



Agenda

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

360 Martindale Road, Consent Applications, B-16/16SC – 60.84.2036 and B-17/16SC – 60.84.2037.

A request to withdraw the Request for change of conditions to modify condition 8 (B-17/16SC) & condition 10 (B-16/16SC) to lower the fence down the slope of the property line which is about 4 feet to 6 feet has been received by the co-owner/agent. (Previously adjourned from July 12, 2017 Hearing)

5. Request for Withdrawal or Adjournment
6. Adoption of the Minutes for the Hearing held on July 12, 2017

7. Application:

- * 1) 42 Lock Street, Consent Application, B-36/17SC – 60.84.2121
 - * Planning Report will be available on Monday, July 31, 2017.
- 2) 16 Parkhill Road, Consent Application, B-23/17SC – 60.84.2108
 - 14 Parkhill Road, Minor Variance Application, A-76/17 – 60.81.5245
 - 16 Parkhill Road, Minor Variance Application, A-77/17 – 60.81.5246
- 3) 79 Main Street, Consent Application, B-40/17SC – 60.84.2125
 - 79 Main Street, Minor Variance Application, A-73/17 – 60.81.5242
 - 81 Main Street, Minor Variance Application, A-74/17 – 60.81.5243
- 4) 14 Walsh Avenue, Minor Variance Application, A-78/17 – 60.81.5347
- 5) 2B Arlington Avenue, Consent Application, B-41/17SC – 60.84.2126
 - 2B Arlington Avenue, Minor Variance Application, A-79/17 – 60.81.5248
- 6) 4 Edmund Street, Minor Variance Application, A-80/17 – 60.81.5249
- 7) 175 Rykert Street, Minor Variance Application, A-82/17 – 60.81.5251
- 8) 177 Rykert Street, Minor Variance Application, A-83/17 – 60.81.5252
 - 179A Rykert Street, Minor Variance Application, A-84/17 – 60.81.5253
 - 179B Rykert Street, Minor Variance Application, A-85/17 – 60.81.5254
 - 181 Rykert Street, Minor Variance Application, A-86/17 – 60.81.5255
 - 183 Rykert Street, Minor Variance Application, A-87/17 – 60.81.5256
 - 185A Rykert Street, Minor Variance Application, A-88/17 – 60.81.5257
 - 185B Rykert Street, Minor Variance Application, A-89/17 – 60.81.5258

7. New Business:
8. Date of next Hearing: August 23, 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-36/17SC (60.84.2121)

42 LOCK STREET

DATE OF HEARING:
August 2, 2017

Munro, Elaine

Subject: RE: 79 Main Street

From: Blozowski, Kevin
Sent: Wednesday, July 26, 2017 3:04 PM
To: McEwan, Charlotte
Subject: 79 Main Street

Further to my previous comments on this application I offer the following with respect to parking as set out by the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change.

Section 6.4 (Area 5 Residential) provides that property owners are encouraged to accommodate parking at the side of their residence.

Section 5.6 (Design Considerations in New Residential Construction) provides that garages and ancillary structures are best located away from the main façade and should be located in traditional areas for these functions, usually towards the rear of the lot. Garages, in particular, should not form part of the front façade of the main building.

Based on the sketch submitted with the application it does not appear that the proposed parking could meet the intent of either of these provisions in the Guidelines. The applicant is encouraged to design the project to meet the guidelines for the heritage district.

KEvin

Kevin Blozowski M.C.I.P., R.P.P.
Heritage Planner
Email: kblozowski@stcatharines.ca
Tel: 905.688.5601 x1710

From: Blozowski, Kevin
Sent: Tuesday, July 25, 2017 8:00 AM
To: Banda, Wilrik <wbanda@stcatharines.ca>; Munro, Elaine <emunro@stcatharines.ca>
Cc: Pihach, Judy <jpihach@stcatharines.ca>
Subject: 79 Main street

The applications for severance and variances are intended to allow for the creation of a new lot at 79 Main Street. Minor variances (lot area) are required to enable the creation of the proposed new lot.

The subject lands are located within the Port Dalhousie Heritage District. The heritage district designation was approved in 2003. Changes within the district are considered in accordance with the Ontario Heritage Act and are guided by the applicable policies of the Garden City Plan and the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001). The Port Dalhousie Heritage Conservation District Study Heritage Assessment Report (2000) provides background information that supported the district designation. These documents are available on the City's website or on request.

Part C, Section 3, of The Garden City Plan (the City's Official Plan) provides Cultural Heritage policies. Section 3.2.7 states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles where there is potential to impact any cultural heritage resources: New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation of adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape(3.2.7 (d)). This policy speaks mainly to new construction/additions to heritage buildings and the applicability of the district plan

The Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change provide further guidance as set out in the Garden City Plan. Section 5.4 states that where new lots are to be created within the Port Dalhousie Heritage Conservation District they should be of similar width and depth as adjacent occupied lots.

The proposed new lot will be of similar depth as immediately adjacent lands to the west at 85 Main Street, however, the width of the new lot will be less than those lands. The width and depth of retained lot will be less than the adjacent lands to the east at the corner of Ann and Main Streets (73 Main Street). There is a range of lot widths on both sides of Main Street, between Elgin Street and Ann Street. What is being proposed on the subject lands is within that range.

Heritage permit approval (HPA) will be required for any new construction and demolitions should these applications be approved. Application for HPA is made to the Planning and Building Services (PBS) Department and is circulated to the St. Catharines Heritage Permit Advisory Committee (SCHPAC) for consideration and recommendation based on the policies and guidelines of the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change. HPA is granted by the PBS for all types of applications except for demolitions, which are considered by City Council. There is a \$150.00 fee for HPA (2017).

Kevin

Kevin Blozowski M.C.I.P., R.P.P.
Heritage Planner
Email: kblozowski@stcatharines.ca
Tel: 905.688.5601 x1710

June 15, 2017

Our File No.: PLCON201700687

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Consent, (B-36/17SC)
42 Lock Street, St. Catharines

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

The application has been made for consent to sever 360 m² of land (Part 1) creating a new lot to be known as 40 Lock Street for the purpose of constructing a single detached dwelling. A 302 m² remnant parcel with the existing single detached dwelling with attached garage (Part 2) would be retained for continued residential use.

Niagara Peninsula Conservation Authority Regulations:

NPCA mapping identifies that the subject property is impacted by a steep slope associated with Lake Ontario. NPCA staff conducted a site visit on January 24, 2017 and confirmed that the slope impacting the property would be considered a hazard slope. As such, development on the subject 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, development and site alteration may only be permitted in Hazard Lands provided that all of the following conditions can be implemented to the satisfaction of the Authority:

- a) Appropriate floodproofing measures, protection works and safe and dry access during time of flooding, erosion and other emergencies are provided.
- b) No new hazards will be created and existing hazards will not be aggravated.
- c) No adverse environmental impacts will result.
- d) The development does not include Institutional Uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

The NPCA has reviewed the 'Slope Stability/Geotechnical Assessment, 42 Lock Street, St. Catharines' (dated March 23, 2017) by WSP Canada and has no objection to the report's conclusion that:

- 1) The location of the Stable Top of Slope is the same as the Physical Top of Slope.
- 2) Construction of a residence adjacent to the slope will not negatively impact the slope.
- 3) The NPCA will require that the final design drawings of the structure be reviewed by WSP. WSP shall provide confirmation that the proposed design conforms to the report's recommendations.

Based on the above, the NPCA is satisfied that there is safe access provided to both the lot to be created and the lot to be retained, there is a suitable building envelope on each lot above the top of slope and construction within the identified building envelope will not negatively impact the slope or result in adverse environmental impacts.

Niagara Region Core Natural Heritage Comments:

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

The Region's Core Natural Heritage Mapping identifies an Environmental Conservation Area (ECA) for Valley Shoreline associated with Lake Ontario adjacent to (within 50 metres) the subject property. In accordance with Policy 7.B.1.11, development and site alteration may be permitted within or adjacent to an ECA (within 50 metres) provided it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands over the long term. If a proposed single residential lot is to be located entirely within lands adjacent to an ECA feature, the requirement for an EIS may be waived (Policy 7.B.1.29). The subject application shows all proposed development (lot lines, building envelopes) located within the lands adjacent to the identified ECA feature and separated from the ECA feature by existing development. As such, NPCA staff are satisfied there will be no significant negative impact to the identified ECA feature and the EIS requirement can be waived.

Conclusion:

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

Due to the features identified on site, an NPCA work permit will be required for the proposed development prior to the issuance of a building permit from the City and commencement of works on site. The NPCA will require that the final design drawings of the structure be reviewed by WSP. WSP shall provide confirmation that the proposed design conforms to the report's recommendations.

Any future works proposed on the properties will require NPCA review and approvals prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer will require a work permit from this office, and possible further studies, in accordance with the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06)".

I trust this information will be of assistance to you. Should you have any further questions or require additional information, please do not hesitate to contact me.

