



CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
July 12, 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
6. Application:
 - 1) 2D Josephine Street, Consent Application, B-37/17SC – 60.84.2122
 - 2) 9 Gladman Avenue, Consent Application, B-38/17SC – 60.84.2123
 - 9A Gladman Avenue, Minor Variance Application, A-67/17 – 60.81.5236
 - 9 Gladman Avenue, Minor Variance Application, A-68/17 – 60.81.5237
 - 3) 146 Westland Street, Consent Application, B-39/17SC – 60.84.2124
 - 146 Westland Street, Minor Variance Application, A-70/17 – 60.81.5239
 - 148 Westland Street, Minor Variance Application, A-71/17 – 60.81.5240
 - 4) 17 Salina Street, Minor Variance Application, A-69/17 – 60.81.5238
 - 5) 585 Welland Avenue, Minor Variance Application, A-72/17 – 60.81.5241
 - 6) 50 Garnet Street, Minor Variance Application, A-75/17 – 60.81.5244
7. New Business:
8. Date of next Hearing: August 2, 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

B-37/17SC (60.84.2122)

2D JOSEPHINE STREET

DATE OF HEARING:
July 12, 2017

Munro, Elaine

20 Josephine
9 Gladman Ave
585 Welland Ave.

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:19 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (1 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this 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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- Contact us

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

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

Sent: Tuesday, June 27, 2017 3:20 PM

To: Doug Crown



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 7, 2017

Date of Meeting: July 12, 2017

Submission(s): B-37/17SC

File: 60.84.2122

Subject: 2D Josephine Street

Recommendation

That Submission **B-37/17SC** by Christopher Phelan and Wayne Allan., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

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

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-37/17SC** 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, subject to the conditions outlined in the recommendation.

Proposed Development

Application B-37/SC is made for consent to sever 237.25m² of land (Part 1 on the submitted sketch), creating a new lot known as 2C Josephine Street, for the purpose of severing one half of a semi-detached dwelling. A 237.25m² remnant parcel (Part 2) with the existing other half of the semi-detached would be retained for continuous residential use. A previous minor variance application, A-17/15, was approved.

Location and Site Description

The subject property is located on the north side of Josephine Street, east of Pelham Road. The property is surrounded by single detached dwellings in all directions. There is an existing semi-detached dwelling under construction on the site.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Consent Application B-37/17SC

Application **B-37/17C** requests consent to sever the lot in order to recognize each half of an existing semi-detached dwelling under construction. The current lot is 474.5m² in size. The proposed consent would create two equal-sized lots of 237.25m².

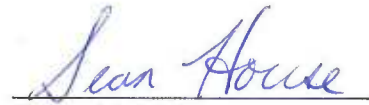
The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. Section 16.11 c) states that requests to sever individual parcels of land will only be given where the size and shape of the parcel is appropriate for the use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

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

Conclusion

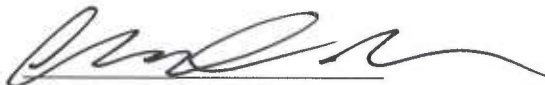
Staff is satisfied that the subject consent is appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. It is the opinion of Staff that the consent be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – July 12, 2017 hearing - File No.: 300-036

B-37/17SC – 2D Josephine Street

Comment:

- No Comment

Condition:

- No Comment

B-38/17SC – 9 Gladman Avenue

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Parts 2.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing detached garage (including wing walls) which crosses Part 1 and Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- A pool enclosure permit is required to re-adjust the pool enclosure for the new lot configuration.

B-39/17SC – 146 Westland Street

Comment:

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

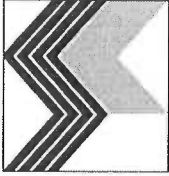
Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive style with a large, stylized 'M' and 'L'.

Mark Lepp, Senior Plans Examiner / Building Inspector
Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\18 bcoa memo-sev-July 12, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
Wil Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: June 29, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 2D Josephine St.
File No: 60.84.2112

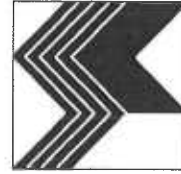
Please be advised that we have reviewed the above-noted application and request the following condition of severance:

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-37/17SC



June 29, 2017

ENGINEERING FILE 300-36

Hearing Date: July 12, 2017

Applicant: Chris Phelan & Wayne Allan

Location: 2D Josephine Street

MUNICIPAL SERVICES

Water: 150mm (6")
Sanitary Sewer: 375mm (15")
Storm Sewer: 375mm (15")
Sidewalks: Yes
Road Allowance Width: 18.4m (60')±

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

Comment(s):

It is noted that the Owner proposes to sever Part 1 on the submitted sketch creating a new lot known as 2C Josephine Street for the purposes of severing ½ of a semi-detached dwelling. A remnant parcel, Part 2 would be retained for the continued use of the other ½ of the semi-detached dwelling. The application would allow each unit of the semi-detached dwelling to be sold separately.

Roads

Josephine Street is designated a Local Collector road as per the City's Official Plan with a desired right of-way width of 20.12m (66'). A road widening across the frontage of this property of 0.85m (2.7') was transferred with a previous severance application and therefore no further widths shall be obtained at this time.

Engineering Services

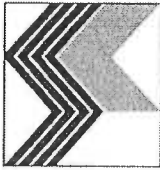
Development requirements have already been addressed through a previous severance application and current building permit applications in progress. Development Engineering have no further comment and no objection to the approval of the above noted consent application.

