I am hoping you might be a voice for those of us that have been ignored.

I have forwarded to you a letter that I wrote on February 8, 2017 - more than 3 weeks ago. It is in regards to the devastating "intensification" of the land on Carlton Street. I addressed it to many members of the Committee for the development of this property - names that were sent to our neighbourhood in the propaganda flyers through our mail boxes. I assure you not one of them has responded to me. Tonight, I met a citizen that is on this committee. He assured me that the representatives I wrote to did not present my letter to the committee. My voice has been completely ignored.

Tomorrow I will speak with James Riddell, Director of Planning and Building Services. I have copied him on this letter also, but have much more that I would like to discuss at this point. I will be writing further letters on this matter, and intend to write to the newspaper.

I would like to know what City Council's view on this matter is, as I am now aware of many more residents that feel ignored, discounted, and under valued. The Niagara Region's dismissive and arrogant response, in the name of caring for the under-privileged, is devaluing the community it is intruding upon. I appreciate the need to help those that are low-income, but the manner that the Niagara Region is going about it is absolutely wrong in every way. They are in effect saying that some people - those that they "represent" - are more important than others - those that currently live in this community.

Well, if that is the case, let me paint a picture of the people I have met thus far that are "less important" and therefore it is perfectly acceptable to impact:

- The neighbour that I spoke with today is a senior citizen. His wife spends 90% of every day in bed due to severe arthritis. They are not over-privileged. In fact - they are not walking around the neighbourhood to see the singular sign - written in "legalese" - of public notice. But at least it meets the "legal requirements," right?

- [REDACTED] This means I get home very late most every evening... not conducive to reading a small sign in the dark written in "legalese." Since there is no other form of communication with residents, I had no way of knowing what was being forced into my backyard. Due to my long and late hours [REDACTED] The construction (which occurred during disrespectful hours even if I wasn't an evening worker) and the bright lights they put up to accommodate their desire to work early - [REDACTED]

I appreciate the need for low-income residents to have housing. [REDACTED] I was a professional orchestral musician. I studied internationally and, beside having [REDACTED] from the three degrees I have earned. I am one of the people that could have been on your housing list. I am working multiple jobs so that I am able to provide myself with housing. [REDACTED] Does this make me less worthy of respect?? The Niagara Region seems to think so.

I would like some response to my letter, below. I will also review the zoning recommendations and further respond to those accordingly. I would also like to know how many of the members of Council and how many members of St. Catharines' Planning and Building Services LIVE in this area - they seem very happy to approve this project and the variances. I asked Bruce Bellows straight-out tonight whether he agreed that the property was well-zoned for the use it was approved for, and he confidently said "Yes." I again confirmed that he agrees with the use of land, and he responded "Yes." I would like to know how it is good planning to put a 5-story, 85-unit, 106 parking spot building in to a 50-year-old neighbourhood of bungalows and split-level homes? I am not an urban planner... perhaps he can elaborate? If Mr. Bellows was planning a city from scratch, would he think this was a great idea?? If Mr. Bellows lived next door, would he still confidently think it was a great idea to approve the variances, never mind allow that gaffe of a zoning oversight? Or is this being haphazardly pushed through to accommodate the large projected number of infill-housing that "needs" to be created - maybe, if the numbers do not change between now and the year 2041?

I will be taking this matter to other Urban Planners outside of St. Catharines for further information and opinion. It is clear that St. Catharines has let a lot slip through the cracks over the years. I have lived in numerous cities and towns across Southern Ontario and overseas, and none have been more disappointing than the one I was hoping to finally call home - St. Catharines.

I look forward to your response.

Sincerely,

Lisa [REDACTED]

From: Lisa [REDACTED] >
Sent: February 8, 2017 10:23 PM
To: donna.woiceshyn@niagararegion.ca; willi.pankratz@niagararegion.ca; megan.haan@niagararegion.ca; jbradley.mpp@liberal.ola.org; don.white@niagararegion.ca; Chris.Bittle@parl.gc.ca; mfirmth@postmedia.com; ontario.municipal.board@ontario.ca
Cc: [REDACTED]
Subject: 527 Carlton Street

Dear Donna Woiceshyn,

As you are the Interim Chief Executive Officer, and not the person I spoke with when I called in October (Don White), I will assume you have no record of my correspondence so I will start from the beginning.

I live at [REDACTED] in St. Catharines. This split-level, single-family home has been in my family since it was built in approximately 1969 when my grandparents purchased the home and raised my mother here. For as long as I can remember, one of the best features of this home is the space behind the yard in the back, with the church in the centre of the view.

As you know, the church is no longer there. While this can be disappointing, any resident of this area who chooses this as their home likely lives here because it is a quiet area with single-family bungalows and split-level (low-rise) homes. It is peaceful, dark at night, and low-traffic. There is a lot of sunlight during the day due to the lack of tall buildings. Any replacement for this church should reasonably be expected to be compatible with the neighbourhood.

You can imagine the extreme surprise and disbelief when we received a flyer in the mailbox stating what was happening to the lot. The neighbourhood was not consulted regarding plans for this lot, and the flyer was an insult to the people who have been calling this neighbourhood their home. If you are going to plant a 5-story, 85-unit, 106-parking-space building in the centre of a quiet, low-rise, single-family neighbourhood, you MUST expect that you not going to build good relationships with these neighbours. You cannot ignore every blatantly obvious concern that your 200m radius of FAMILIES are going to have by pretending that if you say this is a wonderful situation, we are going to believe it.

You held an information session in September 2016. This was held at an inconvenient time; I work out of town and had no way of attending. I wanted information, so I emailed the person whose name was on the letter. The response I got back was dismissive and contained only the attached Fact sheet (full of design, devoid of many actual "facts").

Then, digging began.

I don't know who was responsible for this project, but I have never seen a project in any field handled with so much disrespect.

Fact 1: If it is still dark outside ... it is too early to begin digging. If you wait until there is daylight, you will not need the giant baseball field lighting to see your work, and the community will not have giant baseball field lighting in their bedroom windows keeping them awake.

Fact 2: My house is damaged due to the quaking of the ground caused by this work. The first day the digging began, my husband and I thought there was an earth quake. The water in our glasses was shaking violently. This continued for WEEKS. There is now a large crack in my dining room ceiling and my hallway. I have attached photos. This house has been in my family SINCE IT WAS BUILT, and this project managed to cause damage in a matter of days.

I called Don White as the next "Fact Sheet" was delivered, again "selling" the notion of this utopian community blessing we are so graciously receiving on our door steps.

Don offered no solutions to my concerns. He suggested I take part in the Development Committee. I asked what the Development Committee actually has any say in ... ? He said that the Development Committee will be able to help select the wall paper, the colours of the siding, and which side of the parking lot to put the Accessible parking spot..... Pardon me?

So, in fact, the Development Committee was "developed" to appease an understandably hurt, confused, angry, and helpless community by allowing them to feel like they have some control over the cards that they have been dealt. The committee has no say in the things that are actually upsetting them ... like the fact that there will be an 85-unit, 5-story, 106-parking-space behemoth of a building dropped on their doorstep. No control over the fact that their houses would be damaged by the construction. No control over the fact that they would lose one month's sleep while the crater was dug in the ground (but thank goodness the ground is re-mediated ... thank you). No control over the fact that their property values are going down (You cannot convince smart, honest people that they are going up "compared to having an empty lot there." Please be honest about where our property values will be compared to WHERE THEY WERE BEFORE).

Your pleasant "Q and A" explains that the lot was zoned for this unit. HOW? If this is the case, this is a mistake. You cannot put a 5-story, 85-unit, 106-parking-space building into an 50-year old low-rise community. I don't care what the zoning was. It needs to be updated.

You cannot explain that a Shadow Study does not need to be done because it is not required by the City... be honest instead. Is it required by the community? By the people who had plants and trees growing that needed sunlight and are now going to have their gardens die because they will be in shade. Are these people being compensated?

How about the people that had darkness at night outside their bedroom windows so that they can sleep? Will you turn out the lights in the building outside of daylight hours, or will you be compensating the community? How do you compensate a community for the degeneration of their health due to lack of sleep?

You cannot expect that it is an acceptable answer to say that a traffic study will not be done because it was not required by the City. Is it required by the COMMUNITY? How about adding 106 cars-worth of traffic into a spot that was built for 2 or 3. Try that explanation again. How much longer will it take me to get out of my area every day?

"NRH is a responsible landlord and developer with high standards and expectations for transparency and public accountability." I have not seen one shred of evidence to support any of the claims you make. You are forcing settled families that contribute to this community and City to make hard choices about whether this region is worth living in or whether they need to abandon the homes that their families made lives in to move on to a community that respects its residents and fosters a *true* sense of *community*. I am disappointed in St.

Catharines and have lost my respect for Niagara Regional Housing. This letter marks the first letter of complaint I have ever been compelled to write.

Since there is clearly no way to stop the project from continuing, I expect going forward that reasonable hours of construction will be respected. I expect that any impact on my property will be compensated, beginning with the damage to my ceilings and continuing with any damage that occurs when construction commences. I expect that any light that is shadowed from my garden be financially compensated so that I may re-landscape with growth that lives in shady conditions. I expect that construction that will block roadways in the neighbourhood will be ANNOUNCED IN ADVANCE with due notice so that my work is not impacted. I expect that the committee will ensure that there is no light pollution generated from this property during evening or night hours. I expect that I will not have a view of 106 cars when I look out of my window, and that placement will be taken into consideration.

I would like to be informed of the discussion held by the Development Committee in response to this letter.

I also would like the reasons that the Ontario Municipal Board cited when dismissing the appeal on February 1, 2017.