Yours truly,

A handwritten signature in dark ink, reading "Taya Devlin". The signature is fluid and cursive, with the first name "Taya" written in a larger, more prominent script than the last name "Devlin".

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

cc: Charlotte McEwan, Planner I, City of St. Catharines
Sean House, Student Planner, City of St. Catharines
Craig Rohe, Planner, Niagara Region
Carmen Vetrone, Development Approvals Technician, Niagara Region

Banda, Wilrik

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda
Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

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



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

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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM



July 20, 2017

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

Attention: Elaine Munro

File# 60.84.2121

Re: 42 Lock Street

In response to your correspondence date July 18, 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)

Alectra Utilities Corporation

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

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

alectrautilities.com

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

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

Sincerley,

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

Scott Beaudrie
Supervisor, Engineering Design



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 2, 2017 hearing - File No.: 300-036

B-23/17SC – 16 Parkhill Road

Comment:

- No Comment

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 5.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing shed which crosses Part 3 and Part 5 as shown on the plan. If the shed is greater than 10 square metres in building area, a demolition permit is required and completed to the satisfaction of the Chief Building Official.

B-36/17SC – 42 lock Street

Comment:

- Be advised that a building permit is required for the proposed alteration off the existing dwelling (removal of attached garage).

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 northwesto face of the existing dwelling on Part 2.

B-40/17SC – 79 Main Street

Comment:

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

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 southwest face of the existing dwelling on Part 1.
- The existing detached garage and shed are to be removed from Part 2. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.

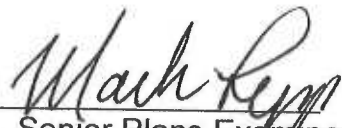
B-41/17SC – 2B Arlington

Comment:

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

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 north face of the existing apartment building on Part 3.



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



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: June 13, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 42 Lock St.
File No: 60.84.2121

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

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

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

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

An arborist has inspected the existing trees within the Lock St. road allowance. In order to accommodate the proposed building the most northern tree will need to be removed. If this application is approved, the applicant will be responsible for the cost of the removal and replacement, to be completed by the City or its contractor in accordance with the Schedule of Rates and Fees, through the building permit. The further south tree can be retained and the applicant will be required to install tree protection fencing as part of the building permit.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-36/17SC



July 21, 2017

ENGINEERING FILE 300-36

Hearing Date: August 2, 2017

Applicant: Alan McLean

Location: 42 Lock Street

MUNICIPAL SERVICES

Water: 150mm (6")
300mm (12")

Sanitary Sewer: 450mm (18")

Storm Sewer: None

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 Owner proposes to sever Part 1 on the submitted sketch creating a new lot known as 40 Lock Street for the purposes of constructing a single-detached dwelling. A remnant parcel, Part 2 would be retained for the continued residential use of an existing single-detached dwelling.

Roads

Lock Street is designated a Local 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 shall not be obtained at this time.

Engineering Services

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

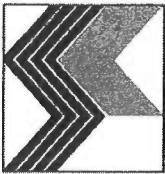
Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there is no adequate storm sewer outlet available on Lock Street, sump pump flows shall be discharged to grade from the front of the dwelling towards Lock Street only.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

Condition(s): The Development Engineering section have no conditions to impose at and have no objection to the approval of this consent application.

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:

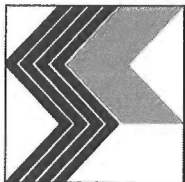
From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-23/17SC (60.84.2108),
A-76/77 (60.81.5245) &
A-77/17 (60.81.5246)**

16 PARKHILL DRIVE

**DATE OF HEARING:
August 2, 2017**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): B-23/17SC
A-76/17
A-77/17

File: 60.84.2108
60.81.5245
60.81.5246

Subject: 16 Parkhill Road
14 Parkhill Road

Recommendation

That Submission **B-23/17SC** by Marina Glencross and Rosita DiFruscia, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant remove the shed located within Parts 3 & 5 to the satisfaction of the Chief Building Official. Should the shed exceed 10 square metres, a demolition permit is required to be issued and completed, to the satisfaction of the Chief Building Official.
2. That the applicant 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 Part 5.
3. That the applicant obtain approval for the necessary minor variances.

That Submission **A-76/17** by Marina Glencross and David Glencross, as outlined in the Notice of Hearing, be approved.

That Submission **A-77/17** by Marina Glencross and Rosita DiFruscia, 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-23/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-76/17** and **A-77/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consent and variances be approved.

Proposed Development

Application **B-23/17SC** is made to sever 61.1m² of land from 16 Parkhill Road which will be added to the easterly abutting lot known as 14 Parkhill Road (Parts 3 & 4 on the submitted sketch). The boundary adjustment is to revise the lot boundaries for 16 Parkhill Road such that there is a clearance from the lot line for the existing driveway. A 540m² remnant parcel (Parts 5 & 6) with the existing one storey dwelling would be retained for continued residential use. The application would result in a boundary adjustment between the two parcels of land. There are concurrent minor variance applications **A-76/17** and **A-77/17**.

Application **A-76/17** is made pertaining the City of St. Catharines By-law 2013-283 for an increase of maximum lot area per dwelling unit from 490m² to 757.8m² (Parts 1, 2, 3 & 4). The variance is requested to facilitate a concurrent consent application **B-23/17SC**.

Application **A-77/17** is made pertaining the City of St. Catharines By-law 2013-283 for an increase of maximum lot area per dwelling unit from 490m² to 540.38m² (Parts 5 & 6). The variance is requested to facilitate a concurrent consent application **B-23/17SC**.

Location and Site Description

The subject property is located on the south side of Parkhill Road, east of Jamal Crescent. The subject property is surrounded by detached dwellings to the south, east and west, and an elementary school 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 Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadraplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2016-283)

The subject land is zoned Low Density Residential – Suburban Neighborhood (R1). The R1 zone permits a variety of low density residential dwelling types including detached, semi-detached, quadruplex and townhouse dwellings, and private road developments.

Application B-23/17SC

Application **B-23/17SC** is requested to remedy an encroachment of an existing driveway and shed. 61.1m² would be severed from 16 Parkhill Road and added to 14 Parkhill Road.

Staff note, that despite the applicants indication to remedy an encroachment matter, the the survey provided shows no encroachment of either the driveway or shed within Part 1. Staff also note that the second shed that is impacted by this boundary adjustment is to be removed so no accessory structures will cross the proposed new lot line.

Staff recognize the benefit of providing some clearance from the edge of the existing driveway to the proposed lot line and have no concerns with the proposed boundary adjustment, subject to the shed within Parts 3 & 5 being removed, and subject to confirmation regarding compliance with Building Code requirements relating to spatial separation from the realigned lot line.

The proposed boundary adjustment between the two parcels of land is not anticipated to have any adverse impacts on surrounding properties. The existing use of each property and all required setbacks will be maintained. The proposal is appropriate in terms of the optimum development of the area. The intent of the Official Plan is being upheld, and Staff are supportive of the proposed consent.

Applications A-76/17 and A-77/17

The variance requested by application **A-76/17** would allow for an increase of maximum lot area per dwelling unit from 490m² to 757.8m². The variance requested by application **A-77/17** requests an increase of maximum lot area per dwelling unit from 490m² to 540.38m².

The proposed increases in lot area will have no added impact on the surrounding properties. The proposed boundary adjustment will allow both lots to remain a similar shape and size to neighbouring lots, maintaining the prevailing character of the neighbourhood. No adverse impacts are anticipated as a result of the requested variances to lot area. The increases are minor in nature, and staff are supportive of the variances.

Conclusion

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

Prepared by:



Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

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

July 26, 2017

Our File No.: PLCON201700901

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 Consent and Minor Variances, (B-23/17SC, A-76/17 & A-77/17)
14 & Parkhill Road, St. Catharines

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

The consent application (B-23/17SC) has been made to sever 61.1 m² of land which will be added to the easterly abutting lot known as 14 Parkhill Road (Parts 3 & 4) to rectify the encroachment of the existing driveway and shed that encroaches onto 16 Parkhill Road. A 540 m² remnant parcel (Parts 5 & 6) with the existing one storey dwelling would be retained for continued residential use. The variance application A-76/17 has been made for an increase of maximum lot area per dwelling unit from 490 m² to 757.8 m² (Parts 1, 2, 3 & 4). Application A-77/17 has been made for an increase of maximum lot area per dwelling unit from 490 m² to 540.38 m² (Parts 5 & 6).

Niagara Peninsula Conservation Authority Regulations:

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

Niagara Region Core Natural Heritage Comments:

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

The Region's Core Natural Heritage Mapping identifies a portion of 14 Parkhill Road as an Environmental Conservation Area (ECA) for Significant Woodland. Policy 7.B.1.11 of the Region's Policies permits development within and adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact to the Core Natural Heritage System. The subject applications have been made for a boundary adjustment to rectify an existing encroachment issue and no development is proposed

as a result of the subject applications. As such, NPCA staff are satisfied there will be no negative impact to the identified ECA feature as a result of the subject applications.