Condition(s): None.

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

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: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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

A-70/17 & A-71/17 – 146 & 148 Westland Street

The proposed reduction of the width of the parking area in the garage from 3.5 metres to 3.0 metres has the potential to compromise the feasibility of having sufficient space to use the garage for parking. As such, we wouldn't support the proposed reduction.

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-38/17SC (60.84.2123),
A-67/17 (60.81.5236) &
A-68/17 (60.81.5237)**

9 GLADMAN AVENUE

**DATE OF HEARING:
July 12, 2017**

Munro, Elaine

20 Josephine
9 Gladman Ave
585 Welland Ave

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:19 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (1 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this 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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From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Tuesday, June 27, 2017 3:20 PM

To: Doug Crown

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Wednesday, June 28, 2017 3:16 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Craig Rohe (Craig.Rohe@niagararegion.ca)
Subject: B-38, A-67, A-68/17 9 & 9A Gladman Avenue, St. Catharines
Attachments: 9 Gladman Avenue Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed applications B-38/17, A-67/17 and A-68/17 which have been made for the creation of a new residential lot, reduction of lot frontage, and increase of the maximum lot area per dwelling.

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

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

Regional Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline adjacent to (within 50 metres) the subject property. In accordance with Policy 7.B.1.11 development may be permitted within or adjacent to an ECA if it has been demonstrated there will be no significant negative impact to the feature. NPCA staff are satisfied the subject property is separated from the feature by existing development, including Gladman Avenue, and there will be no significant negative impact to the ECA as a result of the subject applications.

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

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

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

WHAT IS THE ROLE OF THE NPCA?

- **Regulatory Authority:** *Section 28 of the Conservation Authorities Act* empowers Conservation Authorities to prohibit, restrict, regulate or give permission for certain activities in and adjacent to watercourses, including valleylands, wetlands, shorelines and other hazardous lands. In this capacity, the NPCA acts as an approval authority for development within its regulated areas. Through Section 28-1 (c), Conservation Authorities have the power to prohibit, regulate or require permission for development, where flooding, erosion, dynamic beaches, pollution, or the conservation of land may be affected by the development. Section 28 of the Conservation Authorities Act is also applicable law under the Ontario Building Code.

Building officials need to ensure that Section 28 of the *Conservation Authorities Act* is not contravened prior to issuing a building or demolition permit.

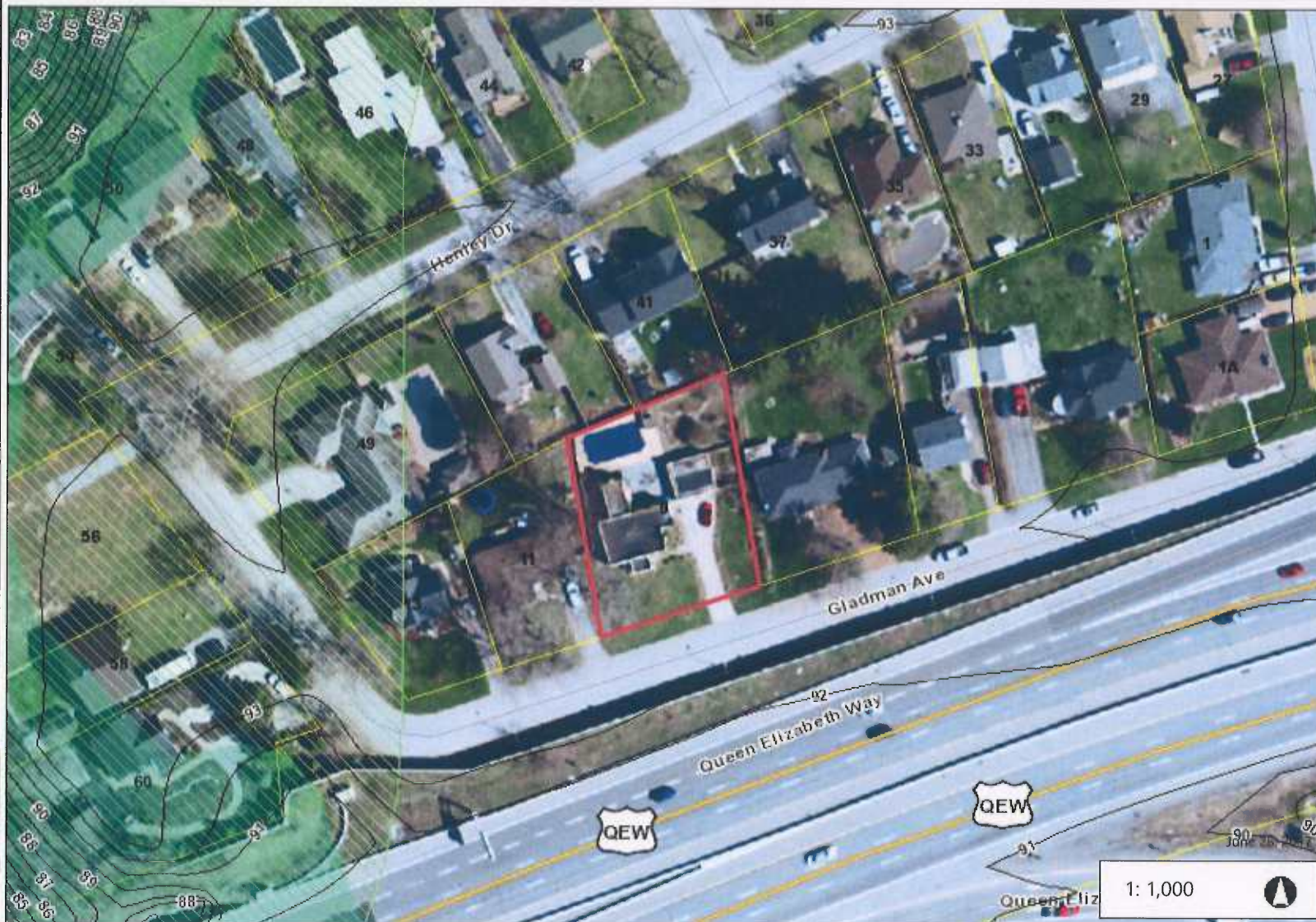
- . **Representative of the Province of Ontario:** Conservation Authorities have delegated provincial interest for Section 3.1 of the *Provincial Policy Statement* (Natural Hazards) and act on behalf of the Province. In this capacity, the NPCA is responsible for providing comments on municipal policies (Official Plans) and zoning by-laws, as well as development applications submitted under the *Planning Act*. There is a Memorandum of Understanding (MOU) between the Ministry of Natural Resources and Forestry, Ministry of Municipal Affairs and Housing and Conservation Authorities in Ontario (January 2001) regarding delegated Provincial Responsibility.
- . **Resource Management Agency:** Sections 20 and 21 of the *Conservation Authorities Act* empower conservation authorities to develop programs that reflect local resource management needs within the watershed. These programs and/or policies are approved by the conservation authority board.
- . **Public Commenting Body:** Under the *Planning Act*, conservation authorities are considered a public commenting body and, as such, are to be notified of municipal policy plan changes and development applications. The NPCA provides comments within the context of the board-approved policies (Policy Document).
- . **Service Provider:** Conservation authorities may enter into agreements with other levels of government to undertake regulatory or approval responsibilities. The NPCA acts as a service provider to a number of area municipalities within the watershed through Memoranda of Understanding signed with Niagara Region, the City of Hamilton, and Haldimand County 2 March 30, 2017 respectively. All of these MOU's are approved by the NPCA Board. These agreements are generally for the review of planning act applications regarding environmental features. There is an additional service agreement with the Region of Niagara to implement and enforce the Region's Tree and Forest Conservation By-law.
- . **Landowner:** Conservation authorities are also landowners, and can be involved in the planning and development process as either a proponent or as a landowner impacted by adjacent development.