Sincerely,

Lisa 

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Bellows, Bruce

From: Lou Biagi [REDACTED]
Sent: Friday, February 17, 2017 9:18 AM
To: Pihach, Judy; Riddell, Jim; Bellows, Bruce
Cc: [REDACTED]
Subject: ICB Meeting

Hi All,

Thank you for hosting the meeting last night regarding the ICB. There were a lot of good points expressed. Some of the points I heard were:

- D. Diversification is a good (and necessary) thing and can enhance a neighbourhood if done correctly
- D. If developers "do it right" the neighbours could accept an appropriate development
- D. Neighbours don't have enough notice of what's going to be built and don't have a say in the final "look" of the development
- O. Development agreements are a good tool to control development parameters
- O. Development agreements are less costly to implement than site plans but could easily be used to give neighbours meaningful input and some control over the design of the development thereby allowing both the developer and the neighbourhood to achieve their goals
- O. Every neighbourhood and street has 'a rhythm and a beat' that is discernable and should be matched or accommodated in new developments
- O. Roof lines, sight lines, setbacks, building materials, facades and other considerations should be similar and compatible with their surroundings on the same street / neighbourhood
- O. A committee or panel of experts, with neighbourhood input should be part of the design or approval process
- O. Unfortunately, I also heard some of usual (and expected) comments that large south end lots (especially corner lots) should not be developed at all because the neighbourhood is "special" and intensification should be done elsewhere, in someone else's back yard or in the downtown core.

Taking some of the more sincere concerns about notice of "what's going on" when severance or consent notices are received by people in an affected neighbourhood and concerns about proper design to match the beat and rhythm of a neighbourhood; it became clear that maybe the current consent process cannot be expected to do it all. I believe the current process requires the Committee of Adjustments to make decisions on the technical issues of zoning and provincial policy plans and minor variances as well as the more subjective issue of compatibility. **Is it possible that these two functions should be split up and considered separately?**

I believe that if the Consent process dealt only with the technical compliance of a proposal (adherence to the current zoning bylaw, provincial policy plans and minor variances); then, maybe, the compatibility issue can be dealt with separately by giving neighbours real input into the look, feel, and ultimate design of the project. This could be achieved through the Development Agreement process or some interim process where a small committee of knowledgeable experts (Architects, designers, planners, neighbours, and developer) combine to create an acceptable final design.

This design approval process (Development Agreement or other process) could be one of the conditions of Consent from the C of A along with the other usual conditions.

Thank you for your time

Lou Biagi, P.Eng.,
 Parkside Homes
 Bus. 905-935-7088
 Mobile [REDACTED]

Bellows, Bruce

From: Richard Baker [REDACTED]
Sent: Thursday, March 02, 2017 10:36 AM
To: Bellows, Bruce
Subject: Re: City of St.Catharines Residential Infill/Intensification Development Review - Notice of March 2, 2017 Public Information Session to Present Draft Recommendations

Bruce,

I am unable to attend this evenings meeting, but wanted to offer my comments please.

1. I support the objectives of the Review and particularly the creation of specific guidelines for such developments.
2. I offer to assist in the review of such guidelines.
3. I support the creation of a design review committee similar to that in NOTL.
4. As a retired architect, I would be pleased to serve on such a committee.

Richard Baker

Sent from my iPad

On Feb 17, 2017, at 4:19 PM, Bellows, Bruce <bbellows@stcatharines.ca> wrote:

Hello

The City of St.Catharines is undertaking a Residential Infill and Intensification Development Review, and which is related to City Council's recent adoption of an Interim Control By-law placing a moratorium on certain types of development on lands zoned Low Density Residential (R1) zone in the City's Zoning By-law.

As part of this review, the City's Planning and Building Services Department hosted an Information Meeting on Thursday, February 16, 2017 to present preliminary evaluations regarding the review, and to seek input and feedback.

A second public meeting has now been scheduled for March 2, 2017 where the Planning and Building Services Department will present specific draft recommendations regarding the review, and to seek input from development stakeholders and residents. The notice of meeting is attached.

We encourage your participation and input in this review, and please pass on this notice to any and all who you think may have an interest in this review.

We also welcome any comments, input, views, issues and questions you may have regarding infill and intensification within the City's residential neighbourhoods via response to this email or by calling the undersigned at 905-688-5601, ext. 1706.

Thank you

Bruce Bellows
 Policy Planner

Bruce Bellows

Planner II

Email: bbellows@stcatharines.ca Visit: www.stcatharines.ca

Phone: 905.688.5601 x1706 TTY: 905.688.4TTY (4889)

Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2

[<imagefe94ab.PNG> <imagedOb 184.PNG> <image907bb6.PNG> <imagea27296.PNG>](#)

[<image130bea.PNG>](#)

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<Residential Infill-Intensification Review-March 2, 2017 Public Information Session Notice.docx>

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a rear yard of 7.5 metres Bruce Bellows
Land Use and Policy Planner
bbellows@stcatharines.ca

RE: St. Catharines Residential Infill/Intensification Comments Part I

I would like to thank you for the work the planners have done regarding the concerns of the community surrounding 189 Lockhart and our property at 109 Marsdale Drive. I appreciate the planners addressing issues such as signage and time allowances; however, these are still minor issues in comparison to the major issues, such as what will you allow to be built next to our home? I am aware that you are talking about issues like depth, height, frontage, backyard depth, etc. The basic question still remains, what types of dwellings can be built beside our homes? This question was asked by other concerned community members at the March 2nd/2017 meeting.

One of the key issues that came up continually was how much the Niagara Region is going to grow and expand. In the March 2nd/2017 meeting, you presented that by the year 2041, you expect to have the need for 15,400 new dwellings. When my wife asked you where you got these figures (before she was rudely heckled by someone in the back) you responded that it came from the Ontario government. My wife and I have been trying to find this source, but so far have been unable to do so. Perhaps, when you find the time you could give us the exact source of this data. What is this projection based on? A specific projection like this one would be difficult to accurately validate because many factors can influence the housing market and future population growth and decline. Furthermore, whoever is conducting this study could also influence the results. As you probably remember, the previous letter we sent you referred to an article in the St. Catharines Standard, written by Maryanne Firth, titled, *'Smaller lots recommended to promote growth in Niagara'* (Dec. 1, 2016). This study, as referenced in this article, was conducted by developers, loaded with inconsistencies and 'alternative facts'. Shouldn't we be relying more on the Canadian Census 2016 (that has a 98% response rate) and shows St. Catharines to have a projected growth rate of 1.3%. I also think we established that the South End of St. Catharines has a negative growth rate!

Another key issue, Bill 73 pointed to was community involvement. In the last 10 years, we have been in front of the Committee of Adjustment on several occasions. This has been a difficult process. If the committees do not serve to represent all aspects of the community, then what is their purpose?

Our provincial government has issued a Bill in 2015 called *"Bill 73: The Smart Growth For Our Communities Act"*. Is not the issuance of this Bill supposed to address the problems that have arisen throughout Ontario? Surely, we are not the only group or community that is at loggerheads with some overly greedy developers? When I asked Mr. Riddell (the city planner) about Bill 73, he suggested that it was not *'set in stone'*. He seemed to suggest that they could take parts of it and not use other parts. If I am mistaken, then I apologize. However, let us not lose sight of why Bill 73 was proposed in the first place. It seems to me, a layman, conflicts have arisen that have not easily been resolved at local levels. It also seems that our provincial government has proposed Bill 73 to help us try to resolve these issues

regardless of personal or political affiliations. I urge the planning department to look closely at Bill 73 and to give residents a greater voice in how their communities grow.

Bruce Bellows
Land Use and Policy Planner
bbellows@stcatharines.ca

RE St. Catharines Residential Infill/Intensification Comments

All residential communities within St. Catharines have voiced their indignation regarding how some developers have constructed on already existing neighbourhood lots without regard for the neighbourhood as to the number of homes, style, or type of structures. In some cases, the very quality of these new builds is in question. The fall-back position of developers has been that the Ontario government has given a set of infill objectives to the municipalities that must be reached. Since the backlash by residents to city councillors and city hall, the municipality has listened to the residents and sees the need for changes.

On December 1st 2016, the St. Catharines Standard published an article titled: *"Smaller lots recommended to promote growth in Niagara"* by Maryanne Firth. This article detailed the preliminary findings of the PMA-Brethour Realty Group, who was hired by the Niagara Region to create a plan to promote local growth. An example of one recommendation was that denser town house zoning could be 16' to 18' frontages as well as 30' frontages for small detached lots. This market research group sent out 2,357 questionnaires throughout the region to only new built homes in the last five years. Only 324 surveys were returned. Of those 324 returned, we are not told how many were useable. Therefore, the response rate of new homes surveyed was 15% or less. Since this report only surveyed approximately 1.2% of total private dwellings and by only targeting the new homes, significant bias is fundamentally inherent in this study. Most statisticians and market researchers agree that for a study to have validity, a much higher response rate is required. The concern for the region should be representative of your population, not a sample size that is not reflective of the Niagara region and the true housing structures of the area. This is a plan written by developers and builders that benefits developers and builders. It does not reflect the needs of St. Catharines and the region in general.

A true measure of population and demographics is the Canadian Census. In the South End of St. Catharines from 2006 to 2016, there has been a decline of - 3.3% population. In 2006, the population was 6,572 by 2016 the number had shrunk to 6,363 people. In our south end catchment area (dissemination area, see attached map) from 2006 to 2016, we had a population decline of -9.4%. In 2006, 267 people were living in our south catchment area and in 2016, the population was 242 people. Importantly, the response rate for the 2016 Canadian Census was 98%. In the last five years, in the South End of St. Catharines we have had the closure of two out of three public elementary schools. If fewer families are moving here, then why the overwhelming push for new builds on smaller lots? What does this achieve other than upsetting the existing community and growing profits for the builders?