Conclusion:

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

Lastly, due to the features identified on the properties, any future works proposed on either property will require NPCA review and approval prior to the commencement of the works on site and any works proposed within a regulated feature or its buffer may require a work permit from this office, as well as possible further studies.

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

Yours truly,

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

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

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

14 & 16 Parkhill Road, St. Catharines



Legend

- Corporate Watershed Divide N
- NPCA APPROXIMATE REGU
- ECA: Significant Woodlands
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
 - 2K HydroPoly
 - 2K Hydrography
- AIRPORTS
- Campsites
- SWOOP_2015
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Notes

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices

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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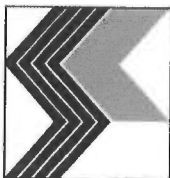
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- Contact us

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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 2, 2017 hearing - File No.: 300-036

B-23/17SC – 16 Parkhill Road

Comment:

- No Comment

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 5.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing shed which crosses Part 3 and Part 5 as shown on the plan. If the shed is greater than 10 square metres in building area, a demolition permit is required and completed to the satisfaction of the Chief Building Official.

B-36/17SC – 42 lock Street

Comment:

- Be advised that a building permit is required for the proposed alteration off the existing dwelling (removal of attached garage).

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 northwest face of the existing dwelling on Part 2.

B-40/17SC – 79 Main Street

Comment:

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

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 southwest face of the existing dwelling on Part 1.
- The existing detached garage and shed are to be removed from Part 2. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.

B-41/17SC – 2B Arlington

Comment:

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

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 north face of the existing apartment building on Part 3.



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



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, July 21, 2017 12:03 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 August 2/17 CofA Hearing

Please see attached comments. PRCS has no comments on the following applications:

- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-23/17SC



July 21, 2017

ENGINEERING FILE 300-36

Hearing Date: August 2, 2017

Applicant: Marina Glencross & Rosita DiFruscia

Location: 16 Parkhill Road

MUNICIPAL SERVICES

Water: 150mm (6") A.C.

Sanitary Sewer: 300mm (12")

Storm Sewer: None

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 Owner proposes to sever Parts 3 & 4 on the submitted sketch to be added to the abutting easterly lot known as 14 Parkhill Road to address an encroachment of the existing driveway and shed onto 16 Parkhill Road. A remnant parcel, Parts 5 & 6 would be retained for the continued residential use of 16 Parkhill Road. The application would result in a boundary adjustment between the two parcels of land.

Roads

Parkhill Road is designated a Local 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 shall not be obtained at this time.

Utilities

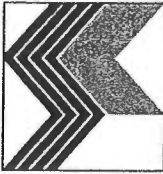
The Owner must verify with the separate Utility companies (Horizon Utilities, Enbridge Gas, Bell Canada, and Cogeco Cable) to verify the locations of their plant infrastructure and any easements with respect to utility infrastructure over the subject lands and coordinate works accordingly.

Condition(s): The Development Engineering section have no conditions to impose at and have no objection to the approval of this Consent application.

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

Prepared By:

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



Memorandum

To: Elaine Munro, 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: July 21, 2017

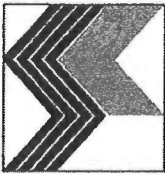
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-40/17SC (60.84.2125),
A-73/77 (60.81.5242) &
A-74/17 (60.81.5243)**

79 MAIN STREET

**DATE OF HEARING:
August 2, 2017**

Munro, Elaine

Subject:

RE: File No. 60.84.2125, 79-81 Main St.

From: David Serafino [mailto:]

Sent: Thursday, July 27, 2017 1:15 PM

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

Cc:

Subject: File No. 60.84.2125, 79-81 Main St.

File No. 60.84.2125

Submission No. B-40/17SC

79/81 Main St.

Notice of Hearing

We wish to express our concerns regarding the severing of the property 79 Main St. which abuts the back of our property 6 Pine Street. We are not opposed to this application (in fact we are long-time proponents for infilling); however we have two concerns, that being our privacy and the fate of our walnut tree which overhangs the property in question.

We have a large Black Walnut tree (60-plus years) in the N/W corner of our yard which provides us with shade, a cooling effect and privacy. Loss of this tree would seriously impact on our comfort. We are retired seniors who spend much of our time sitting in our back yard enjoying our garden in relative privacy. Loss of this tree would eliminate the shade provided and subject us to a hot and blinding afternoon/evening sun. We need some sort of guaranteed assurance that i) excavation and construction would not damage the roots to the extent that the tree itself is damaged and begins to die; ii) that trimming of the branches overhanging the subject property would not cause the tree to become unbalanced structurally. Ideally we would like the property owners to hire a licensed arborist to assess the situation and provide direction that would allow them to provide us with a written guarantee that the tree would not be damaged.

The issue of privacy is more of a request than a demand. At present, the only view into our yard is from the 2nd story windows on the back of the existing dwelling and it is understood that the new building would likely have 2nd story windows on all sides, which is fine. We ask that the new house not exploit a view into our back yard with a 2nd floor balcony on either the back or east-side of the house. We would not be comfortable with neighbours on a balcony looking down into our yard which would impede the comfort of our leisure times. We wish to foster an amicable relationship with our new neighbours; and respectfully, ask they attend to our concern.

Respectfully,

David Serafino & Lana Wainman

Owners, 6 Pine Street



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): B-40/17SC
A-73/17
A-74/17

File: 60.84.2125
60.81.5242
60.81.5243

Subject: 79 Main Street
81 Main Street

Recommendation

That Submission **B-40/17SC** by Alexandra Maletta, as outlined in the Notice of Hearing, be denied

That Submission **A-73/17** by Alexandra Maletta, as outlined in the Notice of Hearing, be denied.

That Submission **A-74/17** by Alexandra Maletta, 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 not satisfied that application **B-40/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-73/17** and **A-74/17** 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.

Staff recommends that the requested consent and variances be denied.

Proposed Development

Application **B-40/17SC** is made for consent to sever 279.1m² of land (Part 2 on the submitted sketch) and for consent for a mortgage or charge for the purpose of constructing a single detached dwelling to be known as 81 Main Street. A 271.1 m² remnant parcel (Part 1) with the existing two storey dwelling would be retained for continued residential use. There are concurrent minor variance applications A-73/17 & A-74/17.

Application **A-73/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum lot area per dwelling unit from 300m² to 271m². The variance is requested to facilitate a concurrent consent application B-40/17SC and to recognize the location of the existing single detached dwelling (Part 1).

Application **A-74/17** is made pertaining the City of St. Catharines By-law 2013-283 for a reduction of the minimum lot area per dwelling unit of 300m² to 279m² (Part 2). The variance is requested to facilitate a concurrent consent application B-40/17SC to sever the lands to construct a single detached dwelling.

Location and Site Description

The subject property is located on the southeast side of Main Street, west of Ann Street, within the Port Dalhousie Heritage District. The property is surrounded by single detached dwellings to the south, east and west, and a church 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 Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E1 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 (R2-7). The R2-7 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.

Consent Application B-40/17SC

Application **B-40/17C** requests consent to sever the lot for the purpose of constructing a single detached dwelling. The current lot is 550.2m² in size. The proposed consent would create one 271.1m² lot and a second 279.1m² lot.

Part C, Section 3.2.7. of The GCP states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan where there is potential to impact any cultural heritage resources. The subject lands are located within the Port Dalhousie Heritage District. Changes within the district are considered in accordance with the Ontario Heritage Act and are guided by the applicable policies of the GCP and

the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001).

The Port Dalhousie Heritage Conservation District Plan provides guidance for proposed changes in the area. Section 6.4 (Area 5 Residential) provides that property owners are encouraged to accommodate parking at the side of their residence. Section 5.6 (Design Considerations in New Residential Construction) provides that garages and ancillary structures are best located away from the main façade and should be located in traditional areas for these functions, usually towards the rear of the lot. Garages, in particular, should not form part of the front façade of the main building. The intent of these policies is to prevent parking from visibly dominating the streetscape.

Based on the sketch submitted with the application it does not appear that the proposed parking could meet the intent of either of these provisions in the Guidelines. The applicant is encouraged to design the project to meet the guidelines for the heritage district.

Due to the inability of the proposal to provide compatible site layouts within the Heritage District, the proposed consent is not considered appropriate in terms of the optimum development of the surrounding area nor in keeping with the intent of the Official Plan. Staff recommend that the consent be denied.

Variance Applications A-73/17 and A-74/17

Application **A-73/27** (Part 1) requests a reduction in the minimum lot area per dwelling unit from 300m² to 271m². Application **A-74/17** (Part 2) requests a reduction in the minimum lot area per dwelling unit from 300m² to 279m².

