
Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Appointment of Acting Secretary-Treasurer:

That Mr. Wilrik Banda be appointed as Acting Secretary-Treasurer of the Committee of Adjustment for the City of St. Catharines in the absence of the Secretary-Treasurer and would have the same authority as the Secretary-Treasurer.

6. Amendments/Additions to the Agenda:
7. Adoption of the Minutes for the Hearing held on August 02, 2017
8. Application:
 - 1) 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
(Deferred at the August 2, 2017 Hearing)
 - 2) 64 Hillcrest Avenue, Minor Variance Application, A-97/17 – 60.81.5265
 - 3) 55 Dunvegan Road, Consent Application, B-44/17SC – 60.84.2129
55 Dunvegan Road, Minor Variance Application, A-90/17 – 60.81.5259
 - 4) 63 Martindale Road, Consent Application, B-46/17SC – 60.84.2131
63 Martindale Road, Consent Application, B-47/17SC – 60.84.2132
 - 5) 368 Martindale Road, Minor Variance Application, A-92/17 – 60.81.5261
 - 6) 89 Meadowvale Drive, Minor Variance Application, A-96/17 – 60.81.5265
 - 7) 30 South Drive, Minor Variance Application, A-93/17 – 60.81.5262
 - 8) 14 Lochinvar Drive, Minor Variance Application, A-95/17 – 60.81.5264
9. New Business:
10. Date of next Hearing: September 27, 2017
11. Adjournment

COMMENTS

**79 Main Street
(81 Main Street)**

B-40/17SC – 60.84.2125

A-73/17 – 60.81.5242

A-74/17 – 60.81.5243



CITY OF
ST. CATHARINES

Revised Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 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 approved, subject to the following conditions:

1. That the applicant 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.
2. 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 payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
3. That the applicant submit a payment of \$433.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
4. That final approval for the necessary minor variance applications be received.
5. 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 southwest face of the existing dwelling on Part 1.
6. That the existing detached garage and shed 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.

7. That 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.

That Submission **A-73/17** by Alexandra Maletta, as outlined in the Notice of Hearing, be approved, subject to the condition that the extent of the permitted parking area be limited to the location and size (3.0 metres wide and 6.0 metres deep) as illustrated on the sketch attached hereto and to form part of the decision.

That Submission **A-74/17** by Alexandra Maletta, 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-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 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 not being maintained.

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

Proposed Development

Application **B-40/17SC** is made for consent to sever 260m² 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 290m² remnant parcel (Part 1) with the existing two storey dwelling would be retained for continued residential use.

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 290m² (Part 1). The variance is requested to facilitate a concurrent consent application B-40/17SC and to recognize the location of the existing single detached dwelling.

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 260m² (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 260m² lot and a second 290m² 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 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. The proposal on the subject lands is within that range.

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.

Staff previously recommended denial for the requested severance prior to revisions due to a lack of compliance with the District Plan guidelines. Based on the revised sketch submitted with the application, parking that is offset from the main façade of the existing building will be possible, which is in keeping with the intent of the Official Plan. Staff recommend that the consent be approved.

It must also be noted that currently, a portion of the Main Street sidewalk lies within the subject land property. As a condition of severance, 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's lands.

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 290m². Application **A-74/17** (Part 2) requests a reduction in the minimum lot area per dwelling unit from 300m² to 260m².

Despite being below the minimum required lot area, the lots are able to meet all other requirements of the Zoning By-law. The parking for both dwellings is able to be offset from the main façade, allowing lots that are in character with the neighbourhood. The variances to both the proposed and remnant lots are considered minor in nature, since no negative impacts are anticipated as a result of the reduction in lot area. The lot area allows for functional development that meets all the required setbacks and complies with the direction of the Heritage guidelines, which is in keeping with the intent of the Official Plan and Zoning By-law.

To ensure that the remnant parcel remains compatible, staff recommend approval of the reduction in minimum lot area subject to the condition that the extent of the parking area be as illustrated on the submitted sketch, attached hereto, which should form part of the

Committee's decision. The proposed lot will require a heritage permit prior to construction of a dwelling, and which will address the location of parking in relation to the dwelling façade. The reduction in lot area is not expected to compromise the development of a compatible dwelling on the proposed lot. Staff recommends that the variances be approved.

Conclusion

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

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

Banda, Wilrik

From: Blozowski, Kevin
Sent: Thursday, August 17, 2017 11:58 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; Banda, Wilrik; House, Sean
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Elaine

I have reviewed the revised plan. The proposal currently under consideration more closely meets the intent of the Heritage District Guidelines. The proposed new lot can accommodate parking beyond the main face of the building. Should this application be approved we will require that parking for the new lot be provided at the location shown on the revised sketch. The amount of front yard proposed for the existing lot has been reduced from what was previously being proposed.

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

From: Munro, Elaine
Sent: Thursday, August 17, 2017 11:09 AM
To: Blozowski, Kevin
Subject: FW: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

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

From: Munro, Elaine
Sent: Tuesday, August 08, 2017 4:36 PM
To: Blozowski, Kevin <kblozowski@stcatharines.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>
Subject: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Good Afternoon, Kevin:

The applications for 79 Main Street have been revised and are being heard at the City of St. Catharines August 23, 2017 Committee of Adjustment Hearing.

It would be greatly appreciated if you could forward your comments to me, Charlotte McEwan, Planner, Sean House, Student Planner and Wil Banda by **Friday, August 11, 2017**.

1)	79 Main Street, Consent Application, B-40/17SC – 60.84.2125	**Revised
Sketch**	79 Main Street, Minor Variance Application, A-73/17 – 60.81.5242	
	81 Main Street, Minor Variance Application, A-74/17 – 60.81.5243	

Thanks, Elaine

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Monday, August 14, 2017 3:47 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik; Rohe, Craig; Carmen Vetrone (carmen.vetrone@niagararegion.ca) (carmen.vetrone@niagararegion.ca); devtplanningapplications@niagararegion.ca
Subject: B-40/17, A-73/17 & A-74/17 79 Main Street, St. Catharines
Attachments: 79 Main Street Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed applications B-40/17, A-73/17 and A-74/17 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.