For more information, please contact:
Michael Reles, Communications Specialist
905.788.3135 ext.263
Mobile: 905-325-7334
mreles@npca.ca

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9 Gladman Avenue, St. Catharines



Legend

- Contours 2010 (1m)
- NPCA APPROXIMATE REGU
- ECA: Valley Shoreline Buffer
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
- AIRPORTS
- Campsites
- SWOOP_2015
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1: 1,000



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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Notes



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – July 12, 2017 hearing - File No.: 300-036

B-37/17SC – 2D Josephine Street

Comment:

- No Comment

Condition:

- No Comment

B-38/17SC – 9 Gladman Avenue

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Parts 2.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing detached garage (including wing walls) which crosses Part 1 and Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- A pool enclosure permit is required to re-adjust the pool enclosure for the new lot configuration.

B-39/17SC – 146 Westland Street

Comment:

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

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 12, 2017 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|---------------------|--|
| A-67/16 | 9A Gladman Avenue | No Comment |
| A-68/17 | 9 Gladman Avenue | No Comment |
| A-69/17 | 17 Salina Street | Be advised that a building permit is required for the proposed building and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and construction of walls facing that yard. |
| A-70/17 | 146 Westland Street | No Comment. |
| A-71/17 | 148 Westland Street | No Comment |
| A-72/17 | 585 Welland Avenue | No Comment |
| A-75/17 | 50 Garnet Street | Be advised that separate demolition permits are required for the existing dwelling and existing detached garage and a building permit is required for the proposed new semi-detached dwelling. |
| | | |
| | | |
| | | |
| | | |

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\19 bcoa memo-mv-Jul12, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
Wil Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: June 29, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 9 Gladman Ave.
File No: 60.84.2123

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

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

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

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

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

From: Sullivan, Kristen
Sent: Thursday, June 29, 2017 3:53 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

Please find comments attached.

PRCS has no comments on the following applications:

- 9 Gladman (mv)
- 9A Gladman (mv)
- 146 Westland (mv)
- 148 Westland (mv)
- 17 Salina (mv)
- 585 Welland (mv)
- 50 Garnet (mv)

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician

Cc: Charlotte McEwan, Planner 1
Sean House, Planning Co-op Student
Will Banda, Planning Technician

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

Date: June 29, 2017

Hearing Date: July 12, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-67/17SC – 9A Gladman Avenue
A-68/17SC – 9 Gladman Avenue
A-69/17SC – 17 Salina Street
A-70/17SC – 146 Westland Street
A-71/17SC – 148 Westland Street
A-72/17SC – 585 Welland Avenue
A-75/17SC – 50 Garnet Street

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

- The Owner of 9 & 9A Gladman Avenue obtain approval from the Regional Municipality of Niagara to connect a private sanitary sewer lateral for the new lot in to the Region's trunk sanitary sewer;

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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

A-70/17 & A-71/17 – 146 & 148 Westland Street

The proposed reduction of the width of the parking area in the garage from 3.5 metres to 3.0 metres has the potential to compromise the feasibility of having sufficient space to use the garage for parking. As such, we wouldn't support the proposed reduction.