As a result of the undersized lots, the parking for both dwellings is located on the front lawn of each dwelling. Staff consider this to be significantly out of character with the neighbourhood and harmful to the character and quality of the streetscape quality. This is not in keeping with the intent of the Port Dalhousie Heritage Conservation District Plan, given power through the Garden City Plan. Given that the size of the lots, as proposed, does not allow for a compatible parking configuration, the proposed variances are not considered appropriate for the desirable use of the land. The variances are not minor in nature, nor in keeping with the intent of the Official Plan and Zoning By-law. Staff recommends that the variances be denied.

Conclusion

Staff are not satisfied that the consent requested through application **B-40/17SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is not satisfied that applications **A-73/17** and **A-74/17** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, or appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variances be denied.

Prepared by:

A handwritten signature in blue ink, appearing to read "Sean House", written over a horizontal line.

Sean House
Student Planner

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 "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Wednesday, July 26, 2017 10:40 AM
To: Munro, Elaine
Cc: Banda, Wilrik; Rohe, Craig; Carmen Vetrone (carmen.vetrone@niagararegion.ca) (carmen.vetrone@niagararegion.ca)
Subject: 79 Main Street, St. Catharines
Attachments: 79 Main Street Map.pdf

Good Morning Elaine,

NPCA staff have reviewed applications B-40/17 and A-73/17 which have been made for the creation of a new residential lot and reduction of minimum 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 Pine Street, 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

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79 Main Street, St. Catharines



Legend

- Contours 2010 (1m)
- NPCA APPROXIMATE REGULATED AREA
- 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

Notes

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

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VIA E-MAIL ONLY

July 25, 2017

Elaine Munro
Secretary-Treasurer Committee of Adjustment
50 Church Street
St. Catharines, ON
L2R 7C2

Application for Consent B-40/17SC

Applicant: Alexandra Maleta

Proposal: To sever Part 2 for future residential use

Location: Regional Road 87 (79 Main Street)
In the City of St. Catharines

Our File: CS-17-069

Regional Niagara Development Services Division has received and reviewed the proposed application for the above-noted development. Niagara Region staff provide the following Regional comments:

1) Regional Road Allowance

The subject property has frontage along Regional Road 87 (Main Street). This section of road meets the designated road allowance width and therefore, no widening will be requested at this time.

However, it should be noted that the side walk is partially located within private property on this section of the road allowance. As public sidewalks are under the jurisdiction of the local municipality, City staff should discuss any arrangements or agreements that may be necessary for this public infrastructure on private lands.

2) Regional Permit Requirements

Regional staff note that the new parcel will require water and sanitary servicing connections on the Regional Road allowance as well as creating new accesses for both properties to the Regional Road.

The applicant is advised that prior to any construction/new access within a Regional road, a Regional Construction Encroachment and/or Entrance Permit must be obtained from the Region. Applications can be obtained from the Permits Section of the Transportation Services Division, Public Works Department.

Additionally, as part of the Regional Permit process, the applicant is advised that the Regional road allowance must be restored. The Regional road allowance/boulevard must be restored to an appropriate grade and topsoil and sod placed as per Regional standards. Details on replacement will be provided through the Regional Permit issuance process. All costs associated with curb cuts and road replacement will be at the developer's expense.

3) Tree

Regional staff note that the drawing for the development does not indicate that there is a tree located on the Regional road allowance almost in line with the new property line for the parcels.

The applicant is advised that this tree is not to be disturbed during any development of the property. It is the Region's intent to preserve any healthy trees within the road allowance and may require changes to a proposal in order to preserve the tree(s).

No one, other than the Regional tree crew, shall trim/remove a tree on a Regional road allowance. The Regional tree crew will identify any dead or diseased trees for removal. Where development proposals require the removal of a tree, the developer is required to replace the tree with two trees at the developer's cost. For any questions on the tree, the applicant should contact Curt Anderson, Manager Road & Bridge Operations at 905-957-3358.

4) Protection of Survey Evidence

The applicant is advised that any Survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property.

5) Master Bicycle Route

Please be aware that Regional Road 87 (Main Street) has been designated as part of the Regional Master Bicycle Route. The bicycle route is currently not established and identified with signage. It is the intent to make provisions for doing so when an appropriate opportunity arises, if required, on this street section.

In conclusion, Regional staff do not object to the consent application subject to any local planning issues. If you have any questions or wish to discuss these comments, please contact me at extension 3268 or Lindsay Earl, Senior Development Planner at ext 3387. Please send notice of the Committee's decision on this application.

Yours truly,



Carmen Vetrone, C.Tech.
Development Approvals Technician
Development Services Division
Niagara Region Planning and Development Services

CVI/

L:\D.21 Development Planning\lnrfswrkgrp\pw_dev\Vetrone-Carmen\St. Catharines\2017\CS-17-069 79Main.docx

- c. L. Earl, MCIP, RPP, Senior Planner, Niagara Region
S. Dunsmore, P. Eng., Development Engineer, Niagara Region
P. Vujic, Corridor Safety Manager, Transportation Systems, Niagara Region
N. Taurins, B.Sc., O.L.S., O.L.I.P., Manager, Regional Surveys & Property Info, Niagara Region
C. Anderson, Manager Road & Bridge Operations, Niagara Region

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

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



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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM

July 20, 2017

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

Attention: Elaine Munro

File# 60.81.5243, 60.84.2125 & 60.81.5242

Re: 79 and 81 Main Street

In response to your correspondence date July 18, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312

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

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

Sincerley,

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

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

To: Vasko, Dennis; Banda, Wilrik
Subject: RE: CofA Applications for Review

From: Vasko, Dennis
Sent: Tuesday, July 25, 2017 8:15 AM
To: Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: CofA Applications for Review

Hi Wil,

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

Regards,
Dennis

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

From: Banda, Wilrik
Sent: Tuesday, July 18, 2017 3:25 PM
To: Vasko, Dennis
Cc: Munro, Elaine
Subject: FW: CofA Applications for Review

Good afternoon Dennis,

I have included 79 Main street and 2B Arlington Avenue for your review.
Please provide us with your comments by **July 25, 2017**.

Please send them to Elaine Munro or myself.

Thanks, Wil

Wilrik Banda
Planning Technician
Email: wbanda@stcatharines.ca
Tel: 905.688.5601 x1717

Munro, Elaine

Subject: RE: 79 Main street

From: Blozowski, Kevin

Sent: Tuesday, July 25, 2017 8:00 AM

To: Banda, Wilrik <wbanda@stcatharines.ca>; Munro, Elaine <emunro@stcatharines.ca>

Cc: Pihach, Judy <jpihach@stcatharines.ca>

Subject: 79 Main street

The applications for severance and variances are intended to allow for the creation of a new lot at 79 Main Street. Minor variances (lot area) are required to enable the creation of the proposed new lot.

The subject lands are located within the Port Dalhousie Heritage District. The heritage district designation was approved in 2003. Changes within the district are considered in accordance with the Ontario Heritage Act and are guided by the applicable policies of the Garden City Plan and the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001). The Port Dalhousie Heritage Conservation District Study Heritage Assessment Report (2000) provides background information that supported the district designation. These documents are available on the City's website or on request.

Part C, Section 3, of The Garden City Plan (the City's Official Plan) provides Cultural Heritage policies. Section 3.2.7 states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles where there is potential to impact any cultural heritage resources: New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation of adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape(3.2.7 (d)). This policy speaks mainly to new construction/additions to heritage buildings and the applicability of the district plan

The Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change provide further guidance as set out in the Garden City Plan. Section 5.4 states that where new lots are to be created within the Port Dalhousie Heritage Conservation District they should be of similar width and depth as adjacent occupied lots.

The proposed new lot will be of similar depth as immediately adjacent lands to the west at 85 Main Street, however, the width of the new lot will be less than those lands. The width and depth of retained lot will be less than the adjacent lands to the east at the corner of Ann and Main Streets (73 Main Street). There is a range of lot widths on both sides of Main Street, between Elgin Street and Ann Street. What is being proposed on the subject lands is within that range.

Heritage permit approval (HPA) will be required for any new construction and demolitions should these applications be approved. Application for HPA is made to the Planning and Building Services (PBS) Department and is circulated to the St. Catharines Heritage Permit Advisory Committee (SHPAC) for consideration and recommendation based on the policies and guidelines of the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change. HPA is granted by the PBS for all types of applications except for demolitions, which are considered by City Council. There is a \$150.00 fee for HPA (2017).

Kevin

Kevin Blozowski M.C.I.P., R.P.P.

Heritage Planner

Email: kblozowski@stcatharines.ca

Tel: 905.688.5601 x1710



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 2, 2017 hearing - File No.: 300-036

B-23/17SC – 16 Parkhill Road

Comment:

- No Comment

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 5.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing shed which crosses Part 3 and Part 5 as shown on the plan. If the shed is greater than 10 square metres in building area, a demolition permit is required and completed to the satisfaction of the Chief Building Official.