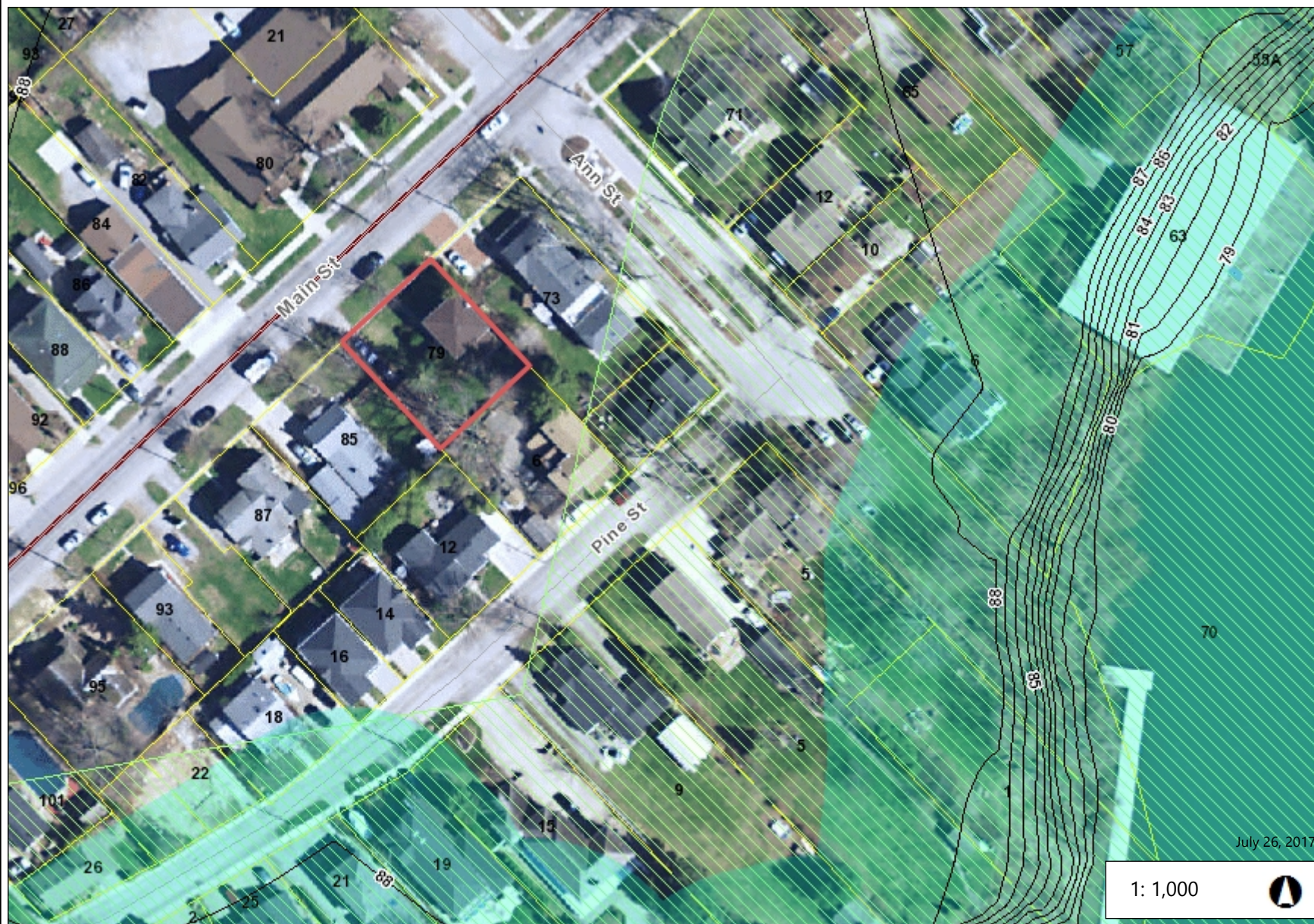
Based on the above, the NPCA offers no objection to the subject applications.

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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Legend

- Contours 2010 (1m)
- NPCA APPROXIMATE REGULATORY
- 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

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Notes

August 11, 2017

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

Attention: Elaine Munro

File# 60.84.2125 & 60.81.5242

Re: 79 Main Street

In response to your correspondence date August 8, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.

We would also like to stipulate the following:

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

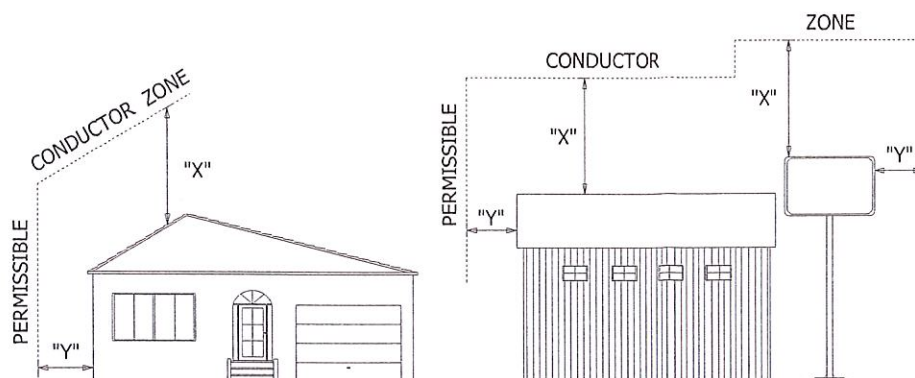
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS
NOT TO SCALE

SHEET #

1

REVISION #

0

August 11, 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

Re: 81 Main Street

In response to your correspondence date August 8, 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:

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We would also like to stipulate the following:

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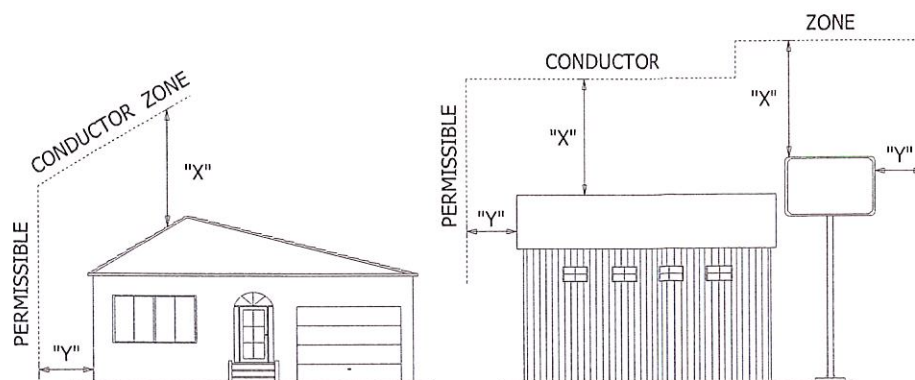
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 - C22.3 No. 7-10 Underground Systems

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 Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design



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Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, August 09, 2017 8:04 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hello Elaine
Cogeco has no issues or concerns with this Adjustment Notices
Thanks
Have a great day

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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Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Re: 79 Main Street

From: Vasko, Dennis

Sent: Wednesday, August 09, 2017 8:35 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hi Elaine,

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

Regards,
Dennis

Dennis Vasko

Fill Site Technician

Email: dvasko@stcatharines.ca

Tel: 905.688.5601 x2163



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 23, 2017 hearing - File No.: 300-036

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-44/17SC – 55 Dunvegan Road

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-46/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment

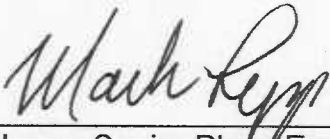
B-47/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive, flowing style. The first name "Mark" is written with a large, looped 'M', and the last name "Lepp" is written with a large, looped 'L'.

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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2017\23 bcoa memo-mv-Aug 23, 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

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

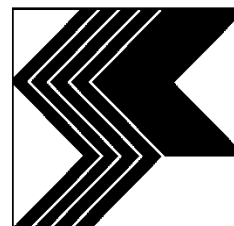
From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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



August 11, 2017

ENGINEERING FILE 300-36

Hearing Date: August 23, 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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

64 Hillcrest Avenue

A-97/17 – 60.81.5266



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 2017

Submission(s): A-97/17

File: 60.81.5266

Subject: 64 Hillcrest Avenue

Recommendation

That Submission **A-97/17** by Joseph Viola & Susan Viola, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45(2) (a) (ii) of the Planning Act, staff is of the opinion that the use proposed through application **A-97/17** is similar to the purpose for which the land was used on the day the by-law was passed, and that the use continued until the date of the application to the committee.

