

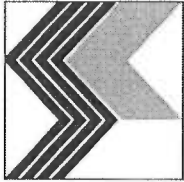


CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
May 10, 2017
Council Chambers, City Hall - 5:00 p.m.

Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held April 19, 2017
6. Application:
 1. 260 Lake Street, Minor Variance Application, A-73/14 – 60.81.4934
 2. 177 Rykert Street, Consent Application, B-24/17SC – 60.84.2109
 - 179A Rykert Street, Consent Application, B-25/17SC – 60.84.2110
 - 179B Rykert Street, Consent Application, B-26/17SC – 60.84.2111
 - 181 Rykert Street, Consent Application, B-27/17Sc – 60.84.2112
 - 183 Rykert Street, Consent Application, B-28/17SC – 60.84.2113
 - 185A Rykert Street, Consent Application, B-29/17SC – 60.84.2114
 - 185B Rykert Street, Consent Application, B-30/17SC – 60.84.2115
 - 187 Rykert Street, Consent Application, B-31/17SC – 60.84.2116
 - 177 Rykert Street, Minor Variance Application, A-46/17 – 60.81.5215
 - 179A Rykert Street, Minor Variance Application, A-47/17 – 60.81.5216
 - 179B Rykert Street, Minor Variance Application, A-40/17 – 60.81.5209
 - 181 Rykert Street, Minor Variance Application, A-41/17 – 60.81.5210
 - 183 Rykert Street, Minor Variance Application, A-42/17 – 60.81.5211
 - 185A Rykert Street, Minor Variance Application, A-43/17 – 60.81.5212
 - 185B Rykert Street, Minor Variance Application, A-44/17 – 60.81.5213
 - 187 Rykert Street, Minor Variance Application, A-45/17 – 60.81.5214
 3. 340 Queenston Street, Consent Application, B-32/17SC – 60.84.2117
 4. 65 Queen Street, Minor Variance Application, A-48/17 – 60.81.5217
 5. 1378 President Court, Minor Variance Application, A-50/17 – 60.81.5219
 6. 1 Ann Street, Minor Variance Application, A-51/17 – 60.81.5220
 7. 12 Hampstead Place, Minor Variance Application, A-52/17 – 60.81.5221
7. New Business:
8. Date of next Hearing: May 31, 2017
9. Adjournment



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

A-73/14

260 LAKE STREET

DATE OF HEARING:
May 10, 2017

Munro, Elaine

From: Boucetta, Alexandra (MTO) <Alexandra.Boucetta@ontario.ca>
Sent: Friday, April 28, 2017 3:06 PM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Application for May 10, 2017 Hearing

Good afternoon Elaine,

The subject property is located within permit control area and therefore permit is required from MTO. Please let me know if you need any further information regarding the process.

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region

From: Singh, Christian (MTO)
Sent: April 26, 2017 7:22 AM
To: Boucetta, Alexandra (MTO)
Subject: FW: City of St. Catharines Committee of Adjustment Application for May 10, 2017 Hearing

Please review and provide comments.
C

From: Munro, Elaine [<mailto:emunro@stcatharines.ca>]
Sent: April 25, 2017 5:19 PM
To: Singh, Christian (MTO)
Subject: City of St. Catharines Committee of Adjustment Application for May 10, 2017 Hearing

Hi:

Attached please find the Notice of Hearing for the May 10, 2017 Committee of Adjustment Hearing.

1. 260 Lake Street, Minor Variance Application, A-73/14 – 60.81.4934

Thanks, Elaine

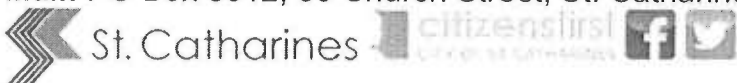
Elaine Munro ACST

Committee Secretary and Planning Technician

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

Phone: 905.688.5601 x1715 **TTY:** 905.688.4TTY (4889)

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



Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 26, 2017 7:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (1 of 2 emails)

Hi Elaine
Email 1. Cogeco has no issues or concerns
Thanks

DOUG CROWN

Network Planning and Design

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

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



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CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Report: May 10, 2017

Submission(s): A-73/17

File: 60.81.4934

Subject: 260 Lake Street

Recommendation

That Variance 1 of Submission **A-73/14** by 2375775 Ontario Inc. as outlined in the Notice of Hearing, be approved.

That Variance 2 of Submission **A-73/14** by 2375775 Ontario Inc. as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that Variance 1 of application **A-73/14**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Staff is of the opinion that Variance 2 of application **A-73/14**, is not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, nor appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be denied.

Proposed Development

Application **A-73/14** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum required parking from 10 spaces to 4 spaces.
2. To allow the Molok garbage receptacles to be located in the front yard where the by-law requires that garbage pads be located in only rear or interior side yards.

The variances are requested for a proposed gas station with 4 pumps and a customer service convenience store.

Location and Site Description

The property is located on the east side of Lake Street, south of the Queen Elizabeth Way (QEW). There are a mix of residential dwellings to the west of the property, an apartment building to the south, a commercial property to the east, and the QEW to the north.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Commercial as per Schedule D1 of the Garden City Plan (GCP) and further designated Community Commercial as per Schedule E4 of the GCP. The Community Commercial designation permits a range of commercial uses, including the proposed use.

Zoning By-law (2016-283)

The property is zoned Community Commercial (C2). The C2 zone permits a variety of commercial, office, recreational and residential uses, including the proposed use, being a motor vehicle gas station.

Application A-73/17

Variance 1 of Application A-73/17 requests a reduction of the minimum required parking from 10 spaces to 4 spaces. Staff recognize that, as a motor vehicle gas station, typical parking requirements for the retail store may be, in part, supported by the spaces at the gas pumps. It is the opinion of staff that a reduction in parking to 4 spaces provides for a sufficient number of spaces to accommodate vehicles in addition to those at the gas pumps on-site. Turnover is typically very high for these types of uses, and the proposed number of parking spaces is expected to adequately meet the parking demands of the proposed use.

Variance 2 of Application A-73/17 requests permission to locate a garbage pad in the front yard, whereas the By-law permits garbage pads to be located only in the rear or interior side yards. The intent of this provision is, in part, to reduce the impact of waste receptacles on the public realm. Approval of the variance to allow the waste receptacles to be located in the front yard, specifically within the required landscape strip, will limit the amount of planting space available to screen and buffer the parking and service area in a visually appealing manner. This is not in keeping with the intent of the Official Plan and Zoning By-law. As such, the variance is not considered to be minor, nor desirable for the appropriate use of the land. Staff recommend that Variance 2 be denied.

Conclusion

Staff is of the opinion that Variance 1 of application **A-73/14**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is

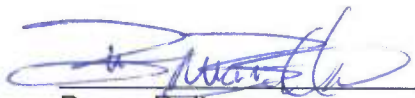
appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

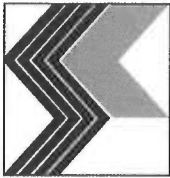
Staff is of the opinion that Variance 2 of application **A-73/14**, is not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, nor appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be denied.

Prepared and Submitted by:


Charlotte McEwan
Planner I

Approved by:


Bruce Bellows
Planner II



Memorandum

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

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

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

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
A-40/17	179B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-41/17	181 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 4 and 5.
A-42/17	183 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 6 and 7.
A-43/17	185A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-45/17	187 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling and proposed garage on Part 10.
A-46/17	177 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Part 1.
A-47/17	179A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3
A-48/17	65 Queenston Street	Be advised that a building permit is required for the conversion of the building to a duplex.
A-50/17	1378 Presidents Ct.	Be advised that a building permit is required for the proposed garage. Be advised that a demolition permit is required for any existing structures being removed which are greater than 10 square metres in building area.

NO.	ADDRESS	COMMENTS
A-51/17	1 Ann Street	Be advised that a building permit is required for the proposed 2 storey dwelling. The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.

Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx



Memorandum

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

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: April 28, 2017

Subject: Notice of Hearing: Minor Variance
Address: 260 Lake St.
File No: 60.81.4934

Please be advised that we have reviewed the above-noted application and have no comments on proposed minor variance 1, a reduction of minimum parking spaces. Approval of proposed minor variance 2, to allow Moloks to be located in the front yard, specifically within the required landscape strip, will limit the amount of planting space available to screen the parking and service area in an visually appealing manner.

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

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: May 1 2017
Hearing Date: May 10, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-40-47/17 – 179 Rykert Street
A-48/17 – 65 Queen Street
A-50/17 – 1378 Presidents Court
A-52/17 – 12 Hampstead Place

Development Engineering Services have reviewed the above noted application for Minor Variance requests. We have no comments or objections to the approval of the applications A 40-47/17, A 48/17, & A 50/17 and have no objection to A 52/17 as long as the following condition is met.