B-36/17SC – 42 lock Street

Comment:

- Be advised that a building permit is required for the proposed alteration off the existing dwelling (removal of attached garage).

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 northwesto face of the existing dwelling on Part 2.

B-40/17SC – 79 Main Street

Comment:

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

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 southwest face of the existing dwelling on Part 1.
- The existing detached garage and shed are to be removed from Part 2. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.

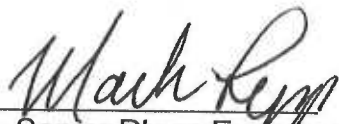
B-41/17SC – 2B Arlington

Comment:

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

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 north face of the existing apartment building on Part 3.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Kristen Sullivan, Parks, Recreation and Culture Services

Date: July 21, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 79 Main St.
File No: 60.84.2125

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

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

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

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

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, July 21, 2017 12:03 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 August 2/17 CofA Hearing

Please see attached comments. PRCS has no comments on the following applications:

- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (mv)

Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-40/17SC



July 21, 2017

ENGINEERING FILE 300-36

Hearing Date: August 2, 2017

Applicant: Alexandra Maletta

Location: 79 Main Street

MUNICIPAL SERVICES

Main Street

Water: 150mm (6") P.V.C.

Sanitary Sewer: 450mm (18") ~3.5m deep
400mm (16") ~2.0m deep

Storm Sewer: None. Combined sewer.

Sidewalks: Yes – currently encroach onto private property

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 2 for the purpose of constructing a single detached dwelling to be known as 81 Main Street. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use.

Roads

Main Street designated a Regional Arterial roads per the City's Official Plan with a desired right-of-way width of 26.21m (86'). Its current width along the Applicant frontage is deficient at 20.12m (66')±, however since Main Street is under Regional jurisdiction, any widening requirements would be at their discretion.

It must also be noted that currently, a portion of the Main Street sidewalk lies within the subject land property. A Regional widening would eliminate this existing encroachment, however if the Region does not pursue a widening along the applicant frontage, the Owner shall enter into an encroachment agreement with the City of St. Catharines to recognize the portion of the existing sidewalk within the Applicant lands.

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.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Christie Street, sump pump flows shall be discharged to grade away from abutting properties and to the front of the dwelling towards the road allowance.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure it does not cross any future potential lot lines. If these services are determined to cross future potential lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit so as not to continue private service crossings over future lot lines, and pay the City the fees to provide new services within the road allowance to the property lines in order for each property to be serviced individually.

Condition(s):

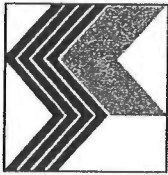
Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate the sewer and water laterals servicing the existing building on Part 1. The sewer and water service for Part 1 must be independent and not cross an adjacent property line. If either or both sewer and water services to Part 1 cross onto the other parts, separate services must be installed to the satisfaction of the City Engineer.



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: July 21, 2017

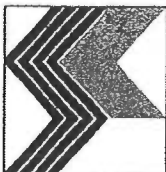
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

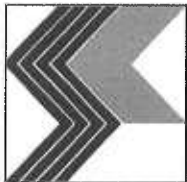
From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-78/17 (60.81.5247)

14 WALSH AVENUE

DATE OF HEARING:
August 2, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): A-78/17

File: 60.81.5247

Subject: 14 Walsh Avenue

Recommendation

That Submission **A-78/17** by David Michael Kuzee, 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-78/17** 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-78/17** is made pertaining the City of St. Catharines By-law 2013-283 for an increase of the maximum building height of an accessory structure from 4.5 metres to 6.25 metres.

Location and Site Description

The property is located on the east side of Walsh Avenue, north of Beamer 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 E2 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 – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex and townhouse dwellings, and private road developments.

Application A-78/17

The variance requested through Application A-78/17 proposes to permit the construction of a detached garage with a height of 6.25 metres where 4.5 metres is the maximum permitted.

Part D, Section 7.1 of the Garden City Plan states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site and context sensitive design to ensure the integration of compatible building form, scale, massing, height, siting, and orientation with adjacent buildings, properties and the surrounding neighbourhood.

The increase in height of 1.75 metres is not considered minor in nature. The proposed variance permits a garage that is not in keeping with the intent of the Official Plan and Zoning By-law. The garage does not reflect the character of the abutting properties which comply with the height provisions for accessory buildings and structures. The scale and massing do not conform to the character of the dwellings in the immediate neighbourhood. This is not in keeping with the intent of the Official Plan. Additionally, accessory structures are intended to be secondary building masses. The proposed garage would be more imposing on adjacent yards and would be of similar height to the home. This is not in keeping with the intent of the Zoning By-law. It is recommended that the garage be constructed at a height permitted by the Zoning By-law.

Conclusion

Staff is of the opinion that application **A-78/17**, 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:

A handwritten signature in blue ink, appearing to read "Sean House", written over a horizontal line.

Sean House
Student Planner

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 "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Banda, Wilrik

From: Sullivan, Kristen
Sent: Friday, July 21, 2017 12:03 PM
To: McEwan, Charlotte; House, Sean; Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing
Attachments: Lock_42_84.2121.doc; Main_79_84.2125.doc; Arlington_2B_84.2126.doc

Please see attached comments. PRCS has no comments on the following applications:

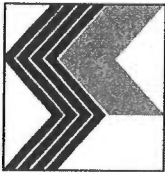
- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (mv)

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: July 21, 2017
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-41/17SC (60.84.2126)
&
A-79/17 (60.81.5248)**

2B ARLINGTON AVENUE

**DATE OF HEARING:
August 2, 2017**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): B-41/17SC
A-79/17

File: 60.84.2126
60.81.5348

Subject: 2B Arlington Avenue

Recommendation

That Submissions **B-41/17SC** by Arlington Manor St Catharines Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant receive approval to amend the existing Site Plan Agreement to remove the proposed lands to be severed and to address the relocation of existing services.
2. That the applicant verify the location of the existing services and utilities to the property and relocate any necessary services so that they do not conflict with the proposed locations of the future lots, to the satisfaction of the City of St. Catharines.
3. That the applicant relocate the existing Alectra Utilities primary service cable to a safe, non-conflicting location at their own expense and to the satisfaction of Alectra Utilities. The applicant shall utilize either Alectra Utilities or a contractor approved Alectra Utilities.
4. That the applicant 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 north face of the existing apartment building on Part 3.
5. That the applicant obtain approval for all necessary minor variances.

That Variance 1 of application **A-79/17** by Arlington Manor St. Catharines Inc., as outlined in the Notice of Hearing, be approved.

That Variance 2 of application **A-79/17** by Arlington Manor St. Catharines Inc., as outlined in the Notice of Hearing, be approved as follows:

“A reduction of the landscape buffer abutting a Residential Zone along the easterly boundary of the access to the parking area from 3 metres to 0.46 metres.”

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-41/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is satisfied that application **A-79/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested consent and variance be approved, as outlined in the recommendation.

Proposed Development

Application **B-41/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 782.6m² of land (Parts 1 & 2 as shown on the sketch) creating a new lot to be known as 2C Arlington Avenue for a future residential development. A 7,373m² remnant parcel with the existing two storey apartment building (Part 3) will be retained for continued residential use. There is a concurrent minor variance application A-79/17.

Application **A-79/17** is made pertaining to the City of St. Catharines By-law 2013-283 for Part 3 for the following:

1. A reduction of the minimum lot frontage from 30 metres to 10.82 metres.
2. A reduction of the landscape buffer abutting a Residential Zone from 3 metres to 0.46 metres.

The variances are requested to facilitate a concurrent consent application B-41/17SC for Part 3.

Location and Site Description

The subject property is located on the south side of Arlington Avenue, east of Lorne Street. The property contains an existing 40-unit, two-storey apartment building, and is surrounded by detached dwellings in all directions. There is an existing site plan agreement registered on the lands.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated 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 a variety of dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse and apartment dwellings, and private road developments. The abutting lands south are also designated R3, while the abutting lands to the east and west are designated Low Density Residential – Traditional Neighbourhood (R2).

Consent B-41/17SC

The consent is requested to permit the applicant to sever 782.6m² of land for future development.

When evaluating consents, Staff is guided by the policies of Part F, Section 16.11 in the GCP. Section 16.11.3 b) and c) states that consents to sever individual parcels of land will only be given where they contribute to the infilling of areas that are already substantially developed, and 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 proposed consent results in an irregular-shaped lot that contains the existing apartment building at 2B Arlington Avenue. The surrounding area is considered substantially developed. The target density for the property is generally between 25 and 99 units per hectare. The existing apartment building has a density of 49 units per hectare, demonstrating that there is room to intensify. The size of the Part 3 on the submitted sketch, containing the apartment building, would result in a density of approximately 54 units per hectare.