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-39/17SC (60.84.2124),
A-70/17 (60.81.5239),
A-71/17 (60.81.5240)**

146 WESTLAND STREET

**DATE OF HEARING:
July 12, 2017**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 7, 2017

Date of Meeting: July 12, 2017

Submission(s): B-39/17SC
A-70/17
A-71/17

File: 60.84.2124
60.81.5239
60.81.5240

Subject: 146 Westland Street
148 Westland Street

Recommendation

That Application **B-39/17SC** by 1876441 Ontario Ltd., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant submit a payment of \$443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
2. That the applicant submit a payment of 5% of the appraised value of the new lots (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
3. That the applicant obtain approval for the necessary minor variances

That Variances 1 and 2 of Application **A-70/17** by 1876441 Ontario Ltd., as outlined in the Notice of Hearing, be approved. That Variance 3 of Application **A-70/17** by 1876441 Ontario Ltd., as outlined in the Notice of Hearing, be denied.

That Variance 1 of Application **A-71/17** by 1876441 Ontario Ltd., as outlined in the Notice of Hearing, be approved. That Variance 2 of Application **A-71/17** by 1876441 Ontario Ltd., 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 consent is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for

the matters under Section 45(1) of the Planning Act, staff is of the opinion that Variances 1 and 2 of Application **A-70/17** and Variance 1 of Application **A-71/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff support the subject variances.

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that Variance 3 of Application **A-70/17** and Variance 2 of Application **A-71/17** are 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. Therefore, staff recommends that these variances be denied.

Proposed Development

Application B-39/17SC is made for consent to a partial discharge of mortgage and for consent to sever 323.6m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 148 Westland Street for the purpose of constructing one-half of a semi-detached dwelling. A 292.4m² remnant parcel (Part 2) will be retained for the other half of the proposed semidetached dwelling. There are concurrent minor variance applications A-70/17 and A-71/17.

Application A-70/17 (Part 2) is made pertaining to the City of St. Catharines By-law 2013.283 for the following:

1. A reduction of the minimum lot frontage from 11 metres to 8.6 metres.
2. A reduction of the minimum required lot area from 370 m² to 290m².
3. A reduction in parking space width within the attached garage obstructed on two sides from 3.5 metres to 3.0 metres.

Application A-71/17 (Part 1) is made pertaining to the City of St. Catharines By-law 2013-283 for following:

1. A reduction of the minimum lot area per dwelling unit from 370m² to 320m².
2. A reduction in parking space width within the attached garage obstructed on two sides from 3.5 metres to 3.0 metres.

The variances are requested to facilitate the concurrent consent application B-39/17SC to sever the proposed semi-detached dwelling and to recognize the size of the attached garage for parking for the potential of having an interior accessory dwelling unit. A previous minor variance, A-100/16 was approved.

Location and Site Description

The subject property is located on the east side of Westland Street, south of Rykert Street. The subject property is surrounded by detached dwellings to the west and south, townhouse dwellings to the east, and south, and a hydro corridor to the north.

Circulation of Application

The application was circulated to all departments and agencies. Traffic staff object to Variance 3 of Application A-70/17 and Variance 2 of Application A-71/17, being the proposed reduction of the width of the parking area in the garage from 3.5 metres to 3 metres, as the reduction has the potential to compromise the feasibility of having sufficient space to use the garage for parking.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP), and further designated Low Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

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

Consent Application

Application B-39/17SC is requesting a consent to sever Parts 1 and 2 on the submitted sketch for the purpose of constructing a semi-detached dwelling. Approval of the application would allow each unit of the semi-detached dwelling to be owned and sold separately.

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 two developable lots of similar sizes to the previously approved developments to the north. 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-70/17 (Part 2) and A-71/17 (Part 1)

Variance 1 of Application A-70/17 (Part 2) requests a reduction of the minimum lot frontage from 11 metres to 8.6 metres. The decrease of 2.4 metres is considered minor in nature. The proposed frontage is similar to other frontages that have been approved to the north and the existing townhouses to the east. The variance will allow adequate access to the property, and is in keeping with the character of the neighbourhood.

Variance 2 of Application A-70/17 (Part 2) requests a reduction of the minimum required lot area from 370 m² to 290m². Variance 1 of Application A-71/17 (Part 1) requests the

reduction of the minimum lot area per dwelling unit from 370m² to 320m². The proposed lot areas are similar sizes to the recently approved lots to the north and the existing townhouses to the east. As such, the proposed lot area per dwelling unit would be compatible with the surrounding neighbourhood. The requested reduction is minor in nature, and will not negatively impact surrounding properties. Staff are supportive of the proposed reductions in lot area.