People move into this area because they want privacy, larger homes and green space. They do not want to be crammed into small spaces. Why is it so important to destroy the fabric of a community? Whether retirees or a few new families move into this area, they are both looking for this quality of life. Other

communities in St. Catharines have their own personality and people want to maintain it. This is something city councillors and city planners understand and is a contributing factor to the wellbeing of our lives in St. Catharines.

Finally, *The Smart Growth for Our Communities Act, 2015 (Bill 73)* suggests that "residents be given a greater more meaningful say in how their communities grow". They proposed three important points:

- A planning tool, the Community Planning Permit System;
- Residential involvement in the planning process; and
- Citizen Representatives on municipal planning advisory committees.

Bill 73 should be a partnership between communities in the city. Greenspaces that cover St. Catharines should not be changed to mortar, pavement and bricks. We should have the best practices of transparency and accountability. Perhaps all future committees should reflect what Bill 73 suggests, specific balanced representation.

There have been suggestions that if we were a more diverse community in terms of housing structure that would attract people to move here. What would attract people to move here are jobs, not just housing structure diversity!

Sincerely,

Chuck Shulman

Glenda Shulman

Holly Shulman, PhD with a specialty in geography, spatial statistics and location analysis

Map 1: At the Dissemination area level which borders from Marsdale Drive to Lockhart Drive, Lochinvar Dr (to Masterson Drive to Sovereign Drive) to Glenridge Avenue



Bellows, Bruce

From: [REDACTED]
Sent: Sunday, February 12, 2017 9:01 PM
To: Bellows, Bruce
Subject: Residential Infill & Intensification Feedback

St. Catharines Planning Staff: In advance of the Information meeting on February 16, 2017 I provide the following feedback on residential infilling and intensification.

Firstly there has been a great deal of public opposition on how infilling and intensification has been happening within neighbourhoods, which has brought us to the point of this interim control bylaw that seeks to review and control how these applications are interpreted and approved.

I would suggest going forward that severance applications to create new lots, within RI zoning, should not be allowed or approved on established residential lots with existing homes. Creating new lots from existing properties has been the situation at the root of the problem representing a deviance from the Official Plan and a significant difference from established lot patterns that sets a negative precedent for neighbourhoods.

Within RI zoning the bylaw needs to be revised to exclude townhouses and duplex dwellings when there is no way to achieve compatibility of existing homes with respect to building size, type, height and set-backs as well as lot sizes. In referencing the Official Plan, intensification must not compromise the character of an established neighbourhood or result in incompatible design of development.

Furthermore, applications need to be subject to individual site development agreements that outline the terms, conditions and restrictions on buildings and development.

I look forward to attending the upcoming information session on February 16th.

Regards, Wayne Sadlak

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Bellows, Bruce

From: Riddell, Jim
Sent: Tuesday, February 21, 2017 3:46 PM
To: Pihach, Judy; Bellows, Bruce
Cc: jriddell@stcatherines.ca
Subject: Fw: Residential Infill & Intensification Feedback

Bruce. Here are additional comments following last week's meeting on Infill and Intensification.
 Jim

Sent from my BlackBerry 10 smartphone on the Bell network.

Jim Riddell M.P.L., M.C.I.P., R.P.P.
 Director of Planning & Building Services
 Email: jriddell@stcatharines.ca
 Tel: 905.688.5601 x1713

From: [REDACTED]
Sent: Tuesday, February 21, 2017 1:00 PM
To: Riddell, Jim
Subject: Fwd: Residential Infill & Intensification Feedback

Hello Jim, further to the Feb. 16th meeting and my comments that I forwarded to Bruce Bellows on Feb. 12, 2017, I would to add a few points prior to the March 2, 2017 meeting. First of all, the interim control by-law passed by council is democracy in action and it allows the opportunity to pause and take the steps necessary to move forward in the most responsible and prudent manner as it relates to residential infill and intensification. I believe that you and your planning staff are doing just what the ICB intends. The identification of the issues and preliminary evaluation presented by you and your staff last week are important first steps and recommendations in resolving the issues and problems that people are experiencing.

Points centered around the concept of a revised plan and potential zoning by-law amendments going forward, several of which staff eluded to at the meeting. Generally speaking there needs to be a re-think as to how proposals are approved and how the Planning Act and Official Plan are interpreted. I do see some of that happening primarily based on your technical report and outcome in the 189 Lockhart situation as well as the meeting last week. We also saw the lobbying and concern expressed by developers along with some typical intimidation tactics, however, I think all concerned residents would agree that responsible development is preferred over irresponsible development and not all development is bad.

In considering neighbourhood compatibility, I would suggest that there are limited ways in which to achieve it via drastically reduced lot sizes or plans for multiple homes or townhouses. There should be restrictions on taking existing homes on established lots and severing them to create incompatible lots and erect incompatible dwelling(s). If the city is required to meet intensification

targets and developers have intentions to make money by achieving it, then why not focus on areas throughout the city that are in much need of development and re-development. There would be a much greater return on investment by focusing on larger scale development rather than upsetting an entire neighbourhood on one off situations that exploit the character and integrity of the area. Larger lots are characteristic of many neighbourhoods in the city and should not be targeted or severed just for the sake of intensification, which often it does not achieve. Taxes are paid based on the value, size and characteristics of properties and I offer no apologies for the size of my lots as I pay taxes on the properties I own based on their assessed value, nor did I purchase them for any other reason but to enjoy.

I would agree that the City's identification of the issues, including incompatible lots and the preliminary evaluations, namely amending zoning by-laws, as well as regulating tools such as development agreements, are important points to consider in the Planning Staff report that goes forward to Council for consideration.

I appreciate the ability to provide input and look forward to future opportunities.

Regards,
Wayne Sadlak

Subject: Residential Infill & Intensification Feedback

Date: Sun, 12 Feb 2017 21:01:01 -0500

From: <[REDACTED]>

To: <bbellows@stcatharines.ca>

St. Catharines Planning Staff: In advance of the Information meeting on February 16, 2017 I provide the following feedback on residential infilling and intensification.

Firstly there has been a great deal of public opposition on how infilling and intensification has been happening within neighbourhoods, which has brought us to the point of this interim control bylaw that seeks to review and control how these applications are interpreted and approved.

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Within RI zoning the bylaw needs to be revised to exclude townhouses and duplex dwellings when there is no way to achieve compatibility of existing homes with respect to building size, type, height and set-backs as well as lot sizes. In referencing the Official Plan, intensification must not compromise the character of an established neighbourhood or result in incompatible design of development.

Furthermore, applications need to be subject to individual site development agreements that outline the terms, conditions and restrictions on buildings and development.

I look forward to attending the upcoming information session on February 16th.

Regards, Wayne Sadlak

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No row housing condos if there are none in the immediate neighbourhood. I know, I know its good tax dollars but, it really destroys the fiber of the neighbourhood and contributes to immediate traffic congestion. Please no row housing!!

When Developers go to the city, they need to meet with more than one person to give them an approval or not. That is, they need to meet separately with Building officials, Planning officials, Parks and Rec officials, at the LEAST. Not just one person doing the vetting process. There should be a policy about trees on private property NOW. At 333 Main St, Port, the Developer, Lio Di Fabio, cut down all the trees for his projected development, despite having a written document from Planning regarding no approval for cutting. As a member of the St. C. Heritage Advisory Committee I now know this. We discussed at the meeting Feb. 9th I am told that trees were taken down on either side of Martindale just north of the Martindale QEW overpass, for subdivisions to place many lots in there. This infilling, while I know is needed in our landlocked city, is out of control. Developers bulldoze planners. I'm not happy about this at all. I am also aware of the two issue in St. Andrews Ward, of dubious Minor Variances being allowed, and building built without what 'appears' to be proper processing. This I believe has led Councillor Kushner to bring about interim Control bylaw 2016-3005.1 I would appreciate a reply. May I expect it? Or should I contact Bonnie N-D as below? Gail B

I think a developer should show the neighbors what type of building they are building before they break ground. 197 Glendale is an example of a house that had no notice what they were building. I think it's important that new homes blend in with the other homes on the street as much as possible. Thank you

We've just had a very big duplex built at 646 Vine St north of Lakeshore. The house at 648 was recently purchased as well, with the idea of tearing down and building several homes at this address. The rest of the neighbourhood is mostly 50's style bungalows. I have no problem with infilling as long as it befits the neighbourhood it is in. It's a smart use of land that is just lawns anyway if there is space. However, it should be in line with what is already there. It would be appreciated for those who love their neighbourhood and plan to live out their days there- like me! It is kind of you to ask our opinion. Thank you very much. Wilma Snippe [REDACTED]

First off: Thanks for asking!! live at [REDACTED] Turns out I live where it is allowable to build REALLY BIG buildings... as is the case just two addresses south of me, where a 3400SF duplex now towers over the neighbourhood. It sticks out like a sore thumb... sure wish someone had asked us BEFORE that got built. I have a major concern with this type of infill: it doesn't match the neighbourhood at all. There needs to be some sort of architectural restriction or understanding regarding planking a house into an existing, cohesive neighbourhood like ours, some bylaw parameters that allow for growth without undermining the integrity of the existing fabric (as the aforementioned structure south of me made zero attempt to do... indeed, I am actually a bit surprised that this structure meets existing rules) My concern is actually a bit more acute than a mere bellyache about what has already happened: the property directly south of me, next door, has been sold, and is certain to be torn down as well. it is a double lot (116' frontage,

compared to the 58' of mine and the 'aforementioned' duplex. I don't want another grain silo in the neighbourhood ... but I REALLY don't want one next door to me. Anyhow, thank you for your interest, and I hope that the decision-making process takes into account something beyond mere dollars and tax revenue. Good luck with your deliberations!