The proposal also allows for the addition of several units along the Arlington Avenue frontage. The proposed new lot is considered to be of adequate size and appropriate shape to facilitate the development of compatible units. It should be noted that the submitted sketch, indicating two semi-detached dwellings, is intended to be conceptual and may not accurately represent the future development for Parts 1 & 2.

Part D, Section 7.1 c) i) and 7.1 c) ii) of the GCP state that development and redevelopment, which includes lot creation, shall be evaluated having regard for building, site, and streetscape context sensitive design to ensure integration of compatible setbacks, siting and orientation with adjacent buildings and properties, and to ensure that adverse impacts are minimized in regard to privacy. The proposed lot size and depth provides adequate opportunity and space for a compatible development that is sensitive to the surrounding neighbourhood.

The proposal is not expected to have negative impacts on the surrounding area. The proposed lots are appropriate in terms of the optimum development of the surrounding area and the intent of the Official Plan is being upheld. Staff recommend that the consent be approved.

Application A-79/17 (Part 3)

Variance 1 requests a reduction of the minimum lot frontage from 30 metres to 10.82 metres for Part 3, containing the existing apartment building. The minimum lot frontage is intended, in part, to ensure adequate space for access and servicing to the existing apartment dwelling. The existing driveway is not proposed to be modified and currently provides adequate access to the apartment building. It is the responsibility of the applicant to relocate the services and utilities into the reduced lot frontage to ensure proper servicing, to be addressed through an amendment to the existing site plan as a condition of the proposed severance. The requested reduction is considered minor in nature, as it will not significantly impact the subject or surrounding properties. Staff are supportive of the proposed reduction in lot frontage.

Variance 2 requests a reduction of the landscape buffer abutting a Residential Zone for Part 3 from 3 metres to 0.46 metres to recognize the proposed buffer along the western lot line of Part 1 on the submitted sketch. The purpose of this buffer is, in part, to mitigate the negative impacts of vehicular parking on the surrounding environment. The proposed 0.46 metre buffer, along with the concrete sidewalk, is located along the existing driveway. There will be no vehicular parking along this portion of the parking area, and limited traffic is expected. Given that the impact of the parking area is reduced in this area, it is considered appropriate to approve a reduction in the required landscape buffer. Additionally, the reduction is limited to the landscape strip along the eastern side of the driveway. Provided that the variance itself is limited to this particular location, the impact of the reduction is considered minimal and the reduction is minor. The variance is considered appropriate for the desirable use of the land, and in keeping with the intent of the Official Plan and Zoning By-law. Staff recommends that the variance be approved.

Conclusion

In summary, Staff is supportive of Application **B-41/17SC** and Application **A-79/17**. The subject consent and variance 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 variance is minor in nature. It is the opinion of staff that the consent and variance 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

Munro, Elaine

Subject: RE: Horizon/Alectra FW: Response Letter for 2B Arlington

From: Scott Beaudrie [mailto:scott.beaudrie@alectrautilities.com]
Sent: Wednesday, July 26, 2017 11:06 AM
To: John M. Redekop <jredekop@ackarchitects.com>; Munro, Elaine <emunro@stcatharines.ca>
Cc: Michael Allen <mallen@ackarchitects.com>
Subject: RE: Horizon/Alectra FW: Response Letter for 2B Arlington

Elaine,

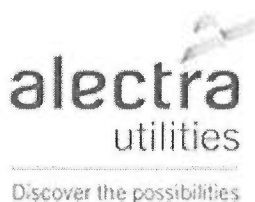
Alectra Utilities Corporation will support the severance of this property once the relocation of the existing service is relocated to a safe location that is not in conflict. It will be the responsibility of the developer to complete this work at their expense. Utilizing either Alectra Utilities or one of our approved contactors, this work cannot be completed by a contractor not approved by Alectra Utilities due to the energized equipment.

I have been in contact with John from ACK architects and advise him of the necessary solution, once they are ready to move forward with this plan we will need to meet with the developer to start this process.

I have advise John that locates will be required to determine the exact location of the service prior to relocating.

Please let me know if you have any questions,

Regards,



Scott Beaudrie
Supervisor, Engineering Design
55 John St N. Hamilton Ontario L8R 3M8
t 905.521.4907 | m 905.818.5675
alectrautilities.com





July 20, 2017

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

Attention: Elaine Munro

File# 60.84.2126 & 60.81.5248

Re: 2C & 2B Arlington Ave

In response to your correspondence date July 18, 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:

- Do not proceed; conflicts are present with existing Alectra Utilities infrastructure.
- Underground primary cable may require to be relocated off the proposed severed land.

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312

Alectra Utilities Corporation

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

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

alectrautilities.com

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

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

Sincerely,

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

Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



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

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- [Contact us](#)

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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM

Munro, Elaine

To: Vasko, Dennis; Banda, Wilrik
Subject: RE: CofA Applications for Review

From: Vasko, Dennis
Sent: Tuesday, July 25, 2017 8:15 AM
To: Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: CofA Applications for Review

Hi Wil,

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

Regards,
Dennis

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

From: Banda, Wilrik
Sent: Tuesday, July 18, 2017 3:25 PM
To: Vasko, Dennis
Cc: Munro, Elaine
Subject: FW: CofA Applications for Review

Good afternoon Dennis,

I have included 79 Main street and 2B Arlington Avenue for your review.
Please provide us with your comments by **July 25, 2017**.

Please send them to Elaine Munro or myself.

Thanks, Wil

Wilrik Banda
Planning Technician
Email: wbanda@stcatharines.ca
Tel: 905.688.5601 x1717



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 2, 2017 hearing - File No.: 300-036

B-23/17SC – 16 Parkhill Road

Comment:

- No Comment

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 5.
- A demolition permit shall be obtained from the City Building Section for the removal of the existing shed which crosses Part 3 and Part 5 as shown on the plan. If the shed is greater than 10 square metres in building area, a demolition permit is required and completed to the satisfaction of the Chief Building Official.

B-36/17SC – 42 lock Street

Comment:

- Be advised that a building permit is required for the proposed alteration off the existing dwelling (removal of attached garage).

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 northwesto face of the existing dwelling on Part 2.

B-40/17SC – 79 Main Street

Comment:

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

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 southwest face of the existing dwelling on Part 1.
- The existing detached garage and shed are to be removed from Part 2. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.

B-41/17SC – 2B Arlington

Comment:

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

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 north face of the existing apartment building on Part 3.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



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

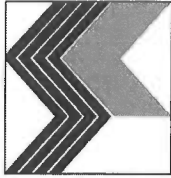
Date: July 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: July 21, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 2B Arlington Ave.
File No: 60.84.2126

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.

The applicant should be advised that additional tree planting payments will be required if additional severance or planning applications are approved in the future.

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

That payment of 5% of the appraised value of the new lot (Parts 1 and 2) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, July 21, 2017 12:03 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 August 2/17 CofA Hearing

Please see attached comments. PRCS has no comments on the following applications:

- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (mv)

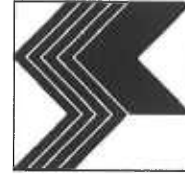
Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-41/17SC



July 21, 2017

ENGINEERING FILE 300-36

Hearing Date: August 2, 2017

Applicant: Arlington Manor St. Catharines Inc.

Location: 2B Arlington Avenue

MUNICIPAL SERVICES

Arlington Avenue

Water: 200mm (8") C.I.
Sanitary Sewer: 200mm (8") A.C. / 300mm (12") Clay
Storm Sewer: 450mm (18") Ditch Inlet / Roadside ditching
Sidewalks: None.
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 Parts 1&2 for the purpose of creating a new lot to be known as 2C Arlington Avenue for a future street-fronting residential development. A remnant parcel of land with the existing two-storey apartment building would be retained (Part 3) for continued residential dwelling use.

Roads

Arlington Avenue is designated a Local road per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along the Applicant frontage is sufficient for the City's needs, and at this time the City will not be requiring a road widening be dedicated through this application.

Engineering Services

Existing water and sewer services are identified to be connected into the above municipal systems from the site, however directly over and through the proposed portions of the lands to be severed. The Owner shall be responsible to pay the City the fees to locate and trace the existing water and sewer laterals from the existing site to verify their locations. The Owner shall then be responsible to amend the existing Site Plan Agreement on the property in order to complete works on private property through a Plumbing Only permit to relocate existing service connections from the site to within ultimate future limits of Part 3, in order to remove them from within the existing limits of the future Parts 1 & 2. Parts 1 & 2 shall then be serviced individually at the cost of the builder/applicant from Arlington Avenue at the time Building Permits have been applied for.

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 lots conveys drainage flows to a suitable outlet, and do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does exist on Arlington Avenue along the frontage, sump pump flows shall be discharged to the storm sewer via storm sewer lateral, to be connected to the storm sewer at the time Building Permits have been applied for on the future lots.

Utilities

The Owner must verify with the separate Utility companies (Horizon Utilities, Enbridge Gas, Bell Canada, and Cogeco Cable) to verify the locations of their plant infrastructure and any easements with respect to utility infrastructure over the subject lands and coordinate works accordingly. Utilities must also be relocated in order not to conflict with the existing site utility servicing and the future lots.