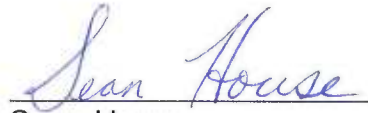
Variance 3 of Application A-70/17 and Variance 2 of Application A-71/17 request a reduction of the parking space width (inside garage) obstructed on 2 sides from 3.5 metres to 3 metres. The proposed semi-detached dwelling is intended to include permissions for an accessory dwelling unit in each dwelling unit, thereby requiring 1 parking space in the garage and 1 parking space in the driveway (1 parking space for the principal unit and 1 parking space for the accessory unit). The required 3.5 metre interior garage width is intended to ensure that a vehicle door can be opened and to ensure that entrance and egress of the vehicle is possible. Traffic staff have advised that the proposed 3 metre width may compromise the functionality of the garage. 3 metres is not considered to be sufficient for the purpose of parking in a space that is obstructed on both sides. Accordingly, this variance is not considered to be minor, nor does it meet the intent of the Official Plan and Zoning By-law. Staff does not support the proposed reduction in parking space width.

Conclusion

In summary, Staff is supportive of Application **B-39/17SC**, Variances 1 and 2 of Application **A-70/17** and Variance 1 of Application **A-71/17**. The subject consent and variances are appropriate and desirable for the use of the land and the intent and purpose of the Official Plan and Zoning By-law are being maintained. The variances are minor in nature. It is the opinion of staff that the consents and variances be approved, subject to the conditions outlined in the recommendation.

Variance 3 of Application **A-70/17** and Variance 2 of Application **A-71/17** are not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not appropriate for the desirable use of the land. It is staff's recommendation that the requested variances be denied.

Prepared by:



Sean House
Student Planner

Submitted by:

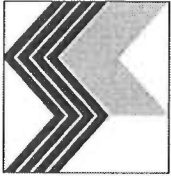


Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
Wil Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: June 29, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 146 Westland St.
File No: 60.84.2124

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

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

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

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

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

From: Sullivan, Kristen
Sent: Thursday, June 29, 2017 3:53 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

Please find comments attached.

PRCS has no comments on the following applications:

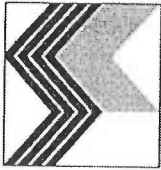
- 9 Gladman (mv)
- 9A Gladman (mv)
- 146 Westland (mv)
- 148 Westland (mv)
- 17 Salina (mv)
- 585 Welland (mv)
- 50 Garnet (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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

A-70/17 & A-71/17 – 146 & 148 Westland Street

The proposed reduction of the width of the parking area in the garage from 3.5 metres to 3.0 metres has the potential to compromise the feasibility of having sufficient space to use the garage for parking. As such, we wouldn't support the proposed reduction.

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/



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – July 12, 2017 hearing - File No.: 300-036

B-37/17SC – 2D Josephine Street

Comment:

- No Comment

Condition:

- No Comment

B-38/17SC – 9 Gladman Avenue

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Parts 2.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing detached garage (including wing walls) which crosses Part 1 and Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- A pool enclosure permit is required to re-adjust the pool enclosure for the new lot configuration.

B-39/17SC – 146 Westland Street

Comment:

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

Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive style with a horizontal line underneath the name.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bdg memo 2017\18 bcoa memo-sev-July 12, 2017.docx



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

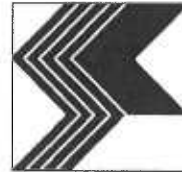
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 12, 2017 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|---------------------|--|
| A-67/16 | 9A Gladman Avenue | No Comment |
| A-68/17 | 9 Gladman Avenue | No Comment |
| A-69/17 | 17 Salina Street | Be advised that a building permit is required for the proposed building and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and construction of walls facing that yard. |
| A-70/17 | 146 Westland Street | No Comment. |
| A-71/17 | 148 Westland Street | No Comment |
| A-72/17 | 585 Welland Avenue | No Comment |
| A-75/17 | 50 Garnet Street | Be advised that separate demolition permits are required for the existing dwelling and existing detached garage and a building permit is required for the proposed new semi-detached dwelling. |
| | | |
| | | |
| | | |
| | | |

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\19 bcoa memo-mv-Jul12, 2017.docx

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-39/17SC



June 29, 2017

ENGINEERING FILE 300-36

Hearing Date: July 12, 2017

Applicant: 1876441 Ontario Ltd.

Location: 146 Westland Street

MUNICIPAL SERVICES

Water: 200mm (8") P.V.C.
Sanitary Sewer: 200mm (8") 2.5m (8') depth
Storm Sewer: 300mm (12")
Sidewalks: Yes
Road Allowance Width: 20.12m± (66')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 148 Westland Street for the purpose of constructing ½ of a semi-detached dwelling. A remnant parcel of land (Part 2) would be retained for the other half of the proposed semi-detached dwelling.

Roads

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

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there's an adequate storm sewer outlet available on Westland Street and within an easement in the rear yard for a rear yard catch basin, sump pump flows shall be discharged to the Westland Street storm sewer via storm sewer lateral for the southerly unit, while the sump pump discharge lateral for the northerly unit may be tied directly into the rear yard catch basin.

Development Engineering have no further comment and have no objection to the approval of this severance application.

B-39/17SC

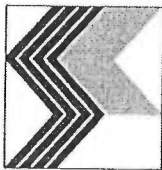
146 Westland Street

June 29, 2017

Condition(s): None.