I recognize the need to contain urban sprawl. Doing so implies the need to increase density. But doing so needs to be applied selectively. Why? Because it can have devastating effects on some neighbourhoods with which it is incompatible while in some neighbourhoods it would be beneficial. The tricky part is identifying which areas would benefit and which would be adversely affected. But I believe this is not an insurmountable problem. Presumably Planning Department has the expertise to do this.

Any infill development should coincide with the neighbourhood! Look what's happened to Martindale Rd? Is it residential or industrial! A mess to anyone entering The Garden City. Really! The noise behind our house is very uncomfortable & just told getting worse! Really deserves a wall, just like along the QE, But not enough of us between Grapeview and 4th! Very bad planning!

not in established residential areas

WE TRY TO INVEST IN THIS CITY, YOUR ACTIONS CAUSE GRIEF, ANGUISH, AND FRUSTRATION, THIS IS WRONG, YOU CANT KEEP RAISING TAXES TO PAY FOR LESS SERVICES, THESE INFILL LOTS ADD TO THE MONEY POOL TO HELP OUR CITY ALONG, THROUGH PERMITS, TAXES, AND IMPOST FEES. THEY ALLOW OUR CITY PERSONNEL AND RESIDENTS JOBS TO DO THE CONSTRUCTION, DEVELOPMENT, INSPECTIONS, REVIEW, AND APPROVALS. WHAT MAY BE REQUIRED IS A VIEW TO ALLOW BUT WITH LIMITS. MAYBE A REVIEW BOARD FOR PLANS APPROVED FOR ARCHITECTURALLY FITTING THE NEIGHBORHOOD. THANK YOU, TONY LASELVA

I attended the meeting. Thank you for hosting. I would have plenty to say about what I witnessed that evening, however, I refrain, as sarcasm may not be filtered appropriately. Regardless, I have a few items I wish to submit for your information and consideration. 1. Let me just say that, for every 1 bad example, there are 20 or more good ones. Not unlike anything in life. 2. Avoid efforts to regulate taste. You can zone height, setbacks, coverage etc; until the cows come home, but avoid dictating what materials can or should be used. What some people may find beautiful or attractive, others may not. Taste is a subjective realm that the city should avoid regulating at all cost. This exercise should not end up being a vehicle to implement architectural control on low density. Reverse the situation whereby I refuse to build unless my neighbour removes his siding and re-clads with brick, or the person across the street replaces his yellow garage door with an ivory one and must include windows in the upper panel. And the person behind me changes his shingles and can only use black. (ok, a little sarcasm made its way in ...); 3. I would ask that the City look into

whether any studies exist that have: a) studied property value impact as a result of infilling; and b) what those results revealed. Even if a study was done in a different municipality, I would invite you to seek evidence or any such instance of depreciation in property values in support of claims often made by persons I would classify as NIMBY's and those who made such comments concerning loss in property value at the meeting.4. Any changes would be incremental on the ground. Mr. Riddell touched on the amount of severance applications there are annually (few). It is not a problem that will change the face of every street in the city overnight. This point needs to be driven home. Change will happen incrementally. Adjustment will fall into place.5. While use of reporting the current residential mix in percent is a good indicator for measure of diversity of stock, I suggest including measure of low density in terms of land area and/or unit count. This is what would reveal or pacify just how slow transition or conversion of low density is really occurring. In other words, adding a few thousand units downtown can tip the percentage reporting, but not impact the land area or amount of low density unit count one bit. While I provide these comments, I do understand and would support efforts to regulate 'transition' of built form, but only in a context of height, coverage and to some degree, setback. I would not be in favour of curtailing rear-lot severances or assemblies, as this is a means of rejuvenation and sometimes needed to stimulate further rejuvenation of even gentrification while at the same time contributing to intensification. It is the aspect of regulating taste that I fear most. People with no financial or vested interest in the buildings to be constructed should not have the ability to tell those spending the money (private \$\$) what materials to use or what it should look like. Massing and placement is all the City should concern itself with in the realm of low density infilling. Also, I would strongly suggest a bit of staff resource time be devoted to researching studies or documented evidence of property values depreciating as a result of an adjacent severance or other form of infill. A comment in the report to council on this should be included concerning to findings. Thank you for your efforts and consideration. Sincerely, Anon.

I strongly agree with residential fill in. It will benefit many people, create a lot of jobs, and also help St. Catharines with more tax dollars due to new construction, and property taxes they will gain. It would be a win for existing subdivisions, improving the areas around and clean up of properties in need. Most times the properties that are in the worst conditions are the ones targeted for infill.

I believe this is a win win for everyone involved, city increases revenue with development fees and property taxes, especially looking at a 20 year prospectus. Developers continue to stimulate the local economy by contracting and employing local contractors/trades/labourer/workers to build. People want to be in Niagara so helps attract them to St. Catharines. Lastly, it encourages surrounding homes to keep their properties clean and well kept when new development is built around them, knowing it's driving the market value of their biggest asset up, their homes.

I support the residential infill development. I do believe infill is instrumental in helping to grow the population base in St. Catharines as there's very little by way of buildable residential lots. Lack of supply is causing escalating housing prices beyond what the

average youth can afford. Smart use of land should be encouraged. Red tape needs to be limited. I do believe there should be some constraints to avoid situations where homes are built on very small / tight lots, or should be aesthetically appealing. But in all, residential infilling is important to increasing the land use and tax base for a city that is driving new residents from all over. It's about time this city is recognized for what it has to offer, and so infilling needs to be part of the strategy to accommodate.

Please keep green spaces green and do not fill them with buildings. My neighbourhood is constantly under construction, I hope it stops soon before traffic gets out of control and so I can actually walk without having to leave the side walk, I imagine this is more difficult for my elderly neighbours.

Thank you for the opportunity to comment on the City of St.Catharines Residential Infill/Intensification Development Review.I am a resident on Marsdale Drive and I provided my input on the proposed development at 189 Lockhart which I believe was one of the instigations of this review and an example of the type of infill we do not want or need. The following are my comments:1. I am not opposed to infill or intensification. I just ask that it be done right with appropriate regards to the neighbourhood and neighbours. For example, one of the questions staff raised at the February 16 session was whether neighbours would support second stories on many of the bungalows in south St. Catharines. I live in a split-level home and there are many two-story buildings in the neighbourhood so I would not have an issue with this type of infill. The important issue with this type of infill would be that the existing footprint be maintained. A bungalow raised to two stories would likely be fine; a much wider and deeper two story building replacing a demolished bungalow would likely not be fine. A three-story building would also not be supported.2. Every street and neighbourhood is different so there is not one set of rules that can be coded into the regulations. Instead, it is imperative that a process for giving the neighbourhood input into the infill development be developed and encouraged. This does not mean that a single negative voice can halt a development, but when the opposition is as strong as was the case with 189 Lockhart the voices of the neighbourhood need to be heeded.3. A good test is whether the proposed infill development adds to the character and value of the neighbourhood or whether it takes away from it. The proposed development at 189 Lockhart did not add to the character of the neighbourhood but instead diminished it. Alternatively, a number of the houses on the west side of Marsdale were renovated and then sold over the past couple of years. These may not count as infill but they clearly added to the character and value of the neighbourhood. A different positive example is the addition of the second story on the buildings at the corner of Glen ridge and Glendale. This clearly makes sense and is infill.4. If the public process for getting neighbourhood input is the Committee of Adjustment, then it direction clearly needs to be changed to handle this process. In the hearing for 189 Lockhart the Chair of the meeting was actively hostile to the public interaction thus generating significant negative goodwill to the Committee and, by extension, the City. The process of obtaining neighbourhood input needs to be efficient, supportive and, most of all, transparent.5. This new process should include reviewing whether a developer is allowed to replace an existing single home residence with townhouses. I understand that a change of this nature does not

currently need a bylaw approval. In the case of 189 Lockhart that was used as a 'threat' to the neighbourhood. That should not be allowed. A decision not to allow an infill development should include a moratorium of at least five years unless the revised application is significantly different and clearly reflects the wishes of the neighbourhood as expressed during the previous review process. A developer cannot keep coming back with alternate variations on the same theme with a view to wearing down the neighbourhood. I understand that this additional process may add to the cost and, more importantly, risk of this type of development. In this case I believe the benefits to the town outweigh the costs. Neighbourhoods with character and consistent, attractive features attract future residents including those with or who will have families; and St. Catharines needs to attract as many of these that it can.

A lot of the talk at the meeting was about issues with lots being divided up and houses, semis, etc. being squeezed into neighbourhoods that are predominately single family with large lots. People move to those neighbourhoods because of the large lots, etc. - Judy Pihach had it right when she brought up that focus rather should be on focusing development on areas of intensification such as downtown and commercial areas where residential units can be easily added above plazas, storefronts. She mentioned the Pen Centre in particular as an area where maybe could sustain high rise residential development on site which is something that is being done or looked at in the US with retail malls that are no longer viable as just commercial space. Being that a long term goal should be established for intensification here in St. Catharines maybe there should be development nodes or transition zones set out in areas of city that are experiencing changes that focus the development rather than haphazard throughout the ward or neighbourhood. I also feel that the St. Catharines General site needs to be redeveloped as a high density mixed use site rather than low rise townhouses. This site is very suitable for high rise development and needs to be a catalyst for the neighbourhood. Units looking out over the historic canal valley would have great views and be sought after. Ground level should contain mixed commercial which would fit in with the rest of streetscape. A grocery store for example would benefit the area. I am not in favour of the chopping up of neighbourhood lots that is currently happening in the city and look forward the next meeting where the good, bad and ugly developments are showcased. My suggestion for a bad infill is the corner of Grantham & Carleton. Those two lots are way too small for the neighbourhood and the corner lot in particular is extremely close to the corner which likely explains the fact it's been for sale for so long. How it passed through committee of adjustment is beyond me. I am in full support of intensification but needs to be done smartly and in the right areas (ie. downtown, Queenston Street, around future Go station, etc.)