- The Owner submit a stormwater management report to ensure the post-development flows do not exceed the pre-development condition up to and including a 5-year storm. This report must be submitted to and approved to the satisfaction of the City Engineer.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

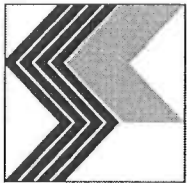
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

**B-24/17SC to B-31/17SC
A-40/17 to A-47/17**

179 RYKERT STREET

**DATE OF HEARING:
May 10, 2017**

Munro, Elaine

Subject: RE: Minor variance changes 175 Rykert st

From: bob champ [mailto:]
Sent: Monday, May 01, 2017 4:34 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Minor variance changes 175 Rykert st

Dear MS; While I am a where that the City welcomes infilling to maximize city resources and eliminate errant green spaces, it should adhere to the surrounding neighborhood layout. Most homes are single detached with a single drive capable of multi vehicle parking in and around this location. There are some exceptions such as the co-operative housing and some previous higher density towns with single drive, one vehicle, but they are back street units for the most part. To allow a single drive for one vehicle in this corner location will drive additional vehicles on to the street. There is a potential two vehicle per townhouse unit and a potential four vehicle per single detached with in-law suite forced to park on the road. Based on a three vehicle family. This would be a dangerous precedent the city would be endorsing should they approve this application. With regards to the New 2016-2017 no parking on road with snow storm bylaw where would all those vehicles go. I contacted the City Engineering Department some twenty years ago with regard to a lack of LINE OF SITE Westland st. To going East on Rykert. They agreed with me and have realigned the future intersection design on City blue prints. Again I must state the subdivision design should not take away from the pre-existing neighborhood but should be neutral or enhance the surroundings. Should my comments not be clear enough or be felt exaggerative, let me say this. I live in a single detached home with a double wide drive and cannot park in front of my home because it is occupied by neighbors. Signed Eric Polcin 102 Westland st.

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Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (2 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 26, 2017 8:02 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (2 of 2 emails)

Hi Elaine
Email 2. Cogeco has no issues or concerns.

Enjoy the nice sunny day.

Thanks

DOUG CROWN

Network Planning and Design

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

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



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CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

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

File: 60.84.2089
60.81.5173

Subject: 177 Rykert Street
179A Rykert Street
179B Rykert Street
181 Rykert Street
183 Rykert Street
185A Rykert Street
185B Rykert Street
187 Rykert Street

Recommendation

That Submissions **B-24/17SC, B-25/17SC, B-26/17SC, B-27/17SC, B-28/17SC, B-29/17SC, B-30/17SC, and B-31/17SC** by 1333664 Ontario Inc., as outlined in the Notice of Hearing, be approved, with each consent being subject to the following conditions:

- 1) That the Owner submit a payment of \$443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
Note: This will result in a payment of \$3,544 into the general tree planting reserve fund (\$443/tree X 8 new lots).
- 2) That payment of 5% of the appraised value of the new lots (Parts 1, 2, 3, 4 & 5, 6 & 7, 8, 9, and 10) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal is to be completed by a qualified appraiser.
- 3) That the existing dwelling located on Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 be removed to the satisfaction of the Chief Building Official.

- 4) That the Owner enter into an Agreement with the City of St. Catharines for the design and construction of the following to the satisfaction of the City Engineer:
- a) Install all water, storm and sanitary laterals to each unit;
 - b) Install 2 rear yard catchbasins;
 - c) Complete the final grading for all properties as per an approved grading plan;
 - d) Replace the asphalt for the full width of the road across the frontage of Rykert Street; and,
 - e) Construct a sidewalk along the frontage of Rykert Street and Westland Street along with any another works required to service the properties to the satisfaction of the City Engineer.

The terms of the Agreement shall include, but not be limited to, the following:

- a) The Owner shall be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the Ministry of Environment;
 - b) The Owner will hire an Engineer that shall design all of the works covered by this agreement, prepare servicing and grading plans, profiles and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works on an as-required basis, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - c) The Owner will be responsible for all costs associated with the construction of the improvements, including City inspection of the work;
 - d) The Owner will be required to deposit substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
 - e) The Owner will provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works.
- 5) That the Owner ensure the Agreement is executed and registered on Title of the subject lands (179 Rykert Street).
- 6) That approval for the necessary minor variances be received.
- 7) That approval for all concurrent consent applications be received.

That Submissions **A-41/17**, **A-42/17**, **A-43/17**, **A-44/17**, **A-46/17**, **A-47/17**, and Variances 1, 2, 4 & 5 of Submission **A-45/17** by 1333664 Ontario Inc., as outlined in the Notice of Hearing, be approved.

That Variances 3 and 6 of Submission **A-45/17** by 1333664 Ontario Inc., as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that the requested consents are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the majority of the requested variances are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. However, Variances 3 and 6 of Application **A-45/17** (Part 10) are not considered minor, appropriate, nor in keeping with the intent of the Official Plan and Zoning By-law.

Staff recommends that the requested consents and variances be approved, save for Variances 3 and 6 of Application **A-45/17** which should be denied, subject to the conditions outlined in the recommendation.

Proposed Development

The applicant is proposing to create 8 lots with frontage on Rykert Street for the purpose of constructing eight dwelling units (two semi-detached dwellings and four detached dwellings). A number of minor variances are requested to permit the proposed sizes, locations, and parking for dwellings with front porches and the potential for interior accessory dwelling units.

Location and Site Description

The subject property is located on the southeast corner of Rykert Street and Westland Street. The subject property is surrounded by detached dwellings to the north and west, and a mix of detached, semi-detached and townhouse dwellings to the east and south. There is also a hydro corridor to the southeast.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E7 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Medium Density Residential (R3-23). The R3 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings, private road

developments, apartment buildings, and long term care facilities. Special Provision 23 applies a number of provisions to the lands based on previous zoning standards and variances received through the old Zoning By-law that have been carried forward in the City's current By-law.

Consent Applications

The submitted consent applications are for consent to sever eight individual lots along Rykert Street for the purpose of constructing eight dwelling units (two semi-detached dwellings and four detached dwellings). A 4,311m² remnant parcel will be retained for future residential purposes. An existing dwelling located on Parts 6 & 7 on the submitted sketch, and an existing concrete metal clad building on Parts 9, 10 & 11 on the submitted sketch, are to be removed.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. Section 16.11 c) states that requests to sever individual parcels of land will only be given where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area. The subject consents would result in a row of developable lots that are similar in width to medium density dwelling units located in the immediate neighbourhood. There are also adjacent low density residential uses that have wider frontages than those proposed. However, the R3 zone allows for the proposed lot sizes, and the use of the land for detached and semi-detached dwellings is in keeping with the character and dwelling types typical in the surrounding neighbourhood. It is the opinion of staff that the size and shape of the proposed parcels are suitable for the use proposed, support the optimum use of the subject lands, and are compatible with the surrounding residential neighbourhood.

Variance Applications

A number of variances are required to permit the proposed dwelling units on the proposed parcels. This is primarily a result of Special Provision 23, which is applied to the lands based on variances received through the old Zoning By-law and carried forward in the City's current Comprehensive Zoning By-law. The varied provisions were, at the time, a relief from stricter zoning requirements but now represent the stricter of the provisions when compared to the current R3 zoning.

Variances for All Units (Parts 1, 2, 3, 4 & 5, 6 & 7, 8, 9, 10)

The applicant has requested a reduction in the minimum front yard setback to dwellings from 5.2 m to 3.8 m and a reduction in the minimum number of parking spaces from 2 spaces to 1 space per unit for all of the proposed lots. The current requirements are established by Special Provision 23, and represent variances to standards established under the previous zoning by-law. The current R3 zone permits a 3m setback to the dwelling and 1 parking space for a detached or semi-detached unit. One parking space is also required for an accessory apartment unit. The proposed variance would also provide for accessory apartments. The requested reductions are in keeping with the intent of the Official Plan and Zoning By-law by providing a setback of at least 3 m to the

dwelling and 1 parking space per unit. Staff recommend that the variances be approved for each of the proposed lots.

Setback to a Platform Structure (Parts 1, 2, 3, 4 & 5, 6 & 7, 8, 9)

The applicant has requested a reduction of the minimum setback from the front lot line to a platform structure that is 1.1 metres above grade from 3 m to 2 m for all of the proposed lots on the submitted sketch except Part 10. Staff consider the proposed 1 m reductions minor in nature. The Rykert Street boulevard is substantial in width, mitigating any potential impacts on the street. The adjacent residential parcel to the east is vacant, and provides the opportunity for future development that will transition between the established neighbourhood setbacks further to the east and those proposed. The reduced setbacks should have no impact on properties to the west, as these properties are separated from the subject lands by Westland Street. Staff recommend that the proposed reduction in the setback to a platform structure be approved for Parts 1 – 9.

Lot Coverage (Parts 1, 2, 3, 8, 9)

An increase in maximum lot coverage from 45% to 46.9% is requested for Part 1 and from 45% to 53.3% for Parts 2, 3, 8 and 9 on the submitted sketch. The 45% provision was carried forward from the previous zoning by-law through Special Provision 23. The current R3 zoning provisions do not regulate lot coverage. The 1.6% increase from the Special Provision requirement for Part 1, and the 8.3% increases on Parts 2, 3, 8 and 9 are considered minor in nature. No adverse impacts are anticipated as a result of the increase in lot coverage, given that appropriate setbacks are provided. Staff are supportive of the requested variance for Parts 1 – 3, 8 & 9, with respect to lot coverage.

Further Variances for Part 1

Further to the variances addressed above, the applicant requests a reduction in minimum lot area from 271 m² to 263 m² and minimum lot frontage from 10.2 m to 9.9 m for Part 1 on the submitted sketch. The requested reductions are minor in nature, and will not negatively impact surrounding properties. Staff are supportive of the proposed reductions in lot frontage and lot area for Part 1.

Further Variances for Part 10

The applicant has requested further variances for Part 10 on the submitted sketch relating to the dwelling and to the proposed detached garage.