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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician

Cc: Charlotte McEwan, Planner 1
Sean House, Planning Co-op Student
Will Banda, Planning Technician

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

Date: June 29, 2017

Hearing Date: July 12, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-67/17SC – 9A Gladman Avenue
A-68/17SC – 9 Gladman Avenue
A-69/17SC – 17 Salina Street
A-70/17SC – 146 Westland Street
A-71/17SC – 148 Westland Street
A-72/17SC – 585 Welland Avenue
A-75/17SC – 50 Garnet Street

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

- The Owner of 9 & 9A Gladman Avenue obtain approval from the Regional Municipality of Niagara to connect a private sanitary sewer lateral for the new lot in to the Region's trunk sanitary sewer;

Regards,

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

146 Westland St.
17 Salina Street

50 Garnet St

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:21 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (2 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this applications

Hope you have a great long weekend

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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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-69/17 (60.81.5238)

17 SALINA STREET

DATE OF HEARING:
July 12, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 7, 2017

Date of Report: July 12, 2017

Submission(s): A-69/17

File: 60.81.5238

Subject: 17 Salina Street

Recommendation

That Submission **A-69/17** by Toby Ley and Tara Terrick, 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-69/17** 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-69/17** is made pertaining to the City of St. Catharines By-law 2013-283 to request a reduction in the minimum interior side yard setback from 1.2 metres to 0.37 metres. The variance is requested to permit the construction of a second storey addition to an existing one-storey room on the back of the existing 2-storey dwelling.

Location and Site Description

The subject property is located on the east side of Salina Street, north of Yates Street. The property is surrounded by single detached houses in all directions, and located in the Yates Street 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 lands are designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E10 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex,

triplex, fourplex, quadruplex, and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Low Density Residential – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, and private road developments.

Application A-69/17

The variance requested by application **A-69/17** would allow for the construction of a second storey addition on the existing dwelling.

The second storey addition is of a similar height to the neighbouring dwelling to the south, along the affected property line. The purpose of a minimum interior yard setback is to allow adequate separation distance and access to the rear yard. Rear yard access will not be impacted by the proposed second storey addition. The reduced setback will impact the permitted area of glazed openings and wall construction along the face of the addition as per the Ontario Building Code. No windows are currently proposed. The current set-back at the ground level is representative of a long-standing situation that has had no impact on the streetscape or surrounding area. The applicants should be aware that a building permit is required for the proposed addition.

The property is within the Yates Street and Area Heritage Conservation District. The two and a half storey dwelling on the lands was constructed around 1911, according to the Heritage District Background Report. The District Plan provides guidance for proposed changes in the area. Section 5.2.1 of the Plan states that all additions, excluding front porches should be located to the rear of the building or set back substantially from the front wall in order to maintain the relationship of the façade to the street. Further, that multiple storey additions should be set well back from the existing front wall in a manner that maintains and enhances the existing streetscape.

The proposed two storey addition will be located in the rear yard, diminishing a direct view from the street. Maintaining the side wall of the proposed addition in line with the existing building appears to meet the intent of the District Plan. The Heritage Committee provides advice as part of the Building Permit process. The applicant should be aware that a heritage permit will be required prior to construction.

Staff are satisfied that the proposal is minor in nature, appropriate for the desirable use of the land, and in keeping with the intent of the Official Plan and Zoning By-law.

Conclusion

Staff are satisfied that the subject variance is appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommend that the variance be approved.

Prepared by:



Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

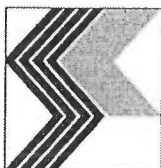
From: Sullivan, Kristen
Sent: Thursday, June 29, 2017 3:53 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

Please find comments attached.

PRCS has no comments on the following applications:

- 9 Gladman (mv)
- 9A Gladman (mv)
- 146 Westland (mv)
- 148 Westland (mv)
- 17 Salina (mv)
- 585 Welland (mv)
- 50 Garnet (mv)

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician

Cc: Charlotte McEwan, Planner 1
Sean House, Planning Co-op Student
Will Banda, Planning Technician

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

Date: June 29, 2017
Hearing Date: July 12, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-67/17SC – 9A Gladman Avenue
A-68/17SC – 9 Gladman Avenue
A-69/17SC – 17 Salina Street
A-70/17SC – 146 Westland Street
A-71/17SC – 148 Westland Street
A-72/17SC – 585 Welland Avenue
A-75/17SC – 50 Garnet Street

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

- The Owner of 9 & 9A Gladman Avenue obtain approval from the Regional Municipality of Niagara to connect a private sanitary sewer lateral for the new lot in to the Region's trunk sanitary sewer;

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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

A-70/17 & A-71/17 – 146 & 148 Westland Street

The proposed reduction of the width of the parking area in the garage from 3.5 metres to 3.0 metres has the potential to compromise the feasibility of having sufficient space to use the garage for parking. As such, we wouldn't support the proposed reduction.

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/



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 12, 2017 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|---------------------|--|
| A-67/16 | 9A Gladman Avenue | No Comment |
| A-68/17 | 9 Gladman Avenue | No Comment |
| A-69/17 | 17 Salina Street | Be advised that a building permit is required for the proposed building and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and construction of walls facing that yard. |
| A-70/17 | 146 Westland Street | No Comment. |
| A-71/17 | 148 Westland Street | No Comment |
| A-72/17 | 585 Welland Avenue | No Comment |
| A-75/17 | 50 Garnet Street | Be advised that separate demolition permits are required for the existing dwelling and existing detached garage and a building permit is required for the proposed new semi-detached dwelling. |
| | | |
| | | |
| | | |
| | | |

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\19 bcoa memo-mv-Jul12, 2017.docx



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – July 12, 2017 hearing - File No.: 300-036

B-37/17SC – 2D Josephine Street

Comment:

- No Comment

Condition:

- No Comment

B-38/17SC – 9 Gladman Avenue

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Parts 2.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing detached garage (including wing walls) which crosses Part 1 and Part 2 as shown on the plan and completed to the satisfaction of the Chief Building Official.
- A pool enclosure permit is required to re-adjust the pool enclosure for the new lot configuration.