I understand the need for intensification and that St. Catharines is land locked. In creating more accommodations within our boundaries, we need to remember that established neighbourhoods create a feel and community that people buy into. When developers come into these neighbourhoods and change the landscape so severely that it impacts the feel of the neighbourhood, that is not good intensification. Individuals purchase homes because the home and neighbourhood suites their lifestyle. When a developer comes into that neighbourhood and builds a home or homes that eliminate

privacy, peace and quiet or changes the landscape in an unflattering way, it is greed, not progress that prevails. When building within an established neighbourhood, housing styles should be diverse and in keeping with that neighbourhood. Builders need to be mindful of the era of the neighbourhood and add value. If you look at Pelham Road, a home was added to a large corner lot. That home does not suit the 1950's neighbourhood. On Lake Street, a developer tore down two large homes, one being a very stately home to make way for a development. On Glendale, a developer built an excessively large semi and eliminated the neighbour's privacy. On Glenridge a developer added a house to a corner lot, changing the feel of the streetscape. None of these added value to the neighbourhoods. The city of St. Catharines building department is not innocent when looking at problems brought on by intensification. Variances are easily obtained by builders, bringing buildings closer to property lines, all in the name of square footage. I understand the desire for more property tax dollars for this city and the benefits they provide, but this cannot be the only deciding factor in these cases. Perhaps look at Pelham zoning bylaws. R1 and R2 are single detached dwellings with differing frontages, lot coverage, setback, etc and R3 allows for more intensification by including semi detached and duplex dwellings. They have a residential multiple zone where denser intensification can occur including apartment buildings. We should also look at Oakville where much research has resulted in a very detailed plan for various areas of their city. Oakville has already addressed appeals to the OMB and I believe that St. Catharines can avoid these problems by following suit. Hopefully this city will tighten regulations so that it is more difficult for builders to find loopholes. Perhaps we should not open up the entire city to intensification, focus on downtown and move to areas of the city that a well suited to added development.

I strongly feel that the current practices of infilling in established neighbourhoods needs to be reviewed and modified. St. Catharines' practices of approving all requests for variances and land severances without considering the neighbourhoods and the effects of those living in these neighbourhoods needs to change. I strongly feel that a number of things must be considered when deciding whether to approve these requests for variances and severances, including:

1. Will the proposed development fit into the look and feel of the neighbourhood?
 - Does the development fit into the character of the area
 - Similar lot size
 - Similar house size / style
 - Similar size of lawns, driveways, etc
 - Does the development fit into the context and street pattern of the neighbourhood
 - How does the development effect neighbouring properties (privacy, etc)
2. Is the proposed development even needed in the neighbourhood?
 - Is there a need for additional housing in the area?
 - Does it make sense? If an area is in a desirable place to live it may not make actually make sense to infill. By doing so, the very things that make the area desirable (large treed lots, green space, high property values) may be compromised
 - In some areas it makes sense to infill, as these areas are desirable in terms of being within walking distance to grocery stores, drug stores, restaurants, malls, hospitals, etc. These are the areas where infill is needed in St. Catharines, not in older, established neighbourhoods
3. What will be the effect on drainage, sewer systems, etc.
4. What will be the effect on trees/greenspace on and around the property? What potential damage could be caused by heavy excavation equipment and the extent of excavation on the root system of the trees?
5. The effect

that the building of smaller houses on smaller lots will have on property values of the surrounding homes⁶. The knock-on effect in a neighbourhood once this is approved (developers coming in to buy additional large / corner lots and dividing them into multiple lots)?. In neighbourhoods that do not currently have student houses, there is the potential of these houses becoming student housing, and the associated issues with such (including parking issues). I live in the south end, where the effects of some of this infilling can be clearly seen, and quite frankly is awful. Simply by driving around you can see where this infilling has happened based on how out of place many of these homes look (huge multiplexes beside single story homes, homes extremely close to each other in areas characterized by large lots, etc). In my neighbourhood we have been fighting against infilling on a lot across the street from my house, where the owner wants to sever the lot into 3 smaller lots. I strongly believe this would have a very negative effect on our neighbourhood for many reasons, which I have previously outlined in letters to our Councillors and the Committee of Adjustments. My family moved into our house in 1978, and my husband and I have lived there for 5 years. We spent a great deal of money renovating our house, and we fully expected to live there well into our retirement. We are now worried about the future of our neighbourhood based on what we have been experiencing with this infilling issue. If the house across the street is torn down and 3 houses are crammed onto the spot, everything we love about our house and our neighbourhood will start to change. Everything that makes our neighbourhood sought after and unique will start to become eroded. There needs to be changes to the way that these applications are approached. There needs to be more consideration paid to the neighbours and the effects that these decisions will have on a neighbourhood. These decisions need to be about more than the developers and money. Once this starts to happen in a neighbourhood there is no going back. We can't undo these decisions once they are made. We only have once chance to preserve these special areas in our city, and I am imploring you to take the necessary steps now to make sure that we do so.

It needs to suit the neighbourhood. It needs to look as if it belongs with suitable sized yards. I think of the corner on Carlton and Bunting. The new house being constructed on Carlton is just a metre or two from the one facing Bunting road which is also a new home. There is no yard at all and it looks ridiculous. If you look at the homes on the corner of Vine and Parnell you will see what a clutter mess these homes, yards turn into simply because there is no yard. These homes are frequently flipped, people moving in and out and not establishing roots. I hear these are the same problems throughout the city. The homes on Loyalist are not too bad and fit in a bit, although yards there are considerably smaller than the rest of the neighbourhood. But now there is increased street parking. This especially happened with the new semi that was built on Vine St. In the North End. The bike lane is frequently full of vehicles.

the recent proposed development at Lockhart and Marsdale was ridiculous, born of developer greed with no consideration for the butting residents or people living in this south area of the city. Thankfully it was thrown out and council is now proposing better rules and guidelines for infill. My concern is related to increased storm run-off from 'dense' infill development and the effect this has on the Clay sub-strata which leads to

foundation problems in surrounding properties. the idea of averaging the amount of infill to conform to homes in the immediate area is a good one but what will the radius (or catchment area) be to ensure a sensible design ? from a retired PEng living at [REDACTED] [REDACTED] respectively submitted dave e

My concerns re infilling are similar to those already discussed but also include: 1. Inadequate infrastructure in place to handle higher density living. This is a BIG one. 2. Increased crime associated with higher density living. 3. Increased danger from fire and explosions on adjacent properties. 4. The loss of sunlight or tree canopy can cause significant expense, loss of use and enjoyment to existing land owners to which we have the lawful right. We already pay a premium on the purchase and upkeep of larger properties and pay higher taxes for the right to the quiet, private enjoyment of our property. Developers should not be allowed to take this away without express written agreement of any land owner affected and with the city keeping the neighbourhood's best interests in mind. no name or unlicensed trades people should not be working on properties being developed in order to ensure professional standards, honesty and good business practices. The culture of begging forgiveness after the fact should be harshly punished so it is not repeated. PS. Perhaps your little box to type in could be enlarged in future.

I am very concerned that an existing vacant property in the north end that has been approved for two eight story buildings with parking spots of 1.25 can be considered for now 19 and 17 story buildings in a residential area that do not meet the parking requirements of 1.25 parking spots and needs extreme exemptions for the height and setbacks. There are no other properties in the North End that are even close to being 19 stories and it would be a mistake to allow such buildings to be erected in a residential area.

I live at [REDACTED] This was originally envisioned as a complex of 1-11 story Condominium and 2-7 story Condominiums. Only the largest building was constructed, leaving vacant lands in the North end of St. Catharines. I believe that the use of these lands would come under your mandate of how to in-fill vacant properties. I understand that there has been a proposal submitted to City Hall to construct 1-17 story and 1-19 story condominiums. To do so will presumably require the grading of significant concessions or amendments of general rules to permit the construction. As proposed, the buildings will have allocated parking of 1.13 spaces/unit and 1.21 spaces/unit rather than the OMB Ordered 1.25/unit. Note that our existing building has 1.27 spaces/unit. The existing building has 128 units with 20 guest parking spaces. Even with this density, our available parking is taxed during special occasions. The combined proposed new buildings have a total of 272 units with only 20 guest parking spaces. My immediate concern is that the woefully inadequate parking at the proposed buildings will result in overflow to our modest guest parking area, and possibly even causing overflow to Scott Street and Meadowvale Drive. Additionally the sheer height of the buildings makes a mockery of the recommended/required setbacks from adjacent lands. Required deviations are not a 1/2 metre or even 1 metre, they generally exceed 10 metres and are often 20 metres. I do not know if this proposal is in

contravention of recommendations for greenspace, however, it is my opinion, that because of the lack of parking initially proposed, that much of the precious little space remaining after construction will be sought after to build parking in the future. In conclusion, I caution planners in simply wiping away previous restrictions on land use in an effort to utilize every remaining square metre of space. People made purchasing decisions based on the rules in effect at the time of their acquisitions. Be careful not to negatively impact the many, for the benefit of a few. Best Regards, Eric Allan

Intensification is a good thing. No more expansion into the farmland. Tell developers and speculators outside zoned areas, no more. Unfortunately St Catharines is not growing at a rate that requires infilling. If R1 and R2 zoning is the topic it should be kept to limited areas needing a face lift (Queenston St, Ontario St, Downtown). Please don't repeat the R3 to R4 exercise. No wholesale changes without thought and notice. Planners need to know that changes in zoning affect real people in the places they live. Why not a HOLD on intensification until existing properties are developed. Lots of empty lots available too.