Staff recommends that the requested application be approved.

Proposed Development

Application A-97/17 is made for permission to permit an existing pool cabana/gazebo in the Conservation/Natural Area (G1) zone as a land use similar to a swimming pool, which was and continues to be a legal use on the property, since it predated the current Zoning By-law.

Location and Site Description

The subject property is located on the west side of Hillcrest Avenue, north of Woodgate Avenue. The subject property is surrounded by detached dwellings to the north, south, and east, and green space and 12 Mile Creek to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

Schedule D1 of the Garden City Plan (GCP) designates the subject property as Neighbourhood Residential and Natural Area. Schedule E8 provides additional direction

for the South Planning District and designates the lands as Low Density Residential and Natural Area. 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.

The Natural Area designation permits legally existing uses (in this case the swimming pool) , buildings and structures, new agriculture, fish, wildlife and conservation management, essential linear public uses, watershed management and flooding and erosion control facilities and passive small scale recreation.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential – Traditional Neighborhood (R2) and Conservation/Natural Area (G1). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments. The G1 Zone permits boat ramps, essential operations for service infrastructure and utilities, picnic areas and shelters and trails.

The current Natural Area official plan land use designation and the current G1 zoning would not permit a *new* pool cabana/gazebo. The *existing* pool cabana/gazebo was constructed on the site at the time the pool was legally constructed in 2006.

Application A-97/17

Application **A-97/17** requests permission to permit the existing pool cabana/gazebo on the portion of the property zoned G1, for the purpose of obtaining a building permit.

The applicant constructed a pool and pool cabana/gazebo in 2006 under the previous zoning by-law, which permitted accessory structures in the portion of the property that is now zoned G1 (previously zoned Environmental Protection Area Zone).

In order to satisfy conditions of a pending real estate transaction the owner is required to provide permits for the structures located on the property. The swimming pool was lawfully established. A pool enclosure permit has been applied for and can be issued. The pool cabana/gazebo was built at the time when the use was permitted; however, the owners have not been able to produce a building permit for the structure. They have noted in their application that they were under the impression that the contractor had obtained a permit at the time of construction.

In 2013, the City adopted the new comprehensive zoning By-law 2013-283, which does not allow for accessory structure in the G1 zone. An application to the Committee of Adjustment is therefore required for the issuance of a building permit for the existing pool cabana/gazebo.

Section 45(2) (a) (ii) of the Planning Act, describing “Other Powers” of the Committee of Adjustment states:

- Where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, [the Committee] may permit,
 - The use of such land, building, or structure for a purpose that, in the opinion of the committee, *is similar to* the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee.

Staff is reviewing this application based on the existing pool cabana/gazebo being a use similar to the lawfully existing swimming pool.

Section 12 of the Zoning By-law defines an accessory structure as a detached building, structure or pool that is incidental and secondary to the principal use(s) on the same lot. The pool was legally established as no permit was required at the time it was constructed. Staff are of the opinion that the pool cabana/gazebo, which is considered an accessory structure in the current zoning by-law, is a use similar to the lawfully established "accessory structure" (the pool). Aerial photography shows that the use has continued until the date of the application to the Committee.

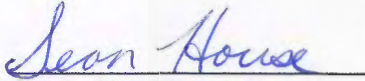
Permitting the pool cabana/gazebo has no added impact on the neighbourhood and is compatible with the surrounding lands. Staff note that the current G1 zone permits a picnic shelter and that the existing pool cabana/gazebo is a similar type of accessory structure.

The accessory structure has existed for 11 years and no adverse impacts are anticipated as a result of the request. Staff are supportive of the application.

Conclusion

Having regard for the matters under Section 45(2) (a) (ii) of the Planning Act, staff is of the opinion that the use proposed through application **A-97/17** is similar to the purpose for which the land was used on the day the by-law was passed, and that the use continued until the date of the application to the Committee. Staff recommends that the requested application be approved.


Prepared by:



Sean House
Student Planner

Submitted by:



For  Margaret Josipovic
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Thursday, August 17, 2017 11:19 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; Banda, Wilrik; House, Sean; Rohe, Craig; devtplanningapplications@niagararegion.ca; Carmen Vetrone (carmen.vetrone@niagararegion.ca) (carmen.vetrone@niagararegion.ca)
Subject: A-97/17 64 Hillcrest Avenue, St. Catharines
Attachments: 64 Hillcrest Avenue Map.pdf

Good Morning Elaine,

NPCA staff have reviewed the subject application which has been made for permission to permit an existing pool cabana/gazebo.

NPCA mapping identifies that the property is impacted by a steep slope associated with Twelve Mile Creek and as such would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

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

NPCA staff are satisfied that the subject application has been made to permit an existing pool cabana/gazebo and no new development is proposed as part of the subject application. In addition, an NPCA work permit was issued on June 23, 2017 for the existing works (PLPER201700646).

In addition to the above NPCA policies, the NPCA comments on the Region of Niagara's Environmental Policies on their behalf for any proposal requiring approvals under the Planning Act. The following is offered in that context. A portion of the subject property has been identified as an Environmental Conservation Area (ECA) for Significant Woodland on the Region of Niagara's Core Natural Heritage Mapping. In accordance with Regional Policy 7.B.1.11, development may be permitted within or adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no negative impact on the Core Natural Heritage system or adjacent lands. The subject application has been made to permit an existing pool cabana/gazebo and no new development will occur as a result of the subject application. As such, NPCA staff are satisfied there will be no significant negative impact to the identified features as a result of the subject application.

Based on the above, the NPCA offers no objection to the subject application which has been made to permit an existing pool cabana/gazebo.

Due to the regulated features identified on the property, the NPCA will need to be circulated any application for development on the property, for review and approval. Should any works (structures, grading, lot lines, pool) be proposed within or adjacent to a regulated feature or its buffer, a work permit from the NPCA will be required, as well as possible further studies (i.e. Geotechnical Assessment, EIS).

I hope this information is helpful. Should you have any questions, please contact me.
Thank you,