B-39/17SC – 146 Westland Street

Comment:

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

Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive, flowing style. The first name "Mark" is written in a larger, more prominent script, and "Lepp" is written in a slightly smaller, more compact script. The signature is positioned above a horizontal line.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\ldg memo 2017\18 bcoa memo-sev-July 12, 2017.docx

146 Westland St.
17 Salina Street

Munro, Elaine

30 Garnet St.

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:21 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (2 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this applications
Hope you have a great long weekend
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

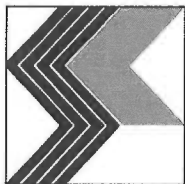
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CITY OF ST. CATHARINES

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-72/17 (60.81.5241)

585 WELLAND AVENUE

DATE OF HEARING:
July 12, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 7, 2017

Date of Meeting: July 12, 2017

Submission(s): A-72/17

File: 60.81.5241

Subject: 585 Welland Avenue

Recommendation

That Submission **A-71/17** by Cosmopolitan Homes (Niagara) Ltd., 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-71/17** 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-72/17 is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum setback from Welland Avenue from 11 metres to 9 metres. The variance is requested to permit the construction of a series of block townhouses.

Location and Site Description

The property is located on the north side of Welland Avenue, east of Bunting Road. The property is surrounded by townhouse dwellings to the north, south and west, and commercial uses to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E3 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 (R3-81). The R3 zone permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, and townhouse dwellings, private road developments, apartment buildings and long term care facilities. Special Provision 81 applies a number of special zoning provisions that are applied only to this specific site, including an 11 metre minimum yard along Welland Avenue.

Application A-72/17

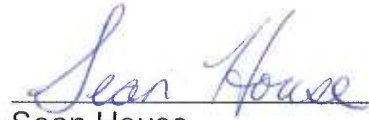
Application A-72/17 requests a reduction in the minimum setback from 11 metres to 9 metres from Welland Avenue. The 11 metre minimum was established through Special Provision 81. The substantial setback was originally required to preserve mature trees, maintain appropriate separation distance and buffering between the proposed residential uses and existing industrial uses, and maintain the setback and streetscape established on abutting lands to the east. The mature trees no longer exist, and the 2 metre reduction will still maintain an appropriate separation from industrial uses and have no negative impacts on the streetscape. The property is still intended to be used for residential purposes at a density permitted by the Official Plan.

Staff consider the variance to be minor in nature, and do not anticipate any negative impact on surrounding properties.

Conclusion

Staff is of the opinion that application **A-72/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate for the desirable use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:

A handwritten signature in blue ink that reads "Sean House".

Sean House
Student Planner

Submitted by:

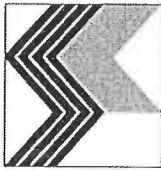
A handwritten signature in black ink that reads "Charlotte McEwan".

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink that reads "Judy Pihach".

Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician

Cc: Charlotte McEwan, Planner 1
Sean House, Planning Co-op Student
Will Banda, Planning Technician

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

Date: June 29, 2017

Hearing Date: July 12, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-67/17SC – 9A Gladman Avenue
A-68/17SC – 9 Gladman Avenue
A-69/17SC – 17 Salina Street
A-70/17SC – 146 Westland Street
A-71/17SC – 148 Westland Street
A-72/17SC – 585 Welland Avenue
A-75/17SC – 50 Garnet Street

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

- The Owner of 9 & 9A Gladman Avenue obtain approval from the Regional Municipality of Niagara to connect a private sanitary sewer lateral for the new lot in to the Region's trunk sanitary sewer;

Regards,

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

From: Sullivan, Kristen
Sent: Thursday, June 29, 2017 3:53 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

Please find comments attached.

PRCS has no comments on the following applications:

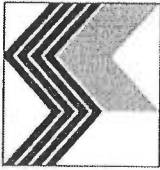
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- 146 Westland (mv)
- 148 Westland (mv)
- 17 Salina (mv)
- 585 Welland (mv)
- 50 Garnet (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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

A-70/17 & A-71/17 – 146 & 148 Westland Street

The proposed reduction of the width of the parking area in the garage from 3.5 metres to 3.0 metres has the potential to compromise the feasibility of having sufficient space to use the garage for parking. As such, we wouldn't support the proposed reduction.