Hello. I missed the session on March 2 can u receive a copy of the material presented. I would like to review and provide comments. Thank you

...when [REDACTED] hits the fan and the city finds its tax base eroding further then it might have wished to have had a more vertical policy towards infilling ... instead it continues to approve and not encourage high density housing where hundreds of thousands of tax monies can be derived from high density high rise development... ..the brownfields, once former factory sites, derelict or otherwise should be identified for high density high rises but the adjoining property owners consistently oppose this type of housing ...wrong!...many of them will sit on their asses and wait for the market to improve then sell it when higher prices have been met. . high density should be encouraged over the entire city not just downtown ... location wise downtown is not the best as commuters prefer easier access to highways...which puts the strips along the QE and 406 more appealing to anyone who commutes ...ie Fairview Mall area/QE way ... PenCentre/ 406 ... etc

I really disagree with residential infilling. It seems that any house with a large property that goes up for sale, stands a good chance of being ripped down and replaced by 2 houses. Large properties are an asset and are desired by many home buyers, but are getting extremely difficult to find now. Most of the infilling houses don't really look appropriate in the neighbourhood in which they are built. Why does our city need to keep expanding? To what end, it seems the more we grow, the more our debt increases!

Affordability needs more of a focus than what exists currently in the draft recommendations. It gets three mentions, but nothing in detail and the recommendations close with an example of an infill property increasing property values. If that is the metric for successful infills then your policy will run counter to any understanding of affordability. Policy also needs to recognize that changes will be made

within a housing bubble/boom, and efforts should be made to limit harm when the bust cycle comes. The number of vacant homes/commodity buying is skyrocketing in Niagara and without a vacant tax there is nothing to ensure that new infill homes will actually be filled or not just join the superficial demand that is being created through vacant home buying. I do appreciate the attempts to create a more standardized and coherent policy for dimensions though.

Dear City Staff and City Council: St. Catharines put together a Strategic Plan for 2015-2025. It is an impressive-looking, professionally designed document with commendable, altruistic goals. It is hoping to accomplish a lot in a 10-year span. Here is the issue "perhaps it is trying to accomplish too much? Or perhaps City Staff are not equipped to accomplish what the Strategic Plan is setting out to do. Some great things are being done in St. Catharines" it is true. However, some things are being rushed through and thrown together and are therefore not in the best interest of St. Catharines. The infill and intensification happening in St. Catharines right now is one of those things. The lofty targets being thrust upon City Planners without thorough research being done as to how to accomplish these goals in a way that best suits St. Catharines' residents is causing poor decisions to be made. I realize that residential growth is a fact of life and City Hall Staff are given instructions and goals and deadlines that must be met. They are not entirely to blame. Where they are completely missing the mark is in 2 areas: "Detailed research" "Staying in touch with the people that actually ARE the City of St. Catharines" When it comes to research, perhaps it is the tight deadlines that are causing the issue? According to what residents are being told, City Staff are working to create 15,400 new dwellings by 2041 (which, of course, may change?). They have 150 hectares of vacant residential land supply. The most obvious thing to do would be to zone that space with higher occupancy housing to meet their goals but instead they will still be including R1 and R2 zones within this land. This leaves them scrambling to find more space. The only other option is intensification. 8% of their new dwellings, in fact, will be intensification, while 2% is going towards R1 and R2. It would seem that if that space was dedicated to higher occupancy buildings, you would not need to find room for the left over 8% to squish between homes in older, existing neighbourhoods. Then, when approving site plans, it seems that it is very easy for a site plan to get approval in St. Catharines. Take the Carlton Street site plan that has recently been approved. It is a 5 story, 85 unit, 106 parking spot 'dwelling' being squished into a 50-year-old R1 neighbourhood of bungalows and split level homes. This eye sore building will deter potential buyers from moving into the neighbourhood. If this building were to be built in the City of Toronto, for example, it would have to meet the Mid-Rise Building Performance Standards and Design Guidelines. I recommend that St. Catharines Planners research the detailed and lengthy work that Toronto City Staff put into the studies surrounding intensification and mid-rise building guidelines, as there are many useful points here. If we continue with just the Carlton Street property, for example, the following guidelines would not be met and therefore the building would not be suitable to a Toronto planner: 1. Balconies should not be located within the first 3 storeys (the Carlton Street building, for example, has balconies on all storeys) 2. When developing in a Character area, building design should be sympathetic to context and heritage characteristics (the building at Carlton

Street, for example, is modeled on a Welland property at Fitch streeta€:not designed to suit the context of the 50-year-old bungalow neighbourhood it is placed in the middle of)3. Rear lane access to limit vehicle interruption on the main road (the Carlton Street property, for example, has no choice but to have its access right on Carlton Street, adding a large influx of traffic to the neighbourhood. In fact, the parking lot is already too big for the neighbourhood, hence its need to apply for a variancea€:in essence, permission to build too big)4. The transition for deep properties abutting Neighbourhoods and/or Open Spaces will include a minimum setback of 7.5m and a 45-degree angular plane from the property line to a maximum height of 1: 1. (The Carlton Street property, for example, has only a 5m setback from the front yard and a 6.9m set back to the edge of the balconya€:this, of course, is already unacceptable for St. Catharines' standards, hence the need for a variance. This building would obviously be deemed to be intruding upon the abutting neighbourhood to a Toronto planner).Also, variances in St. Catharines seem to be granted as if requesting them is merely a formality. If there are minimum amounts of space that should be left outside balconies before the next lot, for example, or a maximum number of units that should be within a building being put onto a lota€:that means that the City has already recognized, in advance!, that a building of that size is TOO BIG for the neighbourhood. Variances to an already-too-big building are a big deal to the residents that surround that property. My biggest feedback is that residents MUST be notified. This leads me to 'Staying in touch with the people that actually ARE St. Catharines.' Let me be clear what I mean by this:1. If infill and/or intensification are happening in an established neighbourhood, all residents must be notified. This must be a City responsibility, not a responsibility of the new land-owner. You have to understand the difference: If the NRH, for example, as a new developer is going to put a large building into a low-rise neighbourhood, they are going to know that people will be upset. If they are the ones notifying residents, therefore, they will gloss over and/or avoid and/or put a pre-scripted rosy faAŞade on any issue that they foresee coming from the residents. This propaganda is the furthest thing from effective communication with residents a€" it not only does not resolve concerns, it creates conflict where none needed to exist. 2. Notification must be in print, and delivered to the doors of residents. Posting a sign is ineffective as it relies on residents walking by (it is not readable if they are in vehicles) during daylight hours during the particular window of time that it is posted. It also relies on them having some kind of pen and paper or note-taking ability with them while they are walkinga€: What it communicates to residents is that you are fulfilling your obligation, but do not actually care if they receive the communication (in fact, you would be happy if they did not hear in time, lest they object). It takes advantage of your position of 'power' in this respect, and forgets that the residents are the ones paying the salaries of City staff. Delivering print information to the doors of residents is more affordable than avoiding it:a. Assuming an average Planner makes \$50/hour, and they upset only 3 residents, they may spend 3 hours on the phone 'putting out fires' with those 3 residents who had the time and the energy to voice their concerns. This would be a cost to tax payers of \$150 (and many more upset residents that did not speak up). Unhappy residents leave the city, encourage others not to move to the city, and/or elect a new mayor in the next election.b. Rather than upsetting residents, for \$150 the Tax Payers' dollars could be spent paying a student a decent part-time wage of \$15/hour for 10 hours. The average

paper delivery student can deliver 100 papers in an hour. For the same money that it would cost Tax Payers to pay for one Planner to speak with 3 residents, they could deliver 1000 notices to residents and avoid the up rise in the first place.³ Notification must be delivered, at a minimum, to all residents within 200m of the lot being developed. Even this is a minimum, as the impact of construction can reach much farther than this 200m. For example, with the Carlton Street lot, I received no notification of the work being done and my home is less than 100m away. This resulted in unacceptable damage to my home. This shows a complete lack of consideration for residents, and is only a common human courtesy that good people give to others. A good citizen would never, for example, call in heavy equipment to do work on their house or in their yard without first personally speaking with all of their neighbours. If damage occurred, they would understand before undertaking the project that they would compensate or correct the damage as expediently as possible. I cannot imagine that others would live by a different code of ethics. The Strategic Plan certainly discusses a Social Sustainability goal of providing 'excellent customer service and communication with citizens.' This cannot be published in print if officials "elected or otherwise" have no intention of following through.⁴ Notification must include specific details about what is planned and what procedures residents must follow if they have concerns. Residents will feel taken advantage of (and perhaps not without basis) if they are made to feel that there is no avenue to have an appropriate and effective voice. If consultation with the public is welcome and desirable, then you will have 'buy in' from those most affected. This encourages new families to settle in the City and encourages current residents to become involved and achieve a higher quality of life. The Strategic Plan discusses the City's goal of building 'civic pride' and encouraging 'local engagement' and attracting 'people to the community.' Notification should include:

- a. Site plans for the lot.
- b. Timelines for construction, including dates and times of construction (respecting an existing neighbourhood's right to quiet hours free from light and noise pollution).
- c. Shadow studies and Traffic studies so that there is respectful communication and transparency with residents, allowing them to plan for disruptions to their health and work schedules.
- d. Variances that have been applied for, and how they impact neighbourse. Guide for Objecting to a Minor Variance and/or a Land Severance.