Condition(s):

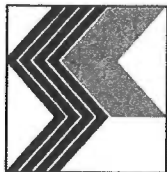
Prior to the severance finalization the Owner shall;

- Apply for a Site Plan Agreement Amendment to redesign the site to accommodate the proposed severance; and
- Verify the location of the existing services and utilities to the property and relocate any necessary services so that they do not conflict with the proposed locations of the future lots, to the satisfaction of the City of St. Catharines;



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: July 21, 2017
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

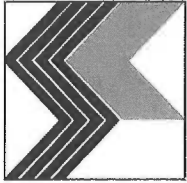
From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-80/17 (60.81.5249)

4 EDMUND STREET

DATE OF HEARING:
August 2, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Report: August 2, 2017

Submission(s): A-80/17

File: 60.81.5249

Subject: 4 Edmund Street

Recommendation

That Submission **A-80/17** by Claudia Valle, 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-80/17** 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-80/17 is made pertaining the City of St. Catharines By-law 2013-283 for the following:

- 1) A reduction of the required interior side yard setback from 1.2 metres to 0.76 metres.
- 2) A reduction of the minimum setback from the interior side lot line from 1.2 metres to 0.76 metres for a deck that has a height between 0.6 metres to 1.2 metres from grade.

The variances are requested for a proposed two storey addition and deck to an existing single family dwelling.

Location and Site Description

The subject property is located on the south side of Edmund Street, east of Henry Street, 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 lands are designated Neighbourhood Residential 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-80/17

Variance 1 of application **A-80/17** requests a reduction of the required interior side yard setback from 1.2 metres to 0.76 metres to allow for the construction of a two storey rear addition.

The purpose of a minimum interior yard setback is, in part, to allow adequate separation distance between buildings and access to the rear yard. 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, which will address the reduced separation distance. Windows are currently proposed only on the east face of the addition, which meets all required setbacks. Rear yard access will not be impacted by the proposed two storey addition, as a driveway with access to the rear yard exists on the east side of the dwelling unit. The current set-back of the existing dwelling is representative of a long-standing situation that has had no impact on the streetscape or surrounding area. Staff consider the requested variance to be minor in nature, and appropriate for the lands.

Variance 2 of application **A-80/17** requests a reduction of the minimum setback from the interior side lot line from 1.2 metres to 0.76 metres for a deck that has a height between 0.6 metres to 1.2 metres from grade. Reducing the minimum setback would allow the deck to be built in line with the existing house and proposed addition. The reduction of 0.44 metres is considered minor in nature, and is not expected to adversely impact surrounding properties. The setback will be in line with the existing dwelling and is considered appropriate for the subject lands.

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 variances are 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 variances be approved.

Prepared by:

A handwritten signature in blue ink, appearing to read "Sean House", written over a horizontal line.

Sean House
Student Planner

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 "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

7170 McLeod Rd

Niagara Falls Ontario L2G 3H2 Canada

Doug.Crown@cogeco.com



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

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- [Contact us](#)
Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing

From: Sullivan, Kristen

Sent: Friday, July 21, 2017 12:03 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 August 2/17 CofA Hearing

Please see attached comments. PRCS has no comments on the following applications:

- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (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: July 21, 2017
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

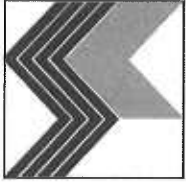
From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-82/17 (60.81.5251)

175 RYKERT STREET

DATE OF HEARING:
August 2, 2017



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): A-82/17

File: 60.81.5251

Subject: 175 Rykert Street

Recommendation

That Submission **A-82/17** by 1876441 Ontario Ltd. 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 satisfied that the variance requested through application **A-82/17** 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 denied.

Proposed Development

Application **A-82/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum required parking space from 1 to 0 for an accessory unit only. The variance is requested to eliminate the parking requirements for an interior accessory dwelling unit, while maintaining 1 parking space for the principle dwelling unit in the driveway.

Minor variance application A-98/16 was previously approved, which included a reduction of the minimum parking spaces for the principle dwelling unit from 2 spaces to 1 parking space. The reduced width of the garage does not meet the minimum width required by the zoning by-law, making it ineligible as a parking space for the purposes of zoning compliance.

Location and Site Description

The subject property is located on the south side of Rykert Street, east of Westland Street. The subject property is surrounded by detached dwellings to the north and west, a mix of detached, semi-detached and townhouse dwellings to the east and south, and a hydro corridor to the southeast. Eight new dwelling units directly west of the subject property have been approved for development.

Circulation of Application

The application was circulated to all 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 partially designated Low Density Residential and Medium Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation permits dwellings at a density generally between 20 and 32 units per hectare, while the Medium Density designation permits a density generally between 25 to 99 units per hectare.

Zoning By-law (2016-283)

The subject land is split-zoned Medium Density Residential (R3-23) and Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road developments. The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex 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.

Application A-55/17

Application A-55/17 requests a reduction of parking spaces from 1 to 0 for an interior accessory dwelling unit. The reduction would allow for an interior accessory dwelling unit. Taken together with the neighbouring properties' minor variance applications (A-83/17 to A-89/17), the reduction of parking spaces from 175 to 185B Rykert Street would total 8.

Part C, Subsection 5.4.2(ii) of the GCP states that the City may consider the reduction or elimination of parking requirements where transit is readily available. Staff note that there are five active transit stops within 400 metres (3-6 minute walk) with access to two bus routes, which carry passengers to the Downtown Terminal, the Pen Centre, and the GO and Via Rail station.

Part C, Subsection 5.4.2, however, also states that the applicant must adequately demonstrate that the reduced parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic, and parking management. The applicant states in their justification letter that the uptake of the second parking space will be less than 50% due to the fact that they are located on a bus route. Staff note that despite access to bus routes, the property is not in close proximity to amenities and services including groceries, restaurants, and medical offices.

The applicant further states that the proposed 3 metre wide garage is an adequately sized parking space. Staff does not consider a 3 metre wide parking space width

obstructed on 2 sides (inside garage) to be adequate. The required 3.5 metre width is intended to ensure that a vehicle door can be opened and to ensure that entrance and egress of the vehicle is possible. The undersized spaces are unlikely to be used by residents for parking purposes and spillover parking is anticipated. Staff have experienced this outcome in other areas where garage parking spaces are undersized.

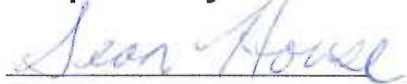
Staff note that the same variance is requested for seven units to the immediate west of this property. The cumulative impact of granting this variance for each of the eight lots involved is of concern to staff. On-street parking is likely to be absorbed should vehicle ownership attributed to accessory units exceed the expectations as presented by the applicant, which would aggravate the available parking. The impact of this variance is not considered minor. This type of reduction is not minor, considering this application is one of eight applications for lots along this portion of Rykert Street that are requesting the same variance.

Staff do not support the variance, as the general intent of the Official Plan and Zoning By-law are not being maintained, the variance is not minor in nature nor desirable for the appropriate development of the land.

Conclusion

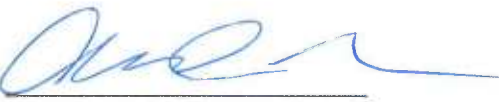
Staff is of the opinion that Application **A-82/17** is not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be denied.

Prepared by:



Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda

Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

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



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

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- Contact us

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

From: Banda, Wilrik [mailto:wbanda@stcatharines.ca]

Sent: Tuesday, July 18, 2017 2:26 PM



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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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A-83/17	177 Rykert Street	No Comment
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A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx

Banda, Wilrik

From: Sullivan, Kristen
Sent: Friday, July 21, 2017 12:03 PM
To: McEwan, Charlotte; House, Sean; Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing
Attachments: Lock_42_84.2121.doc; Main_79_84.2125.doc; Arlington_2B_84.2126.doc

Please see attached comments. PRCS has no comments on the following applications:

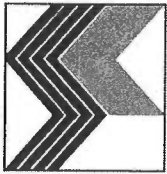
- 16 Parkhill (ld)
- 16 Parkhill (mv)
- 14 Parkhill (mv)
- 79 Main (mv)
- 81 Main (mv)
- 14 Walsh (mv)
- 2C Arlington (mv)
- 4 Edmund (mv)
- 175-185B Rykert (mv)

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

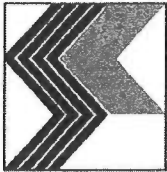
Date: July 21, 2017
Hearing Date: August 2, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street
A-76&77/17SC – 14 & 16 Parkhill Road
A-78/17SC – 14 Walsh Avenue
A-79/17SC – 2C Arlington Avenue
A-80/17SC – 4 Edmund Street
A-82/17SC – 175 Rykert Street
A-83-89/17SC – 177-185B Rykert 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.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/



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-83/17-A-89/17
(60.81.5252 TO 60.81.5258)**

177 – 185B RYKERT STREET

**DATE OF HEARING:
August 2, 2017**

Munro, Elaine

Subject: RE: FILE NO 60.81.5252 - 60.81.5258

From: Pollock, Jack [mailto:]
Sent: Thursday, July 27, 2017 8:40 AM
To: Banda, Wilrik <wbanda@stcatharines.ca>; Munro, Elaine <emunro@stcatharines.ca>; Williamson, Bruce <bwilliamson@stcatharines.ca>; Harris, Matthew <mharris@stcatharines.ca>; Kushner, Joe <jkushner@stcatharines.ca>
Cc:
Subject: FILE NO 60.81.5252 - 60.81.5258

FROM:
JACK & SHANNON POLLOCK
143 WESTLAND STREET,
ST. CATHARINES, ON
L2S 3Z3
PHONE:
E-MAIL:

IMMEDIATE ISSUE

My family is very concerned about the reduction of on-site parking being requested for the lots on Rykert Street. It will only force additional cars to park on either Rykert, Frederick or Westland (closest side streets).