- a) A reduction in minimum exterior side yard setback from 4 metres to 3 metres is requested for the proposed dwelling. Staff consider the variance to be minor in nature. The sightlines at the intersection of Rykert Street and Westland Street are not compromised by the reduction in the exterior side yard setback, and no adverse impacts are anticipated as a result of this reduction.
- b) The following variances are requested for the proposed detached garage on Part 10: an increase in the maximum accessory structure coverage from 10% to 10.61%; a reduction in the setback for the proposed detached garage from 6 m

to 2 m; and, a reduction in parking space width for a parking space obstructed on one side from 3 m to 2.75 m.

The proposed setback would result in the garage being the closest building to the street, which is not considered appropriate and is contrary to Zoning By-law provisions that encourage garages to be setback further from the street than the face of the dwelling. The reduction is not considered minor, and does not maintain the intent of the Official Plan or Zoning By-law. It would not contribute to the quality of the streetscape and would be out of character with the neighbourhood and with the established building pattern. It is noted that the proposed garage setback is intended to prevent cars from being parked in front of the garage. However, the applicant has also requested to reduce the width of the parking spaces provided in the garage, creating a constrained parking area. The reduction in required parking space width is requested to permit two parking spaces within the proposed garage with a minimum 5.5 m width between interior walls. Staff do not support the proposed reduction in the size of required parking spaces.

The requested increase in accessory structure coverage is supported by staff, as it is minor in nature and is not expected to have adverse impacts on surrounding lands, provided that the required setback is met.

Conclusion

Staff is satisfied that the requested consents are desirable and compatible with the surrounding area and in keeping with the policies of the Official Plan. With the exception of variances related to the garage setback and parking dimensions on Part 10, it is staff's opinion that the requested variances are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the proposed consents and variances be approved, subject to the conditions outlined in the recommendation, with the exception of Variances 3 and 6 of application A-45/17 (Part 10). These two variances are not considered minor, appropriate, nor in keeping with the intent of the Official Plan and Zoning By-law, and staff recommends that Variances 3 and 6 of Application A-45/17 be denied.

Prepared and Submitted by:

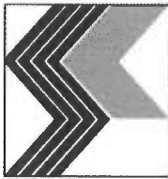
A handwritten signature in blue ink, appearing to read 'Charlotte McEwan', written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, appearing to read 'Bruce Bellows', written over a horizontal line.

Bruce Bellows
Planner II



Memorandum

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

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

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

Date: April 27, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 10, 2017 hearing - File No.: 300-036

B-24/17SC – 177 Rykert Street

Comment:

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

Condition:

- No Comment

B-25/17SC – 179A Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 2 and 3.

Condition:

- No Comment

B-26/17SC – 179B Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 2 and 3.

Condition:

- No Comment

B-27/17SC – 181 Rykert Street

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Parts 4 and 5.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-28/17SC – 183 Rykert Street

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Parts 6 and 7.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-29/17SC – 185A Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 8 and 9.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-30/17SC – 185B Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 8 and 9.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-31/17SC – 187 Rykert Street

Comment:

- Be advised that a separate building permit is required for the proposed single detached dwelling and detached garage on Part 10.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-32/17SC – 340 Queenston Street

Comment:

- No Comment

Condition:

- No Comment



Mark Lepp, Building Inspector II

Cc: Files, 300-036



Memorandum

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

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

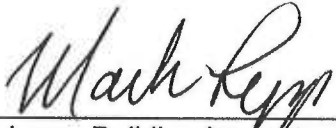
From: Mark Lepp, Building Inspector II
Planning and Building Services

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
A-40/17	179B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-41/17	181 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 4 and 5.
A-42/17	183 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 6 and 7.
A-43/17	185A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-45/17	187 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling and proposed garage on Part 10.
A-46/17	177 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Part 1.
A-47/17	179A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-48/17	65 Queenston Street	Be advised that a building permit is required for the conversion of the building to a duplex.
A-50/17	1378 Presidents Ct.	Be advised that a building permit is required for the proposed garage. Be advised that a demolition permit is required for any existing structures being removed which are greater than 10 square metres in building area.

NO.	ADDRESS	COMMENTS
A-51/17	1 Ann Street	Be advised that a building permit is required for the proposed 2 storey dwelling. The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Doug Pateman, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: April 28, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 177 – 187 Rykert St.
File No: 60.84.2109 – 60.84.2116

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

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

This will result in a payment of \$3,544 into the general tree planting reserve fund (\$443/tree X 8 new lots).

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

That payment of 5% of the appraised value of the new lots (Part 1 – 10) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, April 28, 2017 3:23 PM
To: Pateman, Douglas; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing
Attachments: Lake_260_81.4934.doc; Rykert_177-187_84.2109-16.doc; Ann_1_81.5220.doc

Please see attached comments. PRCS has not comments on the following applications:

- 177-187 Rykert (mv)
- 340 Queenston (ld)
- 65 Queen (ld)
- 1378 President (mv)
- 12 Hampstead (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 4:54 PM
To: Bittner, Steve <sbittner@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Pihach, Judy <jpihach@stcatharines.ca>; Sullivan, Kristen <ksullivan@stcatharines.ca>; Johnston, Brad <bjohnston@stcatharines.ca>; Melin, Nathan <nmelin@stcatharines.ca>; Lepp, Mark <mlepp@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Kowalski, Emma <ekowalski@stcatharines.ca>; Thiessen, Brian <bthiessen@stcatharines.ca>; Burrows, Sandra <sburrows@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing

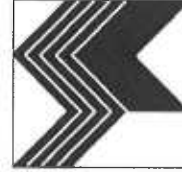
Good Afternoon:

For the May 10, 2017 Committee of Adjustment Hearing, please find on the Amanda System, the following:

- Consent applications - L:\ATTACHMENTS\PBS\PLANNING\LD\2017_NofH_Appl_Pln\May 10_17.
- Minor variance applications - L:\ATTACHMENTS\PBS\PLANNING\MV\2017_NofH_Appl_Pln\May 10_17.

Please forward your comments to Charlotte, Bruce & myself by **Friday, April 28/, 2017.**

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-24-31/17SC



May 1, 2017

ENGINEERING FILE 300-36

Hearing Date: May 10, 2017

Applicant: 1333664 Ontario Inc.

Location: 179 Rykert Street

MUNICIPAL SERVICES

Water: Rykert Street – 200mm PVC
Westland Street – 200m PVC

Sanitary Sewer: Rykert Street – 200mm Concrete
Westland Street – None

Storm Sewer: Rykert Street – 450mm Concrete
Westland Street – None

Sidewalks: Rykert Street – No
Westland Street – No

Road Allowance Width:

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

Comment(s): It is noted that the Applicant proposes to sever the lands to create 6 new lots; which includes 4 single detached dwellings and 2 lots for semi-detached dwellings. The remnant parcel remaining will front on Westland Street for a future development.

Roads Allowance

Rykert Street and Westland Street, are designated Local roads as per the City's Official Plan with desired rights-of-way widths of 20m (66'). A road widening across the frontage of this property on Rykert Street was transferred with a previous severance application and therefore the widths of the existing road allowances meet the City's requirements.

Engineering Services

The proposed lots will require installation of new individual services. In order to complete the installation of those services the applicant will be required to enter into a development agreement in which they will be responsible for the design and construction of those services and submit applicable securities to ensure the work is completed to the City's satisfaction.

Please note that based on the preliminary servicing and grading design that was submitted, we have determined that two (2) rear yard catchbasins will be required, each lot will require access to a storm lateral (1 lateral can be shared by 2 properties) and that due to the number of road cuts required for the services the road must be repaved for the full road width across the entire frontage of the property along Rykert Street. As per the City's Official Plan sidewalks are required on both sides of the

street; therefore we require that the applicant construct a municipal sidewalk across the frontage of the property along Rykert Street and Westland Street.

In order to ensure the final grading is completed as per the approved design, the applicant will be required to provide an as-built grading plan and adequate securities will be held to ensure this requirement is met.


Any services required for the remnant parcel will be required to be completed at a later time when application is made for the proposed building.

Condition(s):

Prior to the severance finalization the Owner shall;

- Enter into an Agreement with the City of St. Catharines for the design and construction of following to the satisfaction of the City Engineer:
 - Install all water, storm and sanitary laterals to each unit,
 - Install 2 rear yard catchbasins,
 - Complete the final grading for all properties as per an approved grading plan
 - Replace the asphalt for the full width of the road across the frontage of Rykert Street and
 - Construct a sidewalk along the frontage of Rykert Street and Westland Street along with any another works required to service the properties to the satisfaction of the City Engineer.
- The terms of the Agreement shall include, but not be limited to, the following:
 - be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.;
 - hire an Engineer that shall; design all of the works covered by this agreement, prepare servicing and grading plans, profiles and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works on an as-required basis, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - be responsible for all costs associated with the construction of the improvements, including City inspection of the work;
 - be required to deposit substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
 - provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works
- Ensure the Agreement is executed and registered on Title of the subject lands (179 Rykert Street);

Prepared By: _____


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



Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: May 1 2017
Hearing Date: May 10, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-40-47/17 – 179 Rykert Street
A-48/17 – 65 Queen Street
A-50/17 – 1378 Presidents Court
A-52/17 – 12 Hampstead Place

Development Engineering Services have reviewed the above noted application for Minor Variance requests. We have no comments or objections to the approval of the applications A 40-47/17, A 48/17, & A 50/17 and have no objection to A 52/17 as long as the following condition is met.