At the moment, residents are not informed of their paths of recourse. They also MUST be informed of the Four Statutory Tests of the Planning Act, of which they must present evidence against one to succeed with their Objection. They must be informed of the Fee to apply for an Objection, and that they must provide expert opinion (at their own expense) to support their claims. As a side note, all of these facts, of course, price the average citizen out of voicing their concerns and standing a chance of making a difference: they must pay the fee, hire experts to support their claims, and put in the time (take time off work?) to dedicate to submitting their application and attending the hearing. A citizen not being able to afford this process and therefore not submitting a formal objection gives developers leverage to say that there is no appeal: therefore all variances are approved? It is the legal opinion that the citizen is hard pressed to make any effective objection at all: intensification has a clear priority in current government planning policies and traditional planning arguments must be well supported and compelling to offset the accepted necessity of intensification and infill. The reconciliation involved in preserving built communities while at the same time achieving

intensification, has become a very difficult exercise for planning tribunals. Matters are made worse by the fact that Ontario's planning tribunals do not enjoy the independence of traditional Courts of Law. They are not independent bodies. They are creatures of the government and must heed government Directives and Policies such as the PPS. Given that our planning tribunals are often considered to be pro-development it is indeed a hard road.

'Guide for Objecting to a Minor Variance and/or Land Severance Prepared by Frank G. Oakes, Barrister & Solicitor, May 16, 2011

When trying to voice opinions and concerns to St. Catharines Planners, citizens are met with pre-scripted and practiced statements about everything that they have done and why they believe themselves in the 'right.' Their only concern is to push their agenda through. I have listed concerns in letters multiple times now, and not one reply to my letters ever addresses the actual issues that I raise. These are well-versed spokespeople who would never speak to their own families in the demeaning and self-concerned way that they speak to residents. Rather than trying to give a statement akin to a politically savvy media release, City Staff whose salaries are being paid by the citizens whose values they are supposedly working to uphold should be speaking to them respectfully and at face value. Gone are the days of the division of power and smokescreens and mirrors a€" if a citizen brings up a concern, City Staff should address the concern. When citizens are not met with this fundamental aspect of respectful communication, they lose respect and Build Distrust and Suspicion. These are not the warm and fuzzy feelings that are described in the St. Catharines Strategic Plan. The presentations given by St. Catharines' Planners on Infill and Intensification outlined their Identification of Issues. Many of these issues, while identified, are not being adequately addressed. For example, the Carlton Street property, as mentioned, would be unsuitable in the City of Toronto in a like-area due to the following Issues that were identified: a€¢

- Privacy/overlook/heighto It is already noted that there are balconies on all levels and that the building height (20m max building height) is excessively tall for the surrounding neighbours. Privacy for neighbouring properties is not being addressed. a€¢
- Spacing, separation, building mass, lot sizes, unsuitable transition of heighto It is already noted that there is an unsuitable transition of height between the building and the abutting neighbourhood, which is not being addressed. Perhaps Side Step-Backs would be appropriate for such a structure under these circumstances. a€¢
- Overdevelopment on undersized lotso It is already noted that the lot is undersized for the development approved, as they were required to apply for two variances in order to build their structure and parking lot. a€¢
- Tree protectiono The Carlton Street development will be removing a White Spruce and Black Walnut tree in good and excellent condition, 2 Crimson King Maples in excellent condition, and 2 large Manitoba Maples that are still partly living. What will happen with these trees? Will they be relocated? a€¢
- Property Valueso Residents have been told that property values will improve based on there no longer being an empty lot there a€"this is condescending to residents. Residents are not comparing their property values to what they are with an empty lot a€"they are comparing them to what they were before! Lacking a straight forward and honest answer, I spoke with a leading Realtor in the area. I was told that those properties closest to the building will indeed see their property values go down due to the lack of privacy and overlook from the large building. When this was communicated back, developers said that in their experience, this is not the case. Their experience,

however, has not been in an R1 area of St. Catharines and is therefore beside the point. Property values should be of import to City Planners or St. Catharines residents will simply leave. Construction impacts so I find it curious that St. Catharines Planners would note this as an issue but not address it in their presentation. Who pays for damages to neighbouring properties? The response I received from the NRH (which is quite unlike the 'accommodating' voice that spoke in their propaganda-like flyers) was essentially that my insurance company can take it up with their lawyers. The St. Catharines Planner I spoke with backed this view point. This is not a City that works for their citizens. If there is no advanced notice of construction and residents are delayed in leaving their neighbourhood due to blocked roads and delays, they face repercussions from their places of employment. This alone is reason for the City to respect residents enough to give them notice and enough time to plan for delays. Process Public Input I think I have written sufficiently of my opinion on what due notice to allow Public input is. My challenge to City Planners would be to proceed in a way that the public actually has VALUABLE AND MEANINGFUL input. They are, after all, paying your salaries. And so, regarding infill and intensification in St. Catharines, my feedback is to do your research, find better ways to achieve your goals that are in the best interests of St. Catharines residents, and GET TO KNOW St. Catharines residents. If you are not in tune with the people and their situations, goals, and values, you cannot make decisions that are in their best interest. Period. Sincerely, Lisa Rosenberger

I generally agree with the draft recommendations. I believe infilling is important in order to protect our surrounding greenbelt from sprawl, however, it must be done in a way that seamlessly integrates with current neighbourhoods. Infilling should not diminish the value or aesthetics of adjacent properties.

Too much being done. Large properties are being divided, house torn down then two to three properties being built. It would be a shame to see land adjacent to Pearson Park on Niagara St. To be infilled where the Fairview golf course was. As it was an old canal and then back filled. Leave our parks alone and some green space.

Input Regarding Residential Infill and Intensification Development Review
DraftZBAforRes.Infill and DraftOPAforRes.Infill

ATTENTION: Bruce Bellows, Planner II (bbellows@stcatharines.ca)
Land Use and Policy Planner
City of St. Catharines

SUBMITTED BY: Eric and Linda Jones

Thank you for the documents you supplied to us on April 10 2017 and your subsequent clarification emails and sketch to Councillor Joe Kushner of April 11 regarding applying the average front yard setback and the exterior side yard setback. I realize how time-consuming this process is and has been and appreciate your taking the time to respond to our inquiries.

We have now also had an opportunity to have our lawyer, Mr. Brian Duxbury, review the supplied documents and I will include his comments in with our own in this reply.

We would like to start off by congratulating staff and all involved with the changes suggested. I believe that, overall, these cover off the major concerns expressed by the residents at the Public Meetings, while also offering a balance with the needs of the City and the development community in attempting to meet the intensification targets set by the Provincial government.

We also believe these changes accurately reflect the very specific situation you mentioned in your presentations at those Public Meetings that only 600 new units were expected to be involved in the intensification effort outside the downtown core area, a very small percentage of the total number of units often mentioned as required for St. Catharines. The negative impact on the esthetic of those neighbourhoods felt by the previous set of Provisions, measurements and rules appear to have been largely recognized and resolved by the changes suggested.

Overall, we are very encouraged by the suggested revisions in terms of Provisions for Residential (RI) ZONE in the "Residential Infill and Intensification Review - Draft Zoning By-law Amendment - Track Changes" document, which are the provisions most directly impacting on the neighbourhoods we are familiar with. We would still like to receive some general background at some point on the rationale for the changes in the measurements (e.g., Min. Lot Frontage from 1Sm to 16Sm) as requested in my earlier email, really for our own edification.

As such, most of our comments on the proposed Draft Zoning By-law Amendment and Draft Official Plan Amendment documents will be concerned with attempting to clarify the language used so all can understand it and ensuring it all does mean what we believe it is intended to convey to the reader. There are a few areas which are unclear to us. While the City may have answers to these matters, we raise them here in the hopes they can be clarified for us and in the resulting documents. We will attempt to group these by subject area as best we can as many of the items are related.

We also believe there are several areas left unresolved based on requests from the residents and will raise these as well as we move through our comments.

2.17 Average Reduced Building Line

"Lining up the proposed new dwellings of all types with the existing" has been a major point of contention with the neighbourhoods surrounding these intensification proposals. You had supplied a clarifying email on the initial points outlined in this section of the proposed changes via Councillor Joe Kushner which stated:

1. The draft zoning amendment introduces provisions to 'average' front yard and exterior side yard setbacks for both the R1 and the R2 zone (see Zoning By-law Track Change No. 3 and 5) for Table 5.3 and 5.4, and Footnote h) which is set out in Section 5.3.1 and 5.4.1 (Track Change No. 4 and 6), and the new definition for 'Average Yard for Dwellings' which is the last item in the Track Changes (Track Change No. 12) for the zoning amendment.

Using the R1 zone as an example, the minimum required front yard setback is 6 m. Footnote h) identifies that were the average setback of dwellings on the abutting lots on either side of the subject lot is 2 m or more in excess of the stated minimum requirement (6 m), then the 'average' will be the required setback plus or minus 0.5 m, as opposed to 6 m. As well, if the average is less than 6 m, then the front yard setback may be reduced to the average.

2. The averaging applies to both the front yard setback and the exterior side yard setback where there is a comer lot. Under the definition for 'Average Yard for Dwellings' it provides for a number of scenarios for what lots will be used to calculate the 'average', but yes, at a comer with no through road cross section (a T intersection), the abutting lot and the next one beside it will be used to calculate the average. I will look to try and tighten up the language.

Based on our review of the supplied materials, your email and diagram, we would like to submit the following comments:

1. The suggested adjustments are excellent in terms of ensuring the proposed foundation footprint lines up with the abutting lots on all sides of the Subject lot (and in the various possible surrounding configurations) in the case of a single lot severance, whether mid-block or comer. We assume this must be the primary rule applied before all others regarding the development on the Subject lot.
2. Our concern is with the phrasing "For all zone categories, the minimum required front yard and/or minimum required exterior side yard ..." at the beginning of the adjustment.