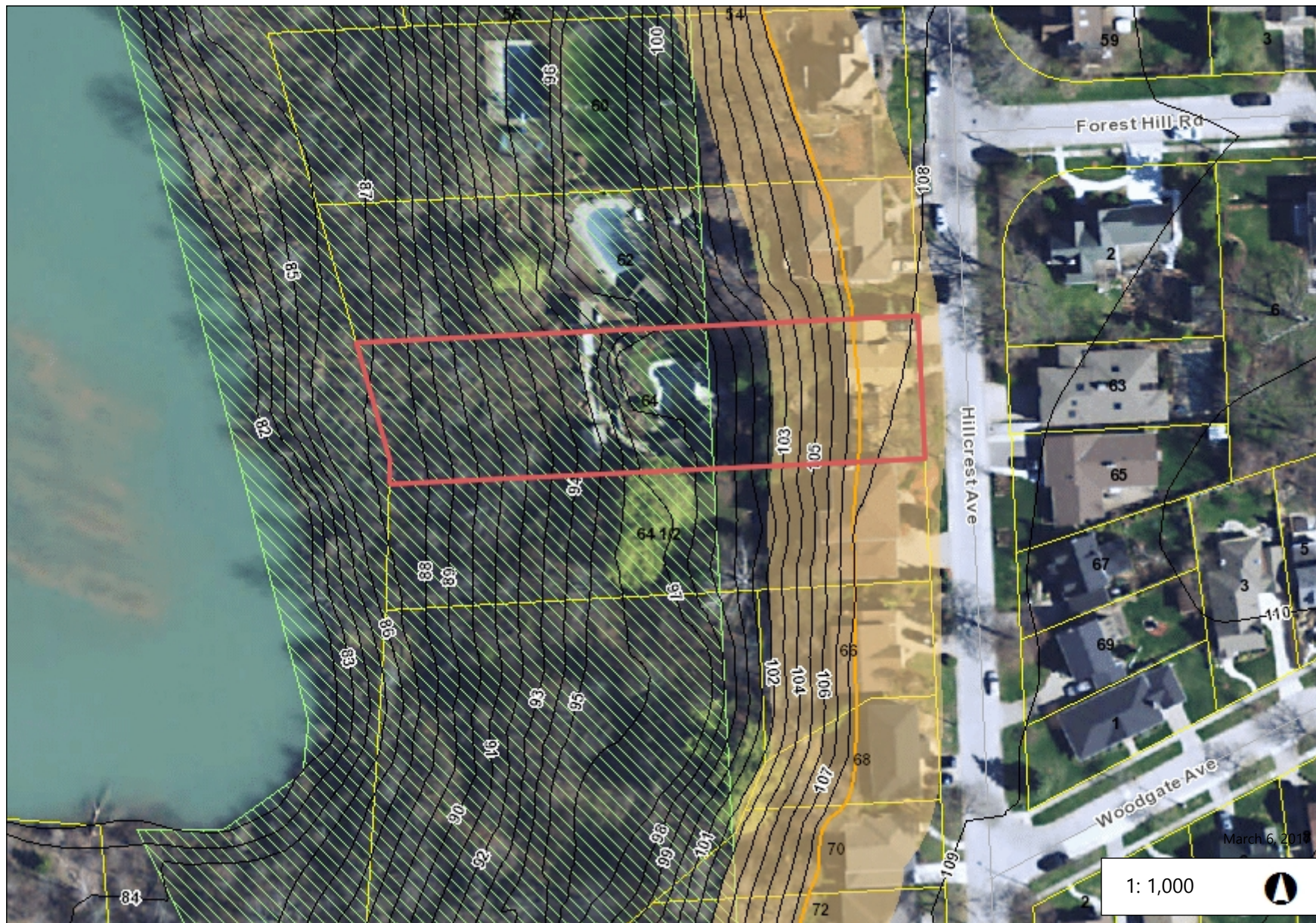
Taya Devlin

Watershed Planner

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

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Legend

- Contours 2010 (1m)
- Top of Slope Features
 - Stable
 - Unstable
- Top of Slope Allowance
- ECA: Significant Woodlands
- Ontario Road Network
 - Major Highways
 - Arterial Roads
 - Local Roads
- Assessment Parcels
- AIRPORTS
- Campsites
- SWOOP_2015
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

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

1: 1,000



Notes

Munro, Elaine

Subject:

RE: Outstanding Application - 368 Martindale Road & 64 Hillcrest Ave. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

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

Sent: Wednesday, August 09, 2017 1:05 PM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Outstanding Application - 368 Martindale Road & 64 Hillcrest Ave. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hi Elaine

Cogeco has no issues or concerns with this application

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.

Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à 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

This email is from Doug.Crown@cogeco.com. To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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Mark Lepp, Senior Plans Examiner / Building Inspector

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
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 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
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- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

**55 Dunvegan Road
(87 Alexandra Blvd)**

B-44/17SC – 60.84.2129

A-90/17 – 60.81.5259

Chris Bracker
83 Alexandra Blvd
St. Catharines, ON
L2P 1K2

Elaine Munro, Secretary-Treasurer
Committee of Adjustment
P.O. Box 3012, 50 Church Street
St. Catharines, ON
L2R 7C2

For the attention of Ms. Munro, Secretary-Treasurer,

Dear Ms. Munro,

File No. 60.84.2129, 60.81.5259
Submission No. B-44/17SC, A-90/17
Roll No. 26290100350224000000

Proposed construction of single detached dwelling by Matthew Andrus and David Andrus.

I write in connection with the above planning application. I have examined the plans and I wish to strongly object to the development of this house in this location.

The devaluation of properties on Alexandra Blvd from lack of character of the proposed "raised bungalow" is a possibility due to the ambiguity of building type, curb appeal and the close proximity to our property of 83 Alexandra Blvd due to the proposed reduction of rear setback and an increase in maximum lot area. There is also a fire hazard due to the proximity of the properties.

Overlooking and lack of privacy is already an issue from the rear wood deck of 55 Dunvegan Rd into our property and anymore reduction in setback would be detrimental to our privacy. I assume the intent of the proposal for construction is to create revenue and disposable income from an additional property therefore it may not be in the best interest of the Alexandra Blvd community to support such a proposal.

Unfortunately, I will not be able to attend the hearing for I am currently in Vancouver, BC for work. If you have any questions or concerns regarding the opposition to the above applications feel free to contact me via email or by phone at [REDACTED]

Yours faithfully,

Chris Bracker



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 2017

Submission(s): B-44/17SC
A-90/17

File: 60.84.2129
60.81.5259

Subject: 55 Dunvegan Road

Recommendation

That Submission **B-44/17SC** by Matthew Andrus and David Andrus, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant remove the existing wood deck and board fence that cross the proposed lot line.
2. That the applicant pay the fee for City crews to locate the sewer and water laterals servicing the existing building on Part 2. The sewer and water service for Part 2 must be independent and not cross an adjacent property line. If either or both sewer and water services to Part 2 cross onto the other parts, separate services must be installed to the satisfaction of the City Engineer.
3. 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 west face of the existing apartment building on Part 2.
4. That the applicant obtain approval from the NPCA for any future works proposed on Part 2 prior to the commencement of the works on site.
5. 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.
6. That the applicant make payment of 5% of the appraised value of the new lot (Parts 1) 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.
7. That the applicant obtain approval for all necessary minor variances.

That Variance 1 of application **A-90/17** by Matthew Andrus and David Andrus, 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-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-44/17SC is made for consent to a partial discharge of mortgage and for consent to sever 476 m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 87 Alexandra Boulevard for the purpose of constructing a single detached dwelling. An 801m² remnant parcel with the existing single detached dwelling and shed (Part 2) would be retained for continued residential use. There is a concurrent minor variance application A-90/17.

Application A-90/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following:

1. An increase of the maximum lot area per dwelling unit from 490 m² to 801 m².
2. A reduction of the required minimum rear yard setback from 7.5 metres to 3.72 metres.

The variances for Part 2 are requested to facilitate the concurrent consent application B-44/17SC.

Location and Site Description

The subject property is located on the northwest corner of Dunvegan Road and Alexandria Boulevard, and is surrounded by detached dwellings in all directions, and green space to the northeast.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E9 of the GCP. The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

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, quadruplex and townhouse dwellings, and private road developments.

Consent B-44/17SC

The consent is requested to permit the applicant to sever 476m² of land for the construction of a single detached dwelling.

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 surrounding area is considered substantially developed. The proposed new lot is considered to be of adequate size and appropriate shape to facilitate the development of a compatible unit.