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/



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 12, 2017 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|---------------------|--|
| A-67/16 | 9A Gladman Avenue | No Comment |
| A-68/17 | 9 Gladman Avenue | No Comment |
| A-69/17 | 17 Salina Street | Be advised that a building permit is required for the proposed building and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and construction of walls facing that yard. |
| A-70/17 | 146 Westland Street | No Comment. |
| A-71/17 | 148 Westland Street | No Comment |
| A-72/17 | 585 Welland Avenue | No Comment |
| A-75/17 | 50 Garnet Street | Be advised that separate demolition permits are required for the existing dwelling and existing detached garage and a building permit is required for the proposed new semi-detached dwelling. |
| | | |
| | | |
| | | |
| | | |

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\19 bcoa memo-mv-Jul12, 2017.docx

Munro, Elaine

20 Josephine
9 Gladman Ave
585 Welland Ave.

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:19 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (1 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this 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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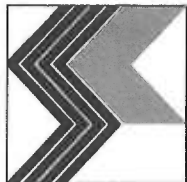
- [Contact us](#)

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

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

Sent: Tuesday, June 27, 2017 3:20 PM

To: Doug Crown



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-75/17 (60.81.5244)

50 GARNET STREET

DATE OF HEARING:
July 12, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 7, 2017

Date of Meeting: July 12, 2017

Submission(s): A-75/17

File: 60.81.5244

Subject: 50 Garnet Street

Recommendation

That Variance 1 of Submission **A-75/17** by Gino DiFrancesco and Michael DiFrancesco, as outlined in the Notice of Hearing, be approved.

That Variance 2 of Submission **A-75/17** by Gino DiFrancesco and Michael DiFrancesco, 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 Submission **A-75/17** 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.

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that Variance 2 of Submission **A-75/17** 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 approval of Variance 1 and denial of Variance 2 of Submission **A-75/17**.

Proposed Development

Application A-75/17 is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the exterior side yard setback along Garnet Street at the three pinch-points from 3 metres to 1.83 metres.
2. An increase of the maximum total driveway width from 7.5 metres to 9 metres.

The variances are requested for the proposed construction of a semi-detached dwelling.

Location and Site Description

The property is located on the southwest corner of Garnet Street and Ormonde Avenue, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E3 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2016-283)

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

Application A-75/17

Variance 1 requests a reduction of the exterior side yard setback along Garnet Street at the three (3) pinch-points from 3 metres to 1.83 metres. The neighbouring dwelling to the southwest has a greater setback than the proposal at approximately 7.3 metres. However, the dwelling across Ormonde Avenue to the northeast is of a similar setback at approximately 1 metre. Additionally, the existing dwelling on the property is currently setback only slightly more than the proposed dwelling. As a result, the proposed setback would have little to no impact on the prevailing character of the neighbourhood. Staff also note that proposed development would match the orientation of surrounding dwellings on Garnet Street, further improving the streetscape. The requested reduction is minor in nature, and will not negatively impact surrounding properties. Staff are supportive of the proposed reduction in setback.

Variance 2 requests an increase of the maximum total driveway width from 7.5 metres to 9 metres. Section 5.4.5 of the Garden City Plan provides that residential parking be controlled through zoning which minimizes expansive parking areas in favour of greening initiatives. The general land use policies in Section 7.1 of the GCP state that, when evaluating proposed development, consideration must be given to site context sensitive design in order to ensure that parking areas do not dominate the site physically. The requested increase in maximum driveway width would result in a parking area of a substantial width along Ormonde Avenue, detracting from the streetscape which primarily features narrower driveways and large sections of landscaping. The increase in driveway width does not meet the intent of the Official Plan and Zoning By-

law with regard to context sensitive design. Staff are not supportive of the proposed variance.

Conclusion

Staff is of the opinion that application Variance 1 of Submission **A-75/17** is keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be approved.

Staff is of the opinion that application Variance 2 of Submission **A-75/17** 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 by:



Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician

Cc: Charlotte McEwan, Planner 1
Sean House, Planning Co-op Student
Will Banda, Planning Technician

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

Date: June 29, 2017

Hearing Date: July 12, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-67/17SC – 9A Gladman Avenue
A-68/17SC – 9 Gladman Avenue
A-69/17SC – 17 Salina Street
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A-71/17SC – 148 Westland Street
A-72/17SC – 585 Welland Avenue
A-75/17SC – 50 Garnet Street

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

- The Owner of 9 & 9A Gladman Avenue obtain approval from the Regional Municipality of Niagara to connect a private sanitary sewer lateral for the new lot in to the Region's trunk sanitary sewer;

Regards,

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

From: Sullivan, Kristen
Sent: Thursday, June 29, 2017 3:53 PM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing

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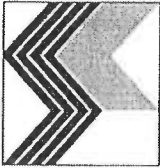
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- 50 Garnet (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 28, 2017

Subject: Committee of Adjustment
Public Hearings – July 12, 2017
File No. 305-17-01

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A-70/17 & A-71/17 – 146 & 148 Westland Street

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Steve Bittner
Transportation Technologist
SB/



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Sean House, Judy Pihach
Planning and Building Services

From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: July 4, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – July 12, 2017 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|---------|---------------------|--|
| A-67/16 | 9A Gladman Avenue | No Comment |
| A-68/17 | 9 Gladman Avenue | No Comment |
| A-69/17 | 17 Salina Street | Be advised that a building permit is required for the proposed building and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and construction of walls facing that yard. |
| A-70/17 | 146 Westland Street | No Comment. |
| A-71/17 | 148 Westland Street | No Comment |
| A-72/17 | 585 Welland Avenue | No Comment |
| A-75/17 | 50 Garnet Street | Be advised that separate demolition permits are required for the existing dwelling and existing detached garage and a building permit is required for the proposed new semi-detached dwelling. |
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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2017\19 bcoa memo-mv-Jul12, 2017.docx

146 Westland St.
17 Salina Street

50 Garnet St.

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, June 28, 2017 9:21 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the July 12/17 CofA Hearing (2 of 2 emails)

Good Morning Elaine

Cogeco has no issues or concerns with this applications
Hope you have a great long weekend
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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