- The Owner submit a stormwater management report to ensure the post-development flows do not exceed the pre-development condition up to and including a 5-year storm. This report must be submitted to and approved to the satisfaction of the City Engineer.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

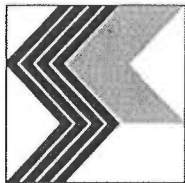
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

B-32/17SC

340 QUEENSTON STREET

DATE OF HEARING:
May 10, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

Submission(s): B-32/17SC

File: 60.84.2117

Subject: 340 Queenston Street
342 Queenston Street

Recommendation

That Submission **B-32/17SC** by Ronald Watson & Heather Watson as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-32/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Staff recommends that the requested consent be approved.

Proposed Development

Application **B-32/17SC** is made for consent to establish an easement, in perpetuity, over 91.77m² of land (Part 3 on the submitted sketch) on 340 Queenston Street for the benefit of the abutting lot known as 342 Queenston Street for a sanitary sewer lateral.

Location and Site Description

The property is located on the south side of Queenston Street, west of Hartzel Road. The property is surrounded by detached dwellings to the north, east and west, and the Garden City Golf Course to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E9 of the GCP. The Medium Density Residential designation permits

detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings, private road developments and long term care facilities.

Application B-32/17SC

Application **B-32/17SC** requests consent to establish an easement over 91.77m² of land (Part 3 on the submitted sketch) on 340 Queenston Street for the benefit of the abutting lot known as 342 Queenston Street for a sanitary sewer lateral.

On December 9, 2016, the Committee of Adjustment approved severance applications B-56/16SC and B-57/16SC, permitting the severance of 342 Queenston Street from the subject lands (340 Queenston Street). At the time, the property contained two detached dwellings, and a large accessory building to the rear of the dwellings. The severance allowed each dwelling to sit on an individual lot. The dwelling on 342 Queenston Street has historically been serviced from the rear lands where servicing connections are available. Due to the location of the servicing to the rear, the water and sanitary lateral must cross over the rear portion of 340 Queenston Street. A new lateral has recently been installed, and the establishment of the proposed easement (Part 3) will recognize the location of the new lateral and allow access for maintenance purposes in favour of the owner of 342 Queenston Street (Parts 1 & 5). No adverse impacts are anticipated as a result of the proposal.

Conclusion

Staff is satisfied that the consent requested through application **B-32/17SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Staff recommend that the application be approved.

Prepared and Submitted by:

A handwritten signature in blue ink, appearing to read 'Charlotte McEwan', written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, appearing to read 'Bruce Bellows', written over a horizontal line.

Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 26, 2017 7:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (1 of 2 emails)

Hi Elaine

Email 1. Cogeco has no issues or concerns

Thanks

DOUG CROWN

Network Planning and Design

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

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



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Memorandum

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

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

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

Date: April 27, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 10, 2017 hearing - File No.: 300-036

B-24/17SC – 177 Rykert Street

Comment:

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

Condition:

- No Comment

B-25/17SC – 179A Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 2 and 3.

Condition:

- No Comment

B-26/17SC – 179B Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 2 and 3.

Condition:

- No Comment

B-27/17SC – 181 Rykert Street

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Parts 4 and 5.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-28/17SC – 183 Rykert Street

Comment:

- Be advised that a permit is required for the proposed single detached dwelling on Parts 6 and 7.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-29/17SC – 185A Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 8 and 9.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-30/17SC – 185B Rykert Street

Comment:

- Be advised that a permit is required for the proposed semi-detached dwelling on Part 8 and 9.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

B-31/17SC – 187 Rykert Street

Comment:

- Be advised that a separate building permit is required for the proposed single detached dwelling and detached garage on Part 10.

Condition:

- The existing dwelling crossing Parts 6 and 7 and the metal clad concrete block accessory structure crossing Parts 9 and 10 are to be removed. Separate building permits are required to demolish these structures and shall be completed to the satisfaction of the Chief Building Official.

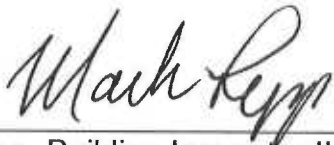
B-32/17SC – 340 Queenston Street

Comment:

- No Comment

Condition:

- No Comment



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

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, April 28, 2017 3:23 PM
To: Pateman, Douglas; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing
Attachments: Lake_260_81.4934.doc; Rykert_177-187_84.2109-16.doc; Ann_1_81.5220.doc

Please see attached comments. PRCS has not comments on the following applications:

- 177-187 Rykert (mv)
- 340 Queenston (ld)
- 65 Queen (ld)
- 1378 President (mv)
- 12 Hampstead (mv)

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

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 4:54 PM
To: Bittner, Steve <sbittner@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Pihach, Judy <jpihach@stcatharines.ca>; Sullivan, Kristen <ksullivan@stcatharines.ca>; Johnston, Brad <bjohnston@stcatharines.ca>; Melin, Nathan <nmelin@stcatharines.ca>; Lepp, Mark <mlepp@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Kowalski, Emma <ekowalski@stcatharines.ca>; Thiessen, Brian <bthiessen@stcatharines.ca>; Burrows, Sandra <sburrows@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing

Good Afternoon:

For the May 10, 2017 Committee of Adjustment Hearing, please find on the Amanda System, the following:

- Consent applications - L:\ATTACHMENTS\PBS\PLANNING\LD\2017_NofH_Appl_Pln\May 10_17.
- Minor variance applications - L:\ATTACHMENTS\PBS\PLANNING\MV\2017_NofH_Appl_Pln\May 10_17.

Please forward your comments to Charlotte, Bruce & myself by **Friday, April 28/, 2017.**

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-32/17SC



April 24, 2017

ENGINEERING FILE 300-36

Hearing Date: May 10, 2017

Applicant: Ronal Watson & Heather Watson

Location: 340 Queenston Street

MUNICIPAL SERVICES

Water: 150 mm (6")

Sanitary Sewer: 750mm (30") – Golf Course Lands

Storm Sewer: 450mm (18")

Sidewalks: Yes

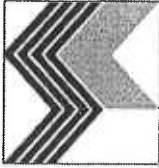
Road Allowance Width: 20.12m (66')

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

Comment(s): It is noted that the Applicant proposes to establish an easement in perpetuity over Part 3 for the benefit of the abutting lot known as 342 Queenston Street (Parts 1 & 5), for maintenance of a sanitary sewer lateral. The remnant parcel (Parts 2, 3, 4 & 7) with the existing single detached dwelling and sign company would be retained.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

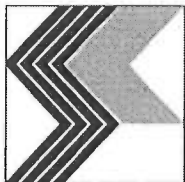
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

A-48/17

63-65 QUEEN STREET

DATE OF HEARING:
May 10, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

Submission(s): A-48/17

File: 60.81.5217

Subject: 65 Queen Street

Recommendation

That Submission **A-48/17** by Daniel Skinner & Anita Skinner as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-48/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application A-48/17 is made for permission to extend a use that legally existed prior to the adoption of the current Zoning By-law, by permitting an additional dwelling unit by converting the ground floor garage in the rear building (Unit 4 on the submitted sketch).

The use does not conform to the current Zoning By-law because the existing 3 detached dwelling units are not permitted in a M2-93 zone, however, according to the applicants, the principal dwelling (with home office) and the other detached dwellings and shed existed prior to the passage of the current Zoning By-law 2013-283.

Location and Site Description

The property is located on the west side of Queen Street, south of Lake Street. The property is surround by single detached dwellings to the north and south, with a parking lot to the east and an office building to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Medium High Density Residential Commercial as per Schedule E10 of the GCP. The designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 60 and 198 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Medium / High Density Mixed Use (M2-93). The M2 zone permits a variety of residential dwelling types including detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings, and private road developments. In addition to residential uses, the M2 zone permits a variety of commercial, office, institutional and recreational uses. Special Provision 93 exempts the property from the residential parking requirements of the Zoning By-law.

Application A-48/17

The proposed extension of a use which predates the adoption of the current Zoning By-law is requested to allow the conversion of a garage/storage space on the first storey of a residential building into a dwelling unit, thereby creating a duplex in the rear building.

The property is currently occupied by three detached residential dwellings and an accessory storage building all on one lot. The Zoning By-law allows for one principle residential building if the use of the building is for a detached, semi-detached, duplex, triplex, fourplex, or quadruplex dwelling. Section 45 (2) (a) (i) of the Planning Act grants the Committee of Adjustment the power to extend the use, as requested, provided the land, building or structure was lawfully and continuously used for that purpose since the passage of the by-law prohibiting the use. Staff is satisfied that the existing residential dwellings, which represent multiple principle residential buildings on one lot, were lawfully established prior to the current Zoning By-law. The requested extension is required for the proposed conversion of the rear detached dwelling into a duplex.

Section 16.12.4 of the Garden City Plan states that, in special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses provided the following criteria are met:

- a) *The expansion or enlargement will not jeopardize the possibility of future development/redevelopment in their vicinity that may comply more closely with the intent of this Plan.*

The proposed expansion involves the conversion of a garage/storage area within an existing residential building into a residential dwelling unit. No added impacts on the subject lands or surrounding properties is anticipated. The conversion of the existing space will not jeopardize any potential future development/redevelopment in the vicinity.