The angle at which Westland Street joins to Rykert already creates vision issues for cars turning left onto Rykert. Any additional vehicles parked on either street will only make that a bigger issue. City buses use both Rykert and Westland; turning at that corner will be significant harder with additional street parking .

LARGER ISSUE WITH PARCEL OF LAND

This parcel of land, the last remaining from a beautiful development of mixed property types (townhouse, four-plex, semi and single family house) by Mountainview Homes has been requested increase density starting with zoning applications years ago.

The original plan (Mountainview) for the property was for 22 townhouse units (similar development to corner of Rykert and Vansickle). This plan matched the neighborhood and was part of the reason I purchased the lot at 143 Westland.

Do to negotiation issues the land owner decided not to sell the land to Mountainview and create his own in-filling plan; based on MAXIMUM DENSITY. The land owner requested an apartment with single family homes along Rykert Street with lots sizes as deep as other lots along Rykert. The day the application went to Committee those lot sizes were reduced and a few of the single family homes had been switched to semis; increasing the density even more. Years later the lot at 141 Westland Street was switched from single family to a semi-detached house with additional variances to more it closer to the road then the other house on that street.

Now a request to reduce parking to 0 for the potential to allow each dwelling to add an additional unit (increasing the density again).

When is enough? How many units are to be recommended on this parcel of land? What is next; should I an application except the apartment to go to 10 stories? I realize additional units bring additional tax dollars for the city (which every city needs) but by potentially increasing based on density for these few lots will only lead to offset reductions to the surrounding properties (netting to zero or less)

During the original rezoning application, the city had a Western Hill in-filling policy (not sure if it still exist) that at the core any development it was supposed to match the surrounding area. With every application made by this developer the development gets further and further away from the surrounding area to the point there is no way it can fit into the neighborhood.

These lots are already significant smaller than any lots in the surrounding; this was by the developer's choice. They could have sub-divided those lots deeper to allow for additional parking but they choice this size to MAXIMIZE DENSITY. Do not reward bad planning and create additional issues for the surrounding area.

Jack Pollock

Click [here](#) to report this email as spam.

Munro, Elaine

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Wednesday, July 19, 2017 9:54 AM
To: Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing (1 of 2 emails)

Hello Banda
Cogeco has no issues or concerns with this Adjustment Notices
Thanks

DOUG CROWN

Network Planning and Design

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

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



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Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

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desabonnement@cogeco.com. Merci!

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

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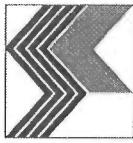
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- [Contact us](#)

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

From: Banda, Wilrik [<mailto:wbanda@stcatharines.ca>]

Sent: Tuesday, July 18, 2017 2:26 PM



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: July 28, 2017

Date of Meeting: August 2, 2017

Submission(s): A-83/17
A-84/17
A-85/17
A-86/17
A-87/17
A-88/17
A-89/17

File: 60.81.5251
60.81.5253
60.81.5254
60.81.5255
60.81.5256
60.81.5257
60.81.5258

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

Recommendation

That Submission **A-83/17** to **A-89/17** by 1333664 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 not satisfied that the variances requested for applications **A-83/17** to **A-89/17** inclusive are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variances be denied.

Proposed Development

Applications **A-83/17** to **A-89/17** are made pertaining to the City of St. Catharines By-Law 2013-283 for a reduction of the minimum required parking spaces from 1 to 0 for an interior accessory dwelling unit. The variances are requested to reduce the parking requirements for an interior accessory dwelling unit. The principle dwelling will have 1 parking space in the driveway. Minor variance applications A-40/17 to A-47/17 were previously approved, which included a reduction of the minimum number of parking spaces for the principle dwelling from 2 spaces to 1 space per unit.

Location and Site Description

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

Applications A-83/17 to A-89/17

The variances request a reduction in minimum required parking spaces from 1 to 0 for an interior accessory dwelling unit on each lot. The reduction would allow for an interior accessory dwelling unit. Taken together with neighbouring property's current minor variance application (A-82/17), the reduction in parking over the 8 abutting lots on this side of Rykert (175 to 185B Rykert Street) would total 8.

Part C, Subsection 5.4.2(ii) of the GCP states that the City may consider the reduction or elimination of parking requirements where transit is readily available. Staff note that there are five active transit stops within 400 metres (3-6 minute walk) with access to two bus routes, which carry passengers to the Downtown Terminal, the Pen Centre, and the GO and Via Rail station.

Part C, Subsection 5.4.2, however, also states that the applicant must adequately demonstrate that the reduced parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic, and parking management. The applicant states in their justification letter that the uptake of the second parking space will be less than 50% due

to the fact that they are located on a bus route. Staff note that despite access to bus routes, the property is not in close proximity to amenities and services including groceries, restaurants, and medical offices.

The applicant further states that the proposed 3 metre wide garage is an adequately sized parking space. Staff does not consider a 3 metre wide parking space width obstructed on 2 sides (inside garage) to be adequate. The required 3.5 metre width is intended to ensure that a vehicle door can be opened and to ensure that entrance and egress of the vehicle is possible. The undersized spaces are unlikely to be used by residents for parking purposes and spillover parking is anticipated.

The cumulative impact of granting this variance for each of the eight lots involved is of concern to staff. On-street parking is likely to be absorbed should vehicle ownership attributed to accessory units exceed the expectations as presented by the applicant, which would aggravate the available parking. The impact of this variance is not considered minor.

Staff suggest the dwelling units be redesigned to widen the garage width to meet the minimum zoning standard for a parking space, or alternatively, abandon the intent to include an accessory dwelling unit within each principle dwelling unit.

Staff do not support the variances, as the general intent of the Official Plan and Zoning By-law are not being maintained, the variance is not minor in nature nor desirable for the appropriate development of the land.

Conclusion

Staff is of the opinion that applications **A-83/17** to **A-89/17** are not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and 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, 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 25, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 2, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment as it is to recognize an existing condition.
A-74/17	81 Main Street	No Comment
A-76/17	14 Parkhill Road	No Comment
A-77/17	16 Parkhill Road	No Comment.
A-78/17	14 Walsh Avenue	No Comment
A-79/17	2C Arlington Avenue	No Comment
A-80/17	4 Edmund Street	Be advised that a building permit is required for the proposed addition and that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of wall construction facing that yard.
A-82/17	175 Rykert Street	No Comment
A-83/17	177 Rykert Street	No Comment
A-84/17	179A Rykert Street	No Comment
A-85/17	179B Rykert Street	No Comment
A-86/17	181 Rykert Street	No Comment
A-87/17	183 Rykert Street	No Comment
A-88/17	185A Rykert Street	No Comment
A-89/17	185B Rykert Street	No Comment

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-Aug 2, 2017.docx

Banda, Wilrik

From: Sullivan, Kristen
Sent: Friday, July 21, 2017 12:03 PM
To: McEwan, Charlotte; House, Sean; Banda, Wilrik
Cc: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the August 2/17 CofA Hearing
Attachments: Lock_42_84.2121.doc; Main_79_84.2125.doc; Arlington_2B_84.2126.doc

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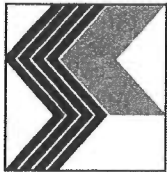
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Kristen Sullivan

Project & Development Planner

Email: ksullivan@stcatharines.ca

Tel: 905.688.5601 x3145



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

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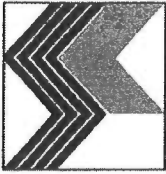
Date: July 21, 2017
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Development Engineering Services have reviewed the above noted applications for Minor Variance requests. We have no comments or objections to the approval of the above variance applications.

Regards,

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: July 21, 2017

Subject: Committee of Adjustment
Public Hearings – August 2, 2017
File No. 305-17-01

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Steve Bittner
Transportation Technologist
SB/