We strongly suggest that this be adjusted to "For all zone categories **and Permitted Uses**, the minimum required front yard and/or minimum required exterior side yard ..." **if that is what is intended by the revision** for clarity for all concerned.

3. **If this revision is not intended to address all Permitted Uses**, then we believe that this will leave a gaping loophole in the by-law, similar to that which existed under the earlier version, driving developers to place townhouses, semis and duplexes on these comer lots. The former problems experienced with the use of 4m exterior side yard measurements with single lot comer severances would actually be accentuated with even less appropriate built form, leading to new structures being placed right against one of the roads to the severe detriment of the neighbourhoods surrounding them. We again emphasize that whether completed under consent, or "under Part Lot Control" (avoiding input via Committee of Adjustment), the result

is the same - no matter whether single detached dwellings, townhouse, quadraplex, semi or duplex - that former single lot ends up as individual separate parcels and this division of the land must all be controlled in the same way.

4. Similarly, in respect to the proposed Official Plan amendments and Section 4.1 (Urban Design Guidelines) we think the third paragraph should make it clear that all different development types and initiatives will be affected by Urban Design Guidelines. In other words, the paragraph should be revised to read "Urban Design Guidelines shall be prepared for all development types and initiatives and according to specific use in activity areas of the City for all development and redevelopment."
5. Similarly, under Section 7.3 proposed Official Plan amendments, our comment is the same that the Urban Design Guidelines should be for "all development types and initiatives".

A Major Loophole in the Suggested Amendments?

There is one major section of the proposed zoning by-law amendments that seems to offset all the good work done throughout the two documents. In respect to the footnotes at Section 5.3.1, we do not understand subparagraph (h)(ii). This seems to be language that allows the reduction of average front yard and average exterior side yard without reference to any surrounding properties or setbacks. This language carries through all of the zone revisions. We are not sure it means this or this was intended but we would strongly suggest that this language be adjusted to reflect what was actually intended or that the footnote be dropped altogether.

Compatibility with the Neighbourhood

While the Average Reduced Building Line Provisions outlined in the Zoning By-law amendments as we understand them will go a long way to ensuring better compatibility with the neighbourhood, we feel this should also be reinforced in the language used in the Official Plan. Under Section 17.10 (Density) and in particular Section 3, we think subsection 3(a)(iii) should be expanded to reference that small lot creation will result in compatible and context sensitive lot design and development that is reflective of the particular neighbourhood context and sensitivities.

Design Review Panel

In Section 4.1, we see that staff is only using the word "may" in respect to establishing a design review panel. We would like to reiterate that we are in strong support of the Motion by Councillors Kushner and Harris requesting the City to commit to establishing such a review panel, whether in conjunction with development agreements or not.

We note that, Under Section 16.11 (Lot Creation) and under item 5, the draft again uses the discretionary "may" to establish a design review panel.

If we are to have a Design Review Committee, there has to be a mechanism to record the final agreement and a mechanism to enforce it. We would assume the Design Review Committee would be part of decisions on what actually happens and the implementation of any development agreements as well as the negotiations leading up to it and subsequently during its implementation to ensure the agreement is carried out.

We still feel some further and better specific understanding is required in respect to whether a design review committee can make binding recommendations in respect to site development or whether the committee's recommendations are merely non-binding advices. Perhaps this will be dealt with in the report to Council in June requested in Councillor Kushner's latest Motion.

Public Notice and Information

In respect to Section 16.18 and the issue of public facilitation and notification, we only read these sections as confirming that the City will abide by the Planning Act notice requirements leaving themselves discretion to exceed these requirements or use multiple techniques for giving notice. However, short notice or the lack of meaningful notice has been a major issue for the community at large and we would request that the City commit to more definite or mandatory language that it will in fact provide greater notice, more clarity in communication per routine and will commit to using a variety of notice techniques.

We would suggest that as requested in a variety of venues and submissions that, at a minimum, the following specifics be required:

- Given the requirement to use averages for the set backs, the plans submitted by the proponent show the footprint foundations of the abutting properties in full with the current set-backs noted and dotted lines be added showing the average set-backs to apply. This will very clearly show the positioning of the proposed dwellings of any type and how they will fit in with the neighbourhood surrounding them.
- That the signage requirements be adjusted to require that this actual plan of the proposed intensification of the former single be displayed on the sign(s) so all interested parties can easily see what is being proposed. This can easily be accomplished by the proponent with the use of plastic sleeves and some packing tape as has been done by many residents over many different applications across the City.
- That the Notice period for all types of development impacted by these amendments be expanded from two weeks to at least a month, perhaps in keeping with the schedule of the COA meetings themselves. It is patently unfair to the affected residents to only allow two weeks as the law requires (as a minimum) to understand what is happening, discuss it amongst themselves, obtain legal advice if desired and decide if they wish to oppose the proposed development.

Public Input

Our comments here are that we see nothing here that all new developments of any type involving three or fewer multiple units on an existing single lot will be subject to public input. Duplexes, semis, townhouses, quadraplexes, etc. on former single lots should be treated no differently than severances for single detached dwellings (which are subject to COA) and all should be subject to public input in some fashion.

Site Plan Approval

At a higher level, we do not see anything in these amendments that is addressing the issue of site plan approval. Under the St. Catharines Official Plan, Section 16.7, Site Plan Approval is required for "all lands used, zoned or to be zoned for residential purposes, save and except lands used, zoned or to be zoned for residential buildings having less than 4 dwelling units." While the Official Plan does

appear to create and contemplate the use of development agreements for various approvals, it is not clear to us why the City has not considered the application of site plan approval to the very types of developments in the various neighborhoods across the City that are creating controversy.

CONCLUSION

Thank you for the opportunity to comment on the proposed Amendments.

We ask that you give these submissions your careful consideration in formulating next steps and recommendations to Council.

If we have misinterpreted any aspects of the communications sent to us as documents or in subsequent emails, we would appreciate being informed of such.

R2 Zone Height Reduction

Jim

I would like to express my concern with the proposed zoning bylaw amendment being heard at the May 1/17 City of St.Catharines council meeting. The proposed change in height in the R2 zone from 11 meters to 9.5 m will have a devastating effect on infilling development and intensification. The current 11m height in the R2 zone has been in place for approximately 50 yrs with no change or alteration.

The City of St.Catharines' Official Plan and the Provincial Policy Statment both mandate and promote the intensification of existing properties . The City of St.Catharines has a lack of developable land and we, as developers, are being constrained by area in each particular building parcel. We have relied on utilizing this 11m building height limit in order to intensify properties and provide different forms of housing. This proposed zoning bylaw amendment will have a detrimental impact on our ability to provide secondary suites in building structures. This extra 1.5 m is crucial in providing a housing form that will accommodate a single family house and have the flexibility to provide for these "granny suites".

I find this proposed bylaw height amendment contradictory to what we are trying to achieve in the Official Plan. We have a city that is in short supply of developable land, trying to intensify and meet all Provincial Policy mandates ,and yet we are REDUCING height restrictions that have been in effect for 50 plus years. Does this make good planning sense ??? Should we not be increasing the height limit in the R2 zone or at the very least be maintaining it to achieve or objectives.

My suggestion would be to make distinct zones in the R2 zone. I would recommend making these in the CIP areas of West Hill, Merritton , Oakdale and the Queenston corridor. These areas are in desperate need of redevelopment and would merit maintaining the 11m height limit. I would make these areas distinct and refer to them as the R2A zone. The R1 zone, being more sensitive to infill development, should have this new 9.5m height implemented

Please consider my recommendations before making your final proposal to council.

Thank You

Tony Mancini

Bellows, Bruce

From: Glenda Shulman [REDACTED]
Sent: Monday, March 27, 2017 9:25 AM
To: Bellows, Bruce
Subject: Fwd: Residential Infill

>
 >
 >
 > In our last email to you, we asked how projected housing numbers were derived. As you stated, these numbers came from studies by the Ontario Government. We were asking for specific studies that showed how and where these numbers were derived.
 >
 > Our last letter to the City Planners indicated the flawed assessment by the Niagara Region's, Brethour Study regarding housing development in the Region.
 >
 > We are deeply concerned that the insistence of residential building in the south St. Catharines area does not reflect the NEGATIVE demographic growth that Statistics Canada has proven.
 >
 > To reiterate the concerns of our last letter, stuffing more homes into a negative growth area is questionable. Changing the very fabric a community for the sake of profits is distressing.
 >
 > As in our last request, could you please send us the projection data for 2041 that indicates the need for 15,400 more housing units in St. Catharines. What factors has the Ontario Government given you, the city planners, that clarify a projection 24 years into the future?
 >
 > Diversity in communities should mean more than small houses, town houses and apartments.
 > Diversity should include that people move to different areas of the city for the size of homes, lots and architecture. People pay for these choices too. Choice gives a city diversity.
 >
 > Thank you,
 > Chuck and Glenda Shulman
 >
 >
 >
 >
 >
 > Sent from my iPad

By-laws to be considered Monday, May 1, 2017

- (a) A By-law to amend By-law No. 2004-277 entitled "A By-law to authorize delegation of certain matters to staff." (One reading – with respect to Development Agreements under section 45 of the Planning Act. To be considered by Council, May 1, 2017.)
- (b) A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines. (One reading – with respect to the Residential Infill and Intensification Development Review. To be considered by Council, May 1, 2017.)
- (c) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to the Residential Infill and Intensification Development Review. To be considered by Council, May 1, 2017.)
- (d) A By-law to confirm the proceedings of council at its special meeting held on the 1st day of May, 2017. (One reading – with respect to confirming the proceedings of the special council meeting held on May 1, 2017.)