- b) *Special efforts are made to enhance the compatibility of uses and to improve amenity and design, more particularly buffering, landscaping, parking, and active transportation and vehicular circulation.*

The existing landscaping/buffering and parking area are considered sufficient to ensure the compatibility of the existing non-conforming use, and the extension thereof. The additional dwelling unit will not increase parking requirements nor present any additional concerns with regards to impact, as the building to be converted is already existing.

- c) *The expansion or enlargement is directed to areas outside natural heritage and natural hazard lands.*

The subject lands do not contain any natural heritage or natural hazard lands.

Staff is satisfied that the extension of the use will not have any adverse impacts on the subject or surrounding lands. The extension is in keeping with the policies of the GCP and is considered appropriate for the use of the property.

The applicant should be aware that, in this instance, the proposed conversion of the garage to a dwelling unit does not constitute 'development' under Section 41 of the Planning Act, and therefore, Site Plan Control does not apply.

Conclusion

Staff is of the opinion that application **A-48/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Last application & revision of MV for 12 Hampstead RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing

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

Sent: Thursday, April 27, 2017 4:15 PM

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

Subject: RE: Last application & revision of MV for 12 Hampstead RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing

Hi Elaine

Cogeco has no issues or concerns with this two applications

Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



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

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



Memorandum

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

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

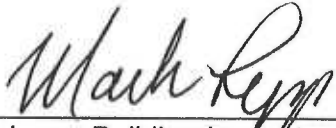
From: Mark Lepp, Building Inspector II
Planning and Building Services

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
A-40/17	179B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-41/17	181 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 4 and 5.
A-42/17	183 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 6 and 7.
A-43/17	185A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-45/17	187 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling and proposed garage on Part 10.
A-46/17	177 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Part 1.
A-47/17	179A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-48/17	65 Queenston Street	Be advised that a building permit is required for the conversion of the building to a duplex.
A-50/17	1378 Presidents Ct.	Be advised that a building permit is required for the proposed garage. Be advised that a demolition permit is required for any existing structures being removed which are greater than 10 square metres in building area.

NO.	ADDRESS	COMMENTS
A-51/17	1 Ann Street	Be advised that a building permit is required for the proposed 2 storey dwelling. The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, April 28, 2017 3:23 PM
To: Pateman, Douglas; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing
Attachments: Lake_260_81.4934.doc; Rykert_177-187_84.2109-16.doc; Ann_1_81.5220.doc

Please see attached comments. PRCS has not comments on the following applications:

- 177-187 Rykert (mv)
- 340 Queenston (ld)
- 65 Queen (ld)
- 1378 President (mv)
- 12 Hampstead (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 4:54 PM
To: Bittner, Steve <sbittner@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Pihach, Judy <jpihach@stcatharines.ca>; Sullivan, Kristen <ksullivan@stcatharines.ca>; Johnston, Brad <bjohnston@stcatharines.ca>; Melin, Nathan <nmelin@stcatharines.ca>; Lepp, Mark <mlepp@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Kowalski, Emma <ekowalski@stcatharines.ca>; Thiessen, Brian <bthiessen@stcatharines.ca>; Burrows, Sandra <sburrows@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing

Good Afternoon:

For the May 10, 2017 Committee of Adjustment Hearing, please find on the Amanda System, the following:

- Consent applications - L:\ATTACHMENTS\PBS\PLANNING\LD\2017_NofH_Appl_Pln\May 10_17.
- Minor variance applications - L:\ATTACHMENTS\PBS\PLANNING\MV\2017_NofH_Appl_Pln\May 10_17.

Please forward your comments to Charlotte, Bruce & myself by **Friday, April 28/, 2017.**



Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: May 1 2017
Hearing Date: May 10, 2017

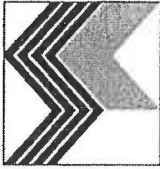
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-40-47/17 – 179 Rykert Street
A-48/17 – 65 Queen Street
A-50/17 – 1378 Presidents Court
A-52/17 – 12 Hampstead Place

Development Engineering Services have reviewed the above noted application for Minor Variance requests. We have no comments or objections to the approval of the applications A 40-47/17, A 48/17, & A 50/17 and have no objection to A 52/17 as long as the following condition is met.

- The Owner submit a stormwater management report to ensure the post-development flows do not exceed the pre-development condition up to and including a 5-year storm. This report must be submitted to and approved to the satisfaction of the City Engineer.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

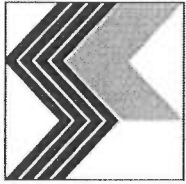
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

A-50/17

1378 PRESIDENT COURT

DATE OF HEARING:
May 10, 2017

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 26, 2017 7:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (1 of 2 emails)

Hi Elaine
Email 1. Cogeco has no issues or concerns
Thanks

DOUG CROWN

Network Planning and Design

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

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



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**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

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

May 04, 2017

Our File No.: PLMV201700466

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-50/17)
1378 President Court, St. Catharines

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application which has been made to permit a reduction of the minimum eastern interior side yard setback for an accessory structure from 2 metres to 1 metre. The variance is requested for the proposed construction of a detached garage.

Niagara Peninsula Conservation Authority Regulations:

The subject property is located adjacent to a tributary of Richardson's Creek and impacted by the associated valley slope, regulatory floodplain and fish habitat. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

In accordance with Policy 4.2, no new development or site alterations are permitted within the limit of the Regulatory Floodplain. The Regulatory Floodplain elevation for this section of the Creek is 85.8 metres.

This section of the Creek has been identified by the Ministry of Natural Resources and Forestry (MNRF) as Type 2 (Important) Fish Habitat. In accordance with Policy 3.6 a development setback buffer of 15 metres measured from the edge of the watercourse is required for all new development.

NPCA mapping identifies that the property is impacted by a valley slope associated with the Creek. Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes or valleys pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term. The NPCA regulates all development and site alterations within 15 metres of a steep slope.

The proposed garage is shown to be located outside of the regulatory floodplain and more than 15 metres from the watercourse and within 15 metres of the top of slope. The NPCA has recently issued a work permit (PLPER201700109) for a 28'x48' garage at this location. The plans submitted with the permit indicate the garage to be located 6' from the interior side yard. The variance will result in the garage being located 3'

from the interior side yard, which will provide a greater setback from the top of bank than what has currently been approved by the NPCA. As such, NPCA staff offer no objections with regards to slope stability provided the updated plan is submitted to revise the NPCA work permit.

Niagara Region Natural Heritage Comments:

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

The subject property has been identified as an Environmental Conservation Area (ECA) for Valley Shoreline. In accordance with Regional Policy 7.B.1.11, development and site alterations may be permitted within an ECA, or on lands adjacent to (i.e. within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands.

This section of the Creek has been identified as Type 2 (Important) Fish Habitat. In accordance with Regional Policy 7.B.1.15, a naturally vegetated buffer a minimum 15 metres in width is required adjacent to Important Fish Habitat.

The subject property is currently developed and the subject application is to permit a reduction in side yard setback which maximizes the setback from the valley to the proposed garage. In addition, the proposed development is shown to be located no closer to the valley than existing development on site. NPCA staff are satisfied that there will be no significant negative impact to the identified features as a result of the subject application.

Conclusion:

Based on the above, the NPCA offers no objection to the subject application which has been made to permit a reduction of minimum eastern interior side yard setback for an accessory structure from 2 metres to 1 metre.

Please note, subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (**O. Reg. 155/06**) a work permit from this office will be required. An NPCA work permit has been issued for the proposed works under a different plan (PLPER201700109). The NPCA work permit will need to be updated to recognize the revised plan prior to the issuance of a building permit from the Municipality and commencement of any works on site.

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

Yours truly,



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

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



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

February 10, 2017

CityView Regulation File Number PLPER 201700109

Tim Sands
1378 President Crt
St. Catharines, ON L2R 6P9

SUBJECT: N.P.C.A. PERMIT NO. 201700109 FOR THE PURPOSE OF CONSTRUCTING A NEW 28'X48' GARAGE ADJACENT TO A SLOPE AT 1378 PRESIDENT CRT, IN THE CITY OF ST. CATHARINES.

Attached is a Niagara Peninsula Conservation Authority Permit and associated Conditions regarding the approval of the above-noted works, pursuant to the Conservation Authorities Act and Ontario Regulation 155/06, known as the NPCA's Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Wetlands.

All works must be completed in accordance with the approved Permit, the attached Schedule 'A', the attached drawing titled "Niagara Navigator" supplied by the home owner and undated, displaying the NPCA stamp (which forms part of the permit) within the time period specified therein.

The issuance of this permit does not release you from compliance with any other applicable federal, provincial or municipal statutes, regulations or by-laws.

Should you have any questions regarding this permit please contact Darren MacKenzie, C.Tech., rcsi, Supervisor, Construction Permits and Compliance, at (905) 788-3135 extension 229.

Yours truly,

A handwritten signature in blue ink, appearing to read 'P. Graham', written over a horizontal line.

Peter Graham, P.Eng. MBA
Acting C.A.O./Secretary-Treasurer
Niagara Peninsula Conservation Authority



N.P.C.A. PERMIT

PERMIT NO. 201700109

This permit is issued under the authority of the **Conservation Authorities Act**, and is subject to the provisions of the **Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses** (Ontario Regulation 155/06), and is subject to the specific terms and conditions contained herein.