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 subject property is located adjacent to Secord Creek and impacted by the associated valley slope. As such, this property would be subject to the Niagara Peninsula Conservation Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06). Additionally, the Region of Niagara's Core Natural Heritage Mapping identifies an Environmental Conservation Area (ECA) for Significant Woodland adjacent to (within 50 metres) the subject lands. The subject application shows all proposed development (lot lines, building envelopes) more than 15 metres from the physical top of bank and outside of the identified Significant Woodland and staff are satisfied there will be no significant negative impact on the identified ECA feature.

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.

The applicants are advised that the new infill housing by-law would not allow the proposed building footprint to be approved. A transition clause was included in the new by-law to allow previous applications submitted before approval of the new by-law to still fall under the provisions of the previous by-law. The transition clause, however, is currently under appeal, and the City of St. Catharines cannot guarantee that the proposed development will still be allowed when applying for a building permit.

Application A-90/17 (Part 2)

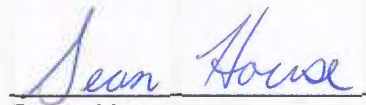
Variance 1 requests an increase of the maximum lot area per dwelling unit from 490m² to 801m². Staff note that the proposed lot size will bring the subject lands closer to conformity with the Zoning By-law in terms of lot area. In addition, the surrounding lots are also oversized and the proposed lot is compatible with the prevailing nature of the neighbourhood. The requested increase 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 required minimum rear yard setback from 7.5 metres to 3.72 metres. The proposed lot line changes what is considered the rear yard, necessitating the variance. Staff note that the proposed rear yard has effectively been used as a rear yard in the past, and the interior side yard to the east provides adequate amenity space. 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-44/17SC** and Application **A-90/17**. 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:

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

Sean House
Student Planner

Submitted by:

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

Charlotte McEwan
Planner I

Approved by:

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

Judy Pihach, MCIP, RPP
Manager of Planning Services

August 14, 2017

Our File No.: PLCON201700969

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 Variance, (B-44/17SC & A-90/17)
55 Dunvegan 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-44/17SC) has been made to sever 476 m² of land (Part 1) creating a new lot to be known as 87 Alexandra Boulevard for the purpose of constructing a single detached dwelling. An 801m² remnant parcel with the existing single detached dwelling and shed (Part 2) would be retained for continued residential use. The variance application (A-90/17) has been made for an increase of maximum lot area per dwelling unit from 490m² to 801m² and reduction of the required minimum rear yard setback from 7.5 metres to 3.72 metres (Part 2).

Niagara Peninsula Conservation Authority Regulations:

The subject property is located adjacent to Secord Creek and impacted by the associated valley slope. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (**O. Reg. 155/06**). In accordance with Policy 4.3, the Authority regulates all development and site alterations (including lot lines) within 15 metres of a valley slope. Consent applications shall identify a suitable building envelope within the lot to be created and the lot that is retained while maintaining the required setbacks. The subject application has been made for the creation of a new lot (Part 1) which is located more than 15 metres from the top of slope. The lands to be retained (Part 2) contain an existing dwelling and shed, located more than 15 metres from the top of slope and no development is proposed within 15 metres of the top of slope as a result of the subject applications.

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 Significant Woodland adjacent to (within 50 metres) the subject lands. 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. This can be accomplished through the completion of an Environmental Impact Study (EIS). 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) more than 15 metres from the physical top of bank and outside of the identified Significant Woodland and NPCA staff are satisfied there will be no significant negative impact on the identified ECA feature and the EIS requirement can be waived.

Conclusion:

Based on the above, the NPCA offers no objections to the proposed severance and increase of maximum lot area and reduction of the minimum rear yard setback.

Lastly, due to the features identified, any future works proposed on Part 2 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 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 the above will be of assistance to you. Please do not hesitate to call should you have further questions in this matter.

Yours truly,



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

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



Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- NPCA APPROXIMATE REGULATORY
- Top of Slope Features
 - Stable
 - Unstable
- Top of Slope Allowance
- 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

August 10, 2017

1: 1,000



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Notes

August 11, 2017

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

Attention: Elaine Munro

File# 60.81.5259

Re: 55 Dunvegan Rd

In response to your correspondence date August 8, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Developers are to ensure that Alectra Utilities has access to the hydro poles along Dunvegan Road.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

We would also like to stipulate the following:

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

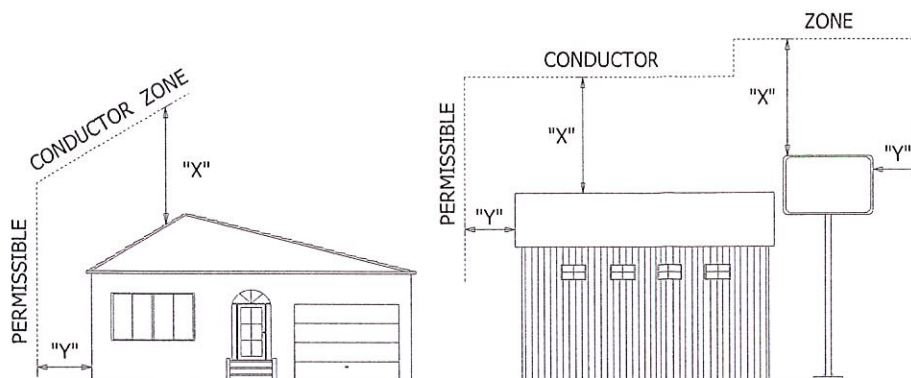
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - 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 Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
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horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS
NOT TO SCALE

DRAWING #
3-105

SHEET#	REVISION#
1	0

August 11, 2017

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

Attention: Elaine Munro

File# 60.81.2129

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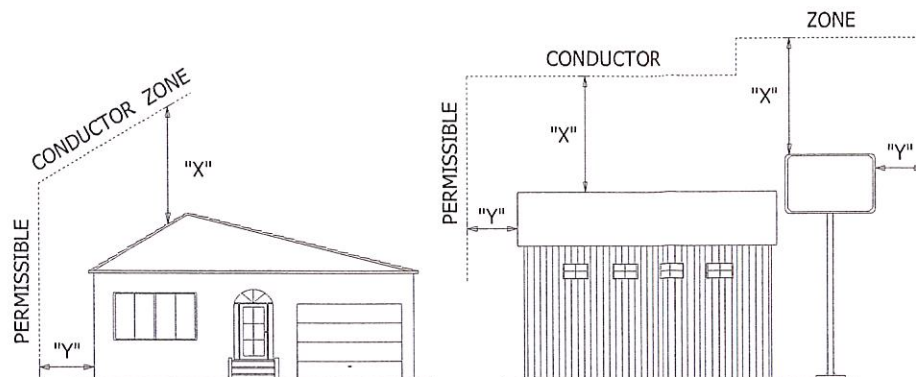
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Sincerley,



Scott Beaudrie
Supervisor, Engineering Design



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horizon
UTILITIES *Looking beyond...*

DRAWING STATUS	BY	DATE DD/MM/YY
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REFERENCE DRAWINGS:

DRAWING #
3-105

DRAWINGS
NOT TO SCALE

SHEET #	REVISION #
1	0

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

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

Sent: Wednesday, August 09, 2017 8:04 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hello Elaine

Cogeco has no issues or concerns with this Adjustment Notices

Thanks

Have a great day

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.

Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à 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

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Leigh, Connie [mailto:connie.leigh@bell.ca]

Sent: Friday, August 11, 2017 10:07 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Elaine,

Consent Application #B-44/17SC
55 Dunvegan Road
Bell's File #905-17-384

Bell Canada confirms that we have no concerns or easement requirements over the lands noted on attached application.

Thanks,

Connie Leigh

Bell Canada, Right of Way

140 Bayfield St., Flr 2

Barrie, Ontario

L4M 3B1

Tel: 705-722-2506 or 866-484-6744

Fax: 705-722-2263



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx



Memorandum

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

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

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

Date: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 23, 2017 hearing - File No.: 300-036

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-44/17SC – 55 Dunvegan Road

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-46/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment

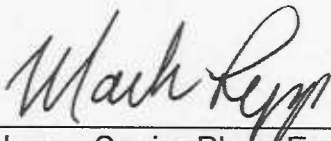
B-47/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment



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
Wilrik Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: August 11, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 55 Dunvegan Rd.
File No: 60.84.2129

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 (Parts 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.

The applicant is encouraged to consider protecting the existing trees on private property through the new lot construction.

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

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

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

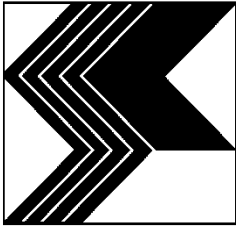
From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
To: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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-44/17SC



August 11, 2017

ENGINEERING FILE 300-36

Hearing Date: August 23, 2017
Applicant: Matthew Andrus & David Andrus
Location: 55 Dunvegan Road

MUNICIPAL SERVICES

	Dunvegan Road	Alexandra Boulevard
Water:	150mm (6") P.V.C.	150mm (6") P.V.C.
Sanitary Sewer:	525mm (21") ~5.0m deep	525mm (21") ~5.0m deep
Storm Sewer:	300mm (12")	375mm (15")
Sidewalks:	None	None
Road Allowance Width:	20.12m± (66')	20.12m± (66')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 for the purpose of constructing a single detached dwelling to be known as 87 Alexandra Boulevard. A remnant parcel of land would be retained (Part 2) for continued residential dwelling use.

Roads

Dunvegan Road and Alexandra Boulevard are both designated local roads in the City's Official Plan with desired right-of-way widths of 20.12m (66'). Their current widths are at the required Official Plan designations, therefore road widenings will not be required.

Engineering Services

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

Sump pump flows typically discharge to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since storm sewers do exist on both Dunvegan Road and Alexandra Boulevard, foundation weeping tile flows shall be collected and discharged to the storm sewer via sump pump and storm lateral. The storm lateral connection from the sewer to the property line shall be installed by City crews at the applicant's cost, in accordance with the City's current Schedule of Rates and Fees.

The Owner shall also be responsible to pay the City the fee to locate and

trace the existing water and sewer laterals from the existing home to ensure they do not cross 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 2. The sewer and water service for Part 2 must be independent and not cross an adjacent property line. If either or both sewer and water services to Part 2 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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

**63 Martindale Road
(59 – 61 Martindale Rd)**

B-46/17SC – 60.84.2131

B-47/17SC – 60.84.2132



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 2017

Submission(s): B-46/17SC
B-47/17SC

File: 60.84.2131
60.84.2132

Subject: 63 Martindale Road

Recommendation

That Submissions **B-46/17SC** and **B-47/17SC** by 1473941 Ontario Limited, as outlined in the Notice of Hearing, be approved, subject to the following condition:

1. That the applicant submit a payment of \$886.00 (equal to \$443.00 for each new lot) for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
2. That the applicant dedicate a road widening (Part 1 on the submitted sketch) gratuitously to the Region of Niagara. The land is to be conveyed free and clear of any mortgages, liens, or encumbrances.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-46/17SC** and **B-47/17SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

Staff recommends that the requested consents be approved, subject to the condition outlined in the recommendation.

Proposed Development

Application B-46/17SC is made for consent to sever 467.89 m² of land (Part 4 on the submitted sketch), creating a new lot to be known as 59 Martindale Road for a townhouse dwelling unit. A 989.7 m² remnant parcel would be retained (Parts 1, 2 & 3) for the remaining 2 units of the 3-unit townhouse dwelling complex. The application would allow the townhouse unit currently under construction to be owned and/or sold separately. There is a concurrent consent application B-47/17SC.

Application B-47/17SC is made for consent to sever 399.89 m² of land (Part 3 on the submitted sketch) creating a new lot to be known as 61 Martindale Road for a townhouse dwelling unit. A 574.20 m² remnant parcel would be retained (Part 2) for the remaining townhouse dwelling unit. Part 1 is to be dedicated to the Region of Niagara

for a road widening. The application would allow each townhouse unit currently under construction to be owned and/or sold separately. There is a concurrent consent application B-46/17SC.

Location and Site Description

The subject property is located on the west side of Martindale Road, south of Fawell Avenue. The property is surrounded by detached dwellings to the north, south, and west, and green space and 12 Mile Creek across Martindale Road to the east. There are 3 townhouse dwelling units under construction on the site.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Low Density Residential as per Schedule E6 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 – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings, and private road developments.

Consent Application B-46/17SC and B-47/17SC

Applications **B-46/17SC** and **B-47/17SC** request consent to sever the lot in order to allow each unit of the 3-unit townhouse block to be owned and sold separately. The current lot area is 1442m² in size. The proposed consents would create three lots with areas of 574.2m² (Part 2), 399.9m² (Part 3), and 467.9m² (Part 4).

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

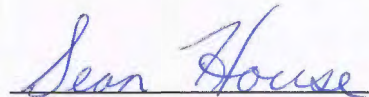
The lots are suitable for the purpose for which they are being proposed, as they each contain one unit of the townhouse dwelling complex that is currently being constructed on the property. All applicable zoning provisions are met. The proposed severances will allow the existing units under construction to be owned and sold separately. There is no added impact imposed on the surrounding area by the creation of the proposed lots. The resulting density of the development is 20.8 metres per hectare. The density and lot

configuration is appropriate in terms of the optimum development of the area. The intent of the Official Plan is being upheld.

Conclusion

Staff is satisfied that the subject consent is appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. It is the opinion of Staff that the consents 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

From: Taya Devlin <tdevlin@npca.ca>
Sent: Monday, August 14, 2017 1:48 PM
To: Munro, Elaine; McEwan, Charlotte; House, Sean; Banda, Wilrik
Cc: Rohe, Craig; Carmen Vetrone (carmen.vetrone@niagararegion.ca)
(carmen.vetrone@niagararegion.ca); devtplanningapplications@niagararegion.ca
Subject: B-46 & 4-47/17SC 63 Martindale Road, St. Catharines
Attachments: 63 Martindale Road Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed Application B-46/17SC and B-47/17SC which have been made for 63 Martindale Road, St. Catharines.

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 Natural Resources and Environmental Areas within the Regional Official Plan.

The Region of Niagara's Core Natural Heritage Map has identified the adjacent valley slope as an Environmental Conservation Area (ECA) due to the presence of a valley shoreline and significant woodland. In accordance with Regional Policies, development and site alterations may be permitted within an ECA, or on lands adjacent to (within 50 metres) an ECA if it has been demonstrated that there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands. The subject lands are located within the adjacent lands to the ECA feature and separated from the features by Martindale Road, and as such, NPCA staff are satisfied there will be no significant negative impact to the features as a result of the subject applications.