Note: The issuance of this permit does not relieve the applicant from the responsibility of acquiring any other agency, board, government, etc., approval as may be required nor does it relieve the permittee from the requirements of any legislation.

The Permit is Issued to:

Name of Permittee	Tim Sands
Post Office Address	1378 President Crt, St. Catharines, ON L2R 6P9
	Tel.905-685-9284

Effective from the 10th day of February, 2017, to and including the 10th day of February, 2019,

At the following location:

1378 President Crt

In the City of St. Catharines

As per your application dated: January 15, 2017

For the purpose of CONSTRUCTING A NEW 28'X48' GARAGE ADJACENT TO A SLOPE.

All works must be completed in accordance with the approved Permit, the attached Schedule 'A', the attached drawing titled "Niagara Navigator" supplied by the home owner and undated, displaying the NPCA stamp, within the above noted time period.

Permit Approved By:

Place of Issue	Welland	Date	FEB. 13, 2017
C.A.O./Secretary-Treasurer	P. GRAHAM		



PERMIT 201700109 SCHEDULE 'A'

This Permit No. 201700109 is issued subject to compliance with the following conditions:

- ☒ Prior to construction, erosion control measures (i.e. silt fence, straw bales, silt curtain) shall be installed as per the attached Ontario Provincial Standard Drawing (OPSD) and maintained in good condition until all disturbed areas have been vegetated and stabilized with native materials to a pre-disturbed state or better. **NPCA requests photo documentation of the installed erosion control measures be forwarded to our office. Absolutely no dirty water or debris is to be discharged to Richardson Creek.**
- ☒ The permittee covenants to indemnify and forever save and keep harmless the Niagara Peninsula Conservation Authority, its officers, servants and agents from and against any and all claims, demands, suits, actions, damages, loss, cost or expenses arising out of any injury to persons, including death, or loss or damage to property of others which may be or be alleged to be caused by or suffered as a result of or in any manner associated with the exercise of any right or privilege granted to the permittee by this permit.
- ☒ Work carried out in contravention of this permit and/or violation of any of the conditions contained herein constitutes an offence under the Conservation Authorities Act. Pursuant to the Act: **"Every person who contravenes a regulation made under subsection (1) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to a term of imprisonment of not more than two months."**
- ☒ The Permittee shall keep this permit or a true copy thereof on the work permit area.
- ☒ The person in charge of the operation conducted under this permit shall produce and show this permit or the true copy kept on the work area to any Conservation Authority officer whenever requested by the officer.
- ☒ Please advise the Niagara Peninsula Conservation Authority, via e-mail (dmackenzie@npca.ca), a minimum of 24 hours prior to commencing any works related to this permit and no later than two (2) weeks upon completion of the works. Please reference the file number along with the permit number in your correspondence.
- ☒ That authorized representatives of the Niagara Peninsula Conservation Authority will be granted entry at any time into lands and buildings which are the subject of this permit application in order to make such surveys, examinations, investigations, inspections or other arrangements which such representatives deem necessary.
- ☒ That all complaints arising from the proposed works authorized under this permit shall be reported immediately by the permittee to the Niagara Peninsula Conservation Authority. The permittee shall indicate any action which has been taken, or is planned to be taken, with regard to each complaint.
- ☒ The Niagara Peninsula Conservation Authority may cancel this permit or may change any of the conditions at any time and without prior notice if it is determined that:
 - The works are not in conformance to the intent of the permission granted;
 - The information presented to obtain a permit is false;
 - The works or method of construction, have detrimental impacts on the environment.



- ☒ The extent of the construction should be clearly identified on site (preferably using visible construction fence) prior to any site alteration, and no equipment, machinery or materials shall extend beyond the project area.
- ☒ Construction shall be limited to the proposed area depicted on the approved drawing.
 - ☒ All materials and equipment used for the purpose of site preparation and project completion shall be operated and stored in a manner that prevents any deleterious substance (e.g. petroleum products, silt, debris, etc.) from entering the watercourse
 - ☒ Any equipment maintenance and refueling operations shall be set back sufficiently to prevent spills from entering the watercourse.
 - ☒ Any stockpiled materials should be stored and stabilized away from the watercourse.
 - ☒ Any part of equipment entering the water should be free of fluid leaks and externally cleaned/degreased to prevent any deleterious substance from entering the watercourse.
 - ☒ No fill or alteration of the natural vegetation, or development is to take place on the property, other than what is currently proposed.
 - ☒ All areas of disturbed soil should be stabilized and re-vegetated with a native seed mix immediately upon completion of work and restored to a pre-disturbed state or better.
 - ☒ If the sediment and erosion control measures are not functioning properly, no further work should continue until the sediment and/or erosion problem is addressed.
 - ☒ All seeded areas should be monitored on a regular basis to ensure that vegetation has established successfully, and re-seeding should be conducted during the growing season as appropriate to ensure vegetative cover of disturbed areas.
 - ☒ Surface drainage towards top of slope shall be via sheet flow only; no concentrated flows such as swales or downspouts are to drain to the top of slope.
 - ☒ To minimize erosion potential, any downspouts from the structure are to be installed with erosion control at the outlet.

-End of Page-

Center latitude: 43.1685 ° North. Center longitude: 79.2883 ° West. Scale: 500.0000 to one. Visible Features: None.

1378 PRESIDENT COURT Search...

I want to...



NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF

PERMIT NO. 201700109

ISSUED ON Feb 10/17

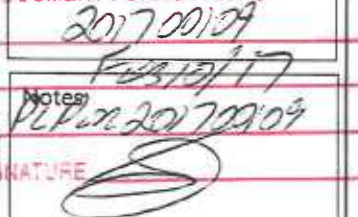
FILE PLP 201700109

APPROVAL SIGNATURE

Basemap

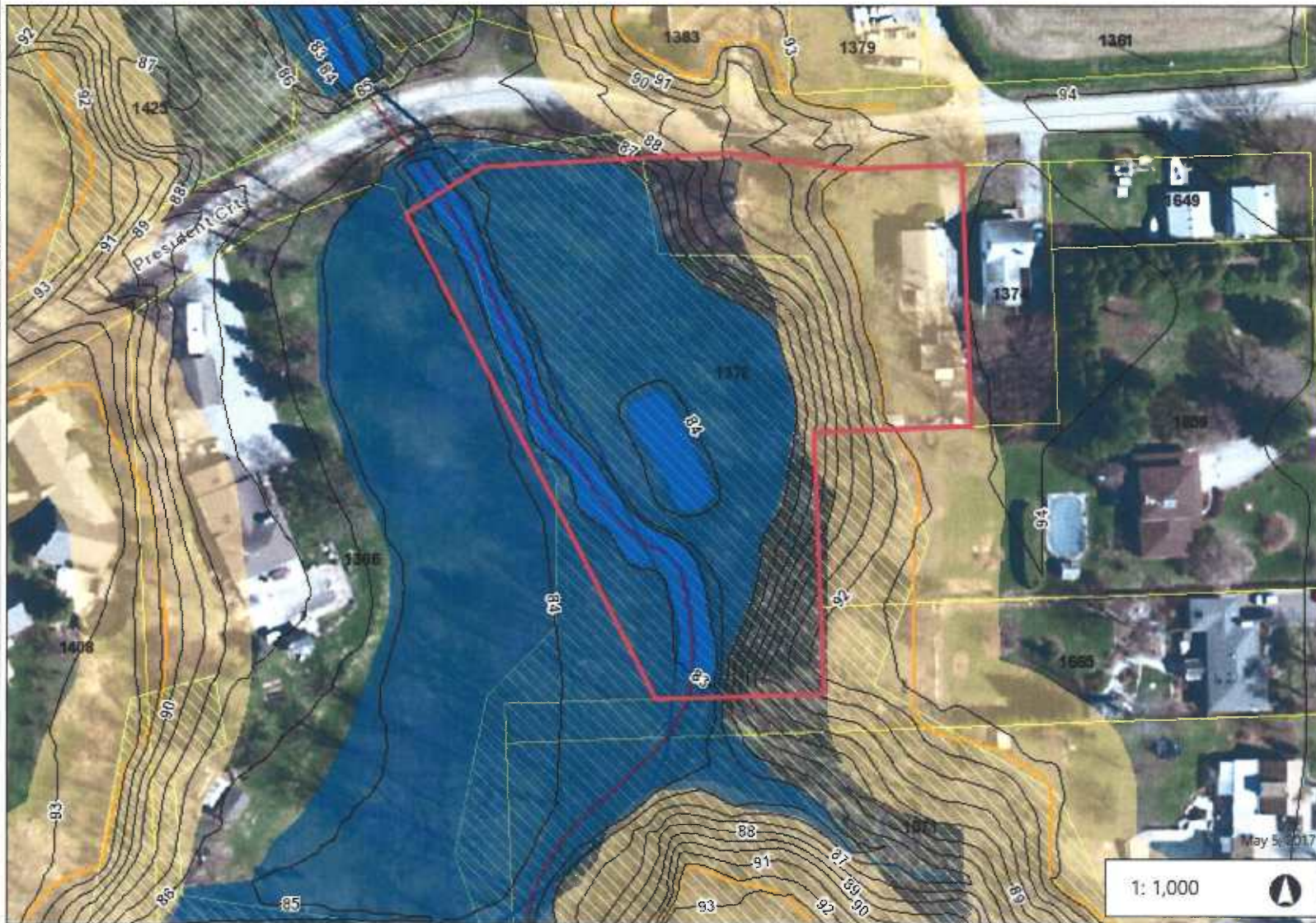
0 5 10m

[Niagara Region](#) [Tutorial](#) [Feedback](#) [Metadata](#) [Help](#)



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1378 President Court, St. Catharines



Legend

- Contours 2010 (1m)
- Fish Habitat Reach Specific
 - Type 1 - Critical
 - Type 2 - Important
 - Type 3 - Marginal
- Corporate Watershed Divide N
- Regulated Floodplain Extent
 - Advisory (CWR)
 - Regulated
- Top of Slope Features
 - Stable
 - Unstable
- Top of Slope Allowance
- NHS - Fish Habitat
- ECA: Significant Woodlands
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
 - 2K HydroPoly
 - 2K Hydrography
- AIRPORTS
- Campsites
- SWOOP_2015
 - Red: Band_1

Notes

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

Submission(s): A-50/17

File: 60.81.5219

Subject: 1378 President Court

Recommendation

That Submission **A-50/17** by Donna Sands, Gary Sand & Timothy Sands as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-50/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variance be approved.

Proposed Development

Application A-5-/17 is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum easterly interior side yard setback for an accessory structure from 2 metres to 1 metre.

The variance is requested for the proposed construction of a detached garage.

Location and Site Description

The property is located on the south side of President Court, west of Third Street Louth. The majority of the property is natural area. The surrounding properties contain agriculture uses and detached dwellings.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Agriculture as per Schedule D1 and Schedule E11 of the Garden City Plan (GCP). The Agriculture designation permits a wide range of

agriculture uses and uses secondary to agriculture operations, detached dwellings, linear infrastructure and utilities, and kennels.

Zoning By-law (2016-283)

The property is split zoned with a portion of the lands designated Agriculture (A1) and the remaining lands being designated Conservation/Natural Area (G1). The A1 zone permits agriculture farms, agriculture farm related commercial or industrial, detached dwellings and kennels, as well as accessory wineries, home industries, help houses, and agri-tourism uses. The G1 zone permits boat ramps, essential operations for service infrastructure and utilities, picnic areas and shelters and trails.

Application A-50/17

Application A-50/17 requests a reduction in the easterly interior side yard from 2 metres to 1 metre to permit the construction of a proposed double garage. The reduced setback would allow the garage door to align with the existing driveway. Due to the location of the house on the property, and the location of the top-of-bank and G1 zone line on the property, there are limited options for driveway and garage location. The 1 metre reduction is considered to be minor. The proposed variance would allow for easier access into the proposed garage than if the garage were setback 2 metres, and is appropriate for the use of the lands. The proposed garage requires no variances for size or height. No adverse impacts on surrounding properties are anticipated as a result of the 1 metre setback. Staff are supportive of the proposed variance.

Conclusion

Staff is of the opinion that application **A-50/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II



Memorandum

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

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

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

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
A-40/17	179B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-41/17	181 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 4 and 5.
A-42/17	183 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 6 and 7.
A-43/17	185A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-45/17	187 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling and proposed garage on Part 10.
A-46/17	177 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Part 1.
A-47/17	179A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-48/17	65 Queenston Street	Be advised that a building permit is required for the conversion of the building to a duplex.
A-50/17	1378 Presidents Ct.	Be advised that a building permit is required for the proposed garage. Be advised that a demolition permit is required for any existing structures being removed which are greater than 10 square metres in building area.

NO.	ADDRESS	COMMENTS
A-51/17	1 Ann Street	Be advised that a building permit is required for the proposed 2 storey dwelling. The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, April 28, 2017 3:23 PM
To: Pateman, Douglas; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing
Attachments: Lake_260_81.4934.doc; Rykert_177-187_84.2109-16.doc; Ann_1_81.5220.doc

Please see attached comments. PRCS has not comments on the following applications:

- 177-187 Rykert (mv)
- 340 Queenston (ld)
- 65 Queen (ld)
- 1378 President (mv)
- 12 Hampstead (mv)

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

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 4:54 PM
To: Bittner, Steve <sbittner@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Pihach, Judy <jpihach@stcatharines.ca>; Sullivan, Kristen <ksullivan@stcatharines.ca>; Johnston, Brad <bjohnston@stcatharines.ca>; Melin, Nathan <nmelin@stcatharines.ca>; Lepp, Mark <mlepp@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Kowalski, Emma <ekowalski@stcatharines.ca>; Thiessen, Brian <bthiessen@stcatharines.ca>; Burrows, Sandra <sburrows@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing

Good Afternoon:

For the May 10, 2017 Committee of Adjustment Hearing, please find on the Amanda System, the following:

- Consent applications - L:\ATTACHMENTS\PBS\PLANNING\LD\2017_NofH_Appl_Pln\May 10_17.
- Minor variance applications - L:\ATTACHMENTS\PBS\PLANNING\MV\2017_NofH_Appl_Pln\May 10_17.

Please forward your comments to Charlotte, Bruce & myself by **Friday, April 28/, 2017.**



Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: May 1 2017
Hearing Date: May 10, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-40-47/17 – 179 Rykert Street
A-48/17 – 65 Queen Street
A-50/17 – 1378 Presidents Court
A-52/17 – 12 Hampstead Place

Development Engineering Services have reviewed the above noted application for Minor Variance requests. We have no comments or objections to the approval of the applications A 40-47/17, A 48/17, & A 50/17 and have no objection to A 52/17 as long as the following condition is met.

- The Owner submit a stormwater management report to ensure the post-development flows do not exceed the pre-development condition up to and including a 5-year storm. This report must be submitted to and approved to the satisfaction of the City Engineer.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

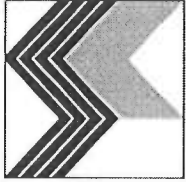
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

A-51/17

1 ANN STREET

DATE OF HEARING:
May 10, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

Submission(s): A-51/17

File: 60.81.5220

Subject: 1 Ann Street

Recommendation

That Submission **A-51/17** by the Canadian Henley Rowing Corporation as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines to address the servicing extensions and access requirements for the proposed lot. The agreement shall include a requirement to install design elements that clearly articulate the boundary between public realm and private realm, including a 3' fence along the front property line and a change in paving material for the portion of the driveway on private property.
2. That the Owner enter into a License Agreement to address the maintenance of the above service extensions and access to the lot.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-51/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

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

Proposed Development

Application A-51/17 is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. Notwithstanding Section 2.6(a) of the Zoning By-law, which precludes development or construction of a building or structure, or the use of any lot unless the lot fronts on a public road; the applicant requests permission for the lot to front on a public road allowance.
2. A reduction of the minimum rear yard setback from 6 metres to 2.5 metres.
3. An increase of maximum driveway width from 7.5 metres to 8.76 metres.

The variances are requested for permission to construct the proposed single detached dwelling with attached garage and to permit the lot to front on a public road allowance.

Location and Site Description

The property is located on the west side of the Ann Street road allowance, south of Pine Street. It is surrounded by single detached dwellings to the north, east and west, and Martindale Pond to the south. The property is located within the Port Dalhousie Heritage District.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential and Natural Areas as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential and Natural Areas as per Schedule E1 of the GCP. The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. The Natural Areas designation has several restrictions on development, and is intended to protect and conserve natural areas within the City.

Zoning By-law (2016-283)

The subject land is split zoned Low Density Residential – Traditional Neighborhood (R2-7) and Conservation/Natural Area (G1). The R2 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments. The special provision 7 limits the maximum height of buildings to 9 metres. The G1 zone permits boat ramps, essential operations for service infrastructure and utilities, picnic areas and shelters and trails.

Application A-51/17

Variance one requests permission to use a lot without frontage on a public road for the purpose of constructing a detached dwelling. This variance is supported by staff, subject to the construction of an access across the unimproved portion of Ann Street to the property, to the satisfaction of the City, and at the cost of the owner. A development agreement will be required to address the construction/maintenance of servicing extensions and access to the lot. The agreement will also address the design and construction details of the access. It shall contain a requirement to install design elements that clearly articulate the boundary between public realm and private realm, including a 3' fence along the front property line of the lot, and a change in paving material for the portion of the driveway on private property as a means to ensure that

the public read allowance doesn't appear to be part of the private yard of the subject property (1 Ann Street).

Variance 2 requests a reduction in the required rear yard from 6 metres to 2.5 metres. The technical rear yard of the building will function much like an interior side yard in terms of the interface with adjacent properties. The lands between the proposed dwelling and the Natural Area along Martindale Pond function as the rear yard and provide adequate and useable amenity space. Staff consider the reduction to be minor and in keeping with the intent of the Official Plan and Zoning By-law, and no adverse impacts are anticipated as a result of the variance.

Variance 3 requests an increase in maximum driveway width from 7.5 metres to 8.76 metres. This is requested to allow an on-site turnaround to prevent vehicles turning around on the City's road allowance. The 1.26 metre increase is considered minor in nature. It will allow the development to minimize any impacts on the street. The increased driveway width is not anticipated to have a negative impact on the streetscape.