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

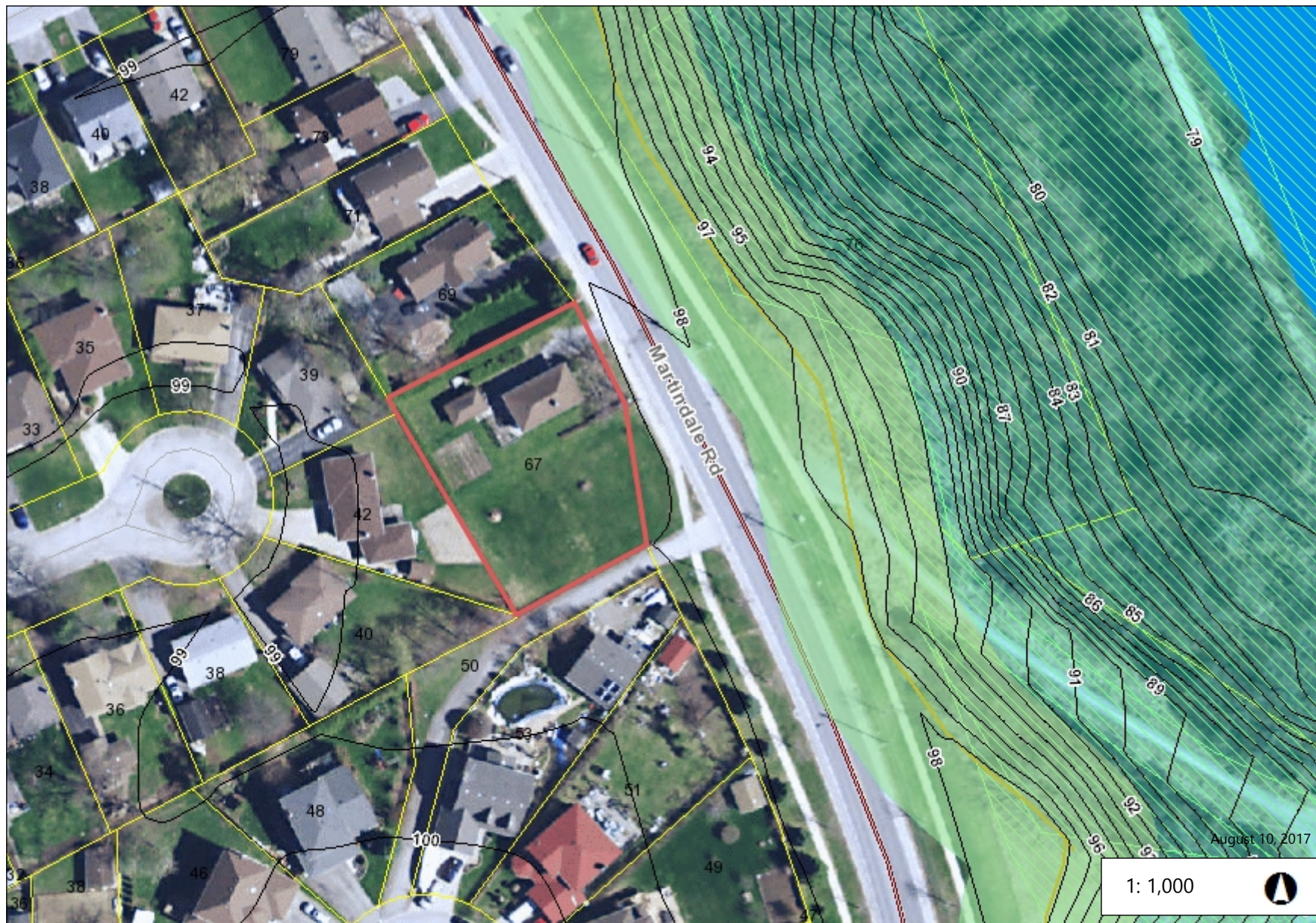
Please contact me if you have any questions.

Thank you,

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

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Legend

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

August 10, 2017

1: 1,000



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Notes

August 11, 2017

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

Attention: Elaine Munro

File# 60.84.2131 & 60.84.2132

Re: 63 Martindale Rd

In response to your correspondence date August 8, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Developers are to ensure that Alectra Utilities has access to the hydro poles along Martindale Road.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

We would also like to stipulate the following:

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

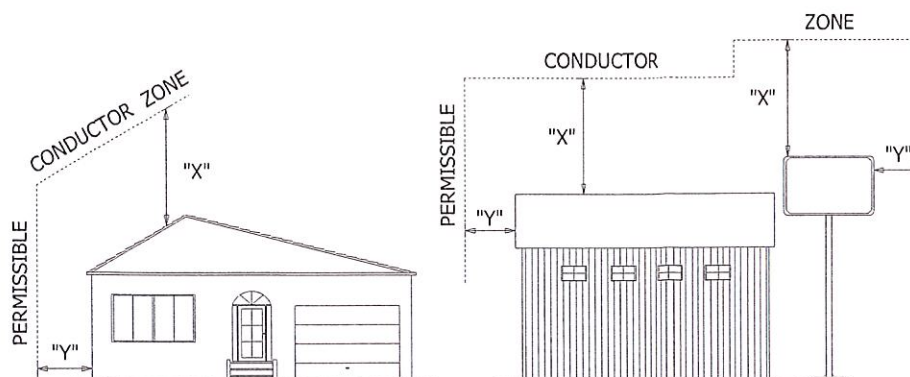
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - 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 Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, August 09, 2017 8:04 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hello Elaine
Cogeco has no issues or concerns with this Adjustment Notices
Thanks
Have a great day

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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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

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Leigh, Connie [mailto:connie.leigh@bell.ca]

Sent: Friday, August 11, 2017 10:11 AM

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

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Elaine,

Consent Applications #'s B-46/17SC & B-47/17SC
63 Martindale Road
Bell's File #905-17-385

Bell Canada confirms that we have no concerns or easement requirements over the lands noted on attached application.

Thanks,

Connie Leigh

Bell Canada, Right of Way

140 Bayfield St., Flr 2

Barrie, Ontario

L4M 3B1

Tel: 705-722-2506 or 866-484-6744

Fax: 705-722-2263



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx



Memorandum

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

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

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

Date: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 23, 2017 hearing - File No.: 300-036

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-44/17SC – 55 Dunvegan Road

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing dwelling on Part 2.

B-46/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment

B-47/17SC – 63 Martindale Road

Comment:

- No Comment

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2017\24 bcoa memo-sev-Aug 23, 2017.docx



Memorandum

To: Charlotte McEwan, Planning and Building Services
Sean House, Planning and Building Services
Wilrik Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Kristen Sullivan, Parks, Recreation and Culture Services
Date: August 11, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 63 Martindale Rd.
File No: 60.84.2131 and 60.84.2132

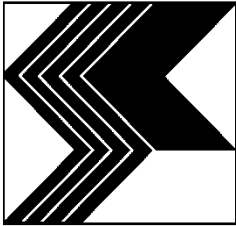
Please be advised that we have reviewed the above-noted application and request the following condition of severance:

That the applicant submit a payment of \$886.00 (equal to \$443.00 for each new lot) for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-46/17SC



August 11, 2017

ENGINEERING FILE 300-36

Hearing Date: August 23, 2017
Applicant: 1473941 Ontario Limited
Location: 63 Martindale Road

MUNICIPAL SERVICES

Martindale Road

Water: 300mm (12") P.V.C.
Sanitary Sewer: 200mm (8")
200mm (8") northerly easement of the property
825mm (32") Regional Trunk
200mm (8") Regional forcemain
Storm Sewer: 750mm (29")
300mm (12") northerly easement of the property
Sidewalks: Yes-curb faced
Road Allowance Width: 25.00m± (82') varies

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

Comment(s): It is noted that the Applicant proposes to sever Part 4 for the purpose of creating a new lot to be known as 59 Martindale Road for a proposed townhouse dwelling. A remnant parcel of land would be retained (Parts 1, 2 & 3) for the remaining 3-unit townhouse dwellings. The application would allow the townhouse units to be owned and/or sold separately.

Roads

Martindale Road is designated a Regional Arterial 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 25.0m (82')±, however since Martindale Road is under Regional jurisdiction, any widening requirements would be at their discretion.

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 service laterals were previously installed with a servicing contract agreement by the Owner, sump pump flows shall be discharged and

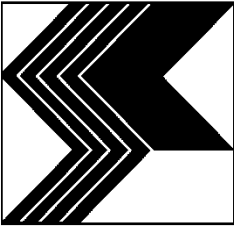
water and sewer lateral connections shall be completed in accordance with the approved plans through the building permit process.

Condition(s): None.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-47/17SC



August 11, 2017

ENGINEERING FILE 300-36

Hearing Date: August 23, 2017
Applicant: 1473941 Ontario Limited
Location: 63 Martindale Road

MUNICIPAL SERVICES

Martindale Road

Water: 300mm (12”) P.V.C.

Sanitary Sewer: 200mm (8”)
200mm (8”) northerly easement of the property
825mm (32”) Regional Trunk
200mm (8”) Regional forcemain

Storm Sewer: 750mm (29”)
300mm (12”) northerly easement of the property

Sidewalks: Yes-curb faced

Road Allowance Width: 25.00m± (82’) varies

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

Comment(s): It is noted that the Applicant proposes to sever Part 3 for the purpose of creating a new lot to be known as 61 Martindale Road for a proposed townhouse dwelling. A remnant parcel of land would be retained (Part 2) for the remaining townhouse dwelling. Part 1 is to be dedicated to the Region of Niagara for a proposed road widening. The application would allow the townhouse units to be owned and/or sold separately.

Roads

Martindale Road is designated a Regional Arterial 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 25.0m (82’)±, however since Martindale Road is under Regional jurisdiction, widening requirements are at their discretion.

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 service laterals were previously installed with a servicing contract

agreement by the Owner, sump pump flows shall be discharged and water and sewer lateral connections shall be completed in accordance with the approved plans through the building permit process.

Condition(s): None.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

368 Martindale Road

A-92/17 – 60.81.5261



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Report: August 23, 2017

Submission(s): A-92/17

File: 60.81.5261

Subject: 368 Martindale Road

Recommendation

That Submission **A-92/17** by Dr. Ibtisam Kelada-Sedra, 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-92/17** 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-92/17 is made pertaining to the City of St. Catharines By-law 2013-283 as amended. Council's authorization was given to the owner to apply to the Committee of Adjustment for minor variance to the provisions to the site-specific Zoning By-law 2016-319 at the July 10, 2017 Council Meeting as per Section 45.1.3 of the Planning Act. The applicant is applying for the following:

1. A reduction of the maximum height of the Landscape Buffer (hedge) in areas B, C & D from 3.0 metres to 2.44 metres (8 feet)
2. A reduction of the minimum height of the Landscape Buffer (hedge) in areas B, C & D from 2.5 metres to 2.13 metres (7 feet) as of December 31, 2020; and that any tree replacement be given three (3) years from the date of the planting to meet the minimum height requirements.
3. A reduction of the maximum height of the Landscape Buffer (hedge) in area A from 3.0 metres to 2.74 metres (9 feet).
4. A reduction of the minimum height of the Landscape Buffer (hedge) in area A from 2.5 metres to 2.1 metres (7 feet); and that any tree replacement be given three (3) years from the date of the planting to meet the minimum height requirements.

The variances are requested to accommodate the height of the hedges planted by the Owner as required per By-law 2016-319.

Location and Site Description

The subject property is located on the west side of Martindale Road, south of Golden Boulevard and is surrounded by detached dwellings to the north and south, Martindale Pond to the east, and green space to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and 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 –Suburban Neighbourhood with a special provision (R1-138). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings, and private road developments. Special provision 138 controls a number of aspects on the property including the height and width of the subject landscape buffer.

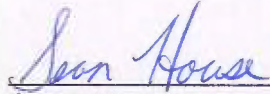
Application A-92/17

Application **A-92/17** requests reductions to both the maximum and minimum height of a landscape buffer in designated areas (A, B, C and D) as outlined in the application. The purpose of the application is to facilitate an agreement between the owners of 368 Martindale Road and 370 Martindale Road. The current Zoning By-law does not control the height of landscape buffers, and the special provision was developed as part of a Zoning By-law amendment to permit a detached accessory dwelling unit and home-based business on the property. The purpose of the height requirements of the landscaping was to ensure adequate buffering between the properties. It has become apparent that the height may not be reached by all landscaping, and reductions for the minimum height from 2.5 metres to 2.1 metres in area A and 2.13 metres in Area B, C and D is requested. Further, the neighbours have proposed a reduction of the maximum height limit and agreed upon a height of 2.74 metres in Area A, and 2.44 metres in Areas B, C and D. Staff consider the adjustment to the landscape buffer to be minor in nature, appropriate for the desirable use of the land, and in keeping with the intent of the Official Plan and Zoning By-law.

Conclusion

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

Prepared by:



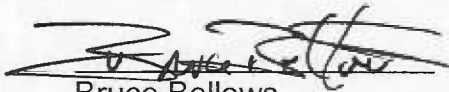
Sean House
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Senior Planner

Munro, Elaine

From: Taya Devlin <tdevlin@npca.ca>
Sent: Monday, August 14, 2017 3:43 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik; Rohe, Craig; Carmen Vetrone (carmen.vetrone@niagararegion.ca) (carmen.vetrone@niagararegion.ca); devtplanningapplications@niagararegion.ca
Subject: A-92/17 368 Martindale Road, St. Catharines
Attachments: 368 Martindale Road Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed the subject application, which has been made to permit a reduction of the maximum and minimum height of an existing Landscape Buffer (hedge), and offer the following comments.

There are NPCA regulated features and Regional Core Natural Heritage features identified on the subject property, however, NPCA staff recognize that the subject application has been made to address the height of an existing Landscape Buffer and the subject application will have no impact on any NPCA regulated features or Regional Core Natural Heritage features.

Please note, due to the regulated features identified on the property, the NPCA will need to be circulated any application for development on the property for review and approval. Should any development or site alterations be proposed within a regulated feature or its buffer, a work permit from the NPCA will be required, as well as possible further studies.

I hope this information is helpful. Please contact me if you have any questions.
Thank you,