Conclusion

Staff is of the opinion that application **A-51/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017
Hearing (1 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, April 26, 2017 7:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing (1 of 2 emails)

Hi Elaine
Email 1. Cogeco has no issues or concerns
Thanks

DOUG CROWN

Network Planning and Design

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

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



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April 28, 2017

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

REP	NO. 3	INFO	P.O.S	REFERRED TO	UNIT
				<i>E. Munro</i>	
DATE REC'D →			MAY - 4 2017		SCAN <input type="checkbox"/>
FILE NO					

Attention: Elaine Munro

File# 60.81.5220

Re: 1 Ann Street

In response to your correspondence date April 25, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)

- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Scott Beaudrie at 905-522-6611 ext 4907 in our Engineering Design Department.

Sincerely,



Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Vasko, Dennis
Sent: Wednesday, April 26, 2017 8:00 AM
To: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing

Good morning Elaine,

No concerns in respect to closed landfills.

Regards,

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

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 5:27 PM
To: Vasko, Dennis
Subject: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing

Hi Dennis:

Attached please find the Notice of Hearing for the May 10, 2017 Committee of Adjustment Hearing.

1. 1 Ann Street, Minor Variance Application, A-51/17 – 60.81.5220

Thanks, Elaine

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



Memorandum

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

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

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

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
A-40/17	179B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-41/17	181 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 4 and 5.
A-42/17	183 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Parts 6 and 7.
A-43/17	185A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
A-45/17	187 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling and proposed garage on Part 10.
A-46/17	177 Rykert Street	Be advised that a building permit is required for the proposed single-detached dwelling on Part 1.
A-47/17	179A Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 2 and 3.
A-48/17	65 Queenston Street	Be advised that a building permit is required for the conversion of the building to a duplex.
A-50/17	1378 Presidents Ct.	Be advised that a building permit is required for the proposed garage. Be advised that a demolition permit is required for any existing structures being removed which are greater than 10 square metres in building area.

NO.	ADDRESS	COMMENTS
A-51/17	1 Ann Street	Be advised that a building permit is required for the proposed 2 storey dwelling. The reduction of yard setbacks may have spatial separation implications affecting permitted area of glazing.
A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx



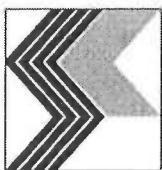
Memorandum

To: Charlotte Mcewan, Planning and Building Services
Doug Pateman, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: April 28, 2017
Subject: Notice of Hearing: Minor Variance
Address: 1 Ann St.
File No: 60.81.5220

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

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

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



Memorandum

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

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

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

Date: April 25, 2017
Hearing Date: May 10, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-51/17SC – 1 Ann Street

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

- the Owner enter into an agreement with the City of St. Catharines to address the servicing extensions and access requirements for the proposed lot, in addition to a License agreement to address the maintenance of the above service extensions and access to the proposed lot.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

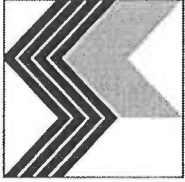
A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905-688-5600, Ext 1715
TTY: 905-688-4889
Fax: 905-688-5873

COMMENTS

A-52/17

12 HAMPSTEAD PLACE

DATE OF HEARING:
May 10, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 5, 2017

Date of Meeting: May 10, 2017

Submission(s): A-52/17

File: 60.81.5221

Subject: 12 Hampstead Place

Recommendation

That Submission **A-52/17** by 8778132 Canada Inc. as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-52/17** is not minor in nature, not desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

Staff recommends that the requested variance be denied.

Proposed Development

Application A-52/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for an increase to the overall paved area from 20% to 25% of the lot area.

The variance is requested to expand the parking area on the lot to support 3 parking spaces and accommodate the parking requirements for the conversion of the existing duplex into a triplex.

Location and Site Description

The property is located on the east side of Hampstead Place, north of Carlton Street. The property is surrounded by detached dwellings to the north, south and west, and an industrial use to the east.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received, except that Traffic Services has indicated that the driveway width is insufficient to allow appropriate access to the proposed parking area, resulting in a development that does not meet minimum parking requirements.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E4 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings, private road developments, apartment buildings, and long term care facilities.

Application A-52/17

The variance is requested to permit the proposed parking area containing 3 parking spaces to accommodate the parking requirements for the conversion of an existing duplex into a triplex. Traffic staff have advised that the existing driveway is not of substantial width to allow adequate access to the proposed parking area. In the past, access to parking at the rear of the property was accommodated by using a portion of the neighbouring property to the south without a formal right-of-way or encroachment agreement.

The proposed parking area, as it is laid out, does not contain a functional drive aisle, and maneuverability to support appropriate egress from the parking spaces is compromised even in the event that the driveway width is increased. The request to increase the paved parking area from 20% to 25% is not considered to be in keeping with the intent of the Official Plan and Zoning By-law, as it does not facilitate the creation of an adequate parking area and access to the parking area. Staff do not support the proposed variance.

Conclusion

Staff is of the opinion that application **A-52/17**, is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be denied.

Prepared and Submitted by:

A handwritten signature in blue ink, appearing to read 'Charlotte McEwan', written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, appearing to read 'Bruce Bellows', written over a horizontal line.

Bruce Bellows
Planner II

Munro, Elaine

Subject: RE: Last application & revision of MV for 12 Hampstead RE: City of St. Catharines
Committee of Adjustment Applications for May 10, 2017 Hearing

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

Sent: Thursday, April 27, 2017 4:15 PM

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

Subject: RE: Last application & revision of MV for 12 Hampstead RE: City of St. Catharines Committee of Adjustment Applications for May 10, 2017 Hearing

Hi Elaine

Cogeco has no issues or concerns with this two applications

Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



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Memorandum

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

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

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

Date: May 1, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – May 10, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/14	260 Lake Street	Be advised that a building permit is required if there is to be a garbage enclosure proposed and it is greater than 10 square metres in building area.
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A-44/17	185B Rykert Street	Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 8 and 9.
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A-52/17	12 Hampstead Place	Be advised that a building permit is required for the conversion of the building to a tri-plex.



Mark Lepp, Building Inspector II

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\13 bcoa memo-mv-May10, 2017.docx

Munro, Elaine

From: Sullivan, Kristen
Sent: Friday, April 28, 2017 3:23 PM
To: Pateman, Douglas; McEwan, Charlotte
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing
Attachments: Lake_260_81.4934.doc; Rykert_177-187_84.2109-16.doc; Ann_1_81.5220.doc

Please see attached comments. PRCS has not comments on the following applications:

- 177-187 Rykert (mv)
- 340 Queenston (ld)
- 65 Queen (ld)
- 1378 President (mv)
- 12 Hampstead (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

From: Munro, Elaine
Sent: Tuesday, April 25, 2017 4:54 PM
To: Bittner, Steve <sbittner@stcatharines.ca>; Ritchie, Scott <sritchie@stcatharines.ca>; Pihach, Judy <jpihach@stcatharines.ca>; Sullivan, Kristen <ksullivan@stcatharines.ca>; Johnston, Brad <bjohnston@stcatharines.ca>; Melin, Nathan <nmelin@stcatharines.ca>; Lepp, Mark <mlepp@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Mills, Sabrina <smills@stcatharines.ca>; Pateman, Douglas <dpateman@stcatharines.ca>
Cc: Bellows, Bruce <bbellows@stcatharines.ca>; Kowalski, Emma <ekowalski@stcatharines.ca>; Thiessen, Brian <bthiessen@stcatharines.ca>; Burrows, Sandra <sburrows@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications for the May 10/17 CofA Hearing

Good Afternoon:

For the May 10, 2017 Committee of Adjustment Hearing, please find on the Amanda System, the following:

- Consent applications - L:\ATTACHMENTS\PBS\PLANNING\LD\2017_NofH_Appl_Pln\May 10_17.
- Minor variance applications - L:\ATTACHMENTS\PBS\PLANNING\MV\2017_NofH_Appl_Pln\May 10_17.

Please forward your comments to Charlotte, Bruce & myself by **Friday, April 28/, 2017.**



Memorandum

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

Cc: Charlotte McEwan, Planner 1

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

Date: May 1 2017
Hearing Date: May 10, 2017

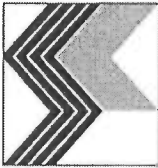
Subject: Engineering Comments to the Committee of Adjustment
File No's: A-40-47/17 – 179 Rykert Street
A-48/17 – 65 Queen Street
A-50/17 – 1378 Presidents Court
A-52/17 – 12 Hampstead Place

Development Engineering Services have reviewed the above noted application for Minor Variance requests. We have no comments or objections to the approval of the applications A 40-47/17, A 48/17, & A 50/17 and have no objection to A 52/17 as long as the following condition is met.

- The Owner submit a stormwater management report to ensure the post-development flows do not exceed the pre-development condition up to and including a 5-year storm. This report must be submitted to and approved to the satisfaction of the City Engineer.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 1, 2017

Subject: Committee of Adjustment
Public Hearings – May 10, 2017
File No. 305-17-01

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

A-045/17 – 187 Rykert Street

We see no hardship in meeting the 6.0 metre setback requirement for the garage.

A-052/17 – 12 Hampstead

The driveway is not of sufficient width to be considered acceptable to access the parking in the rear. As such, the parking in the rear should not be counted towards the fulfillment of the parking requirement. The applicant can enter into a right-of-way agreement with the neighbouring property in order to widen the driveway or seek a parking reduction to zero parking spaces.

With respect to the parking plan, the maneuvering aisle is of insufficient depth to allow for access/egress to the spaces. There is sufficient space to provide three parking spaces in the rear of the property, however it would need to be redesigned.

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

Steve Bittner
Transportation Technologist
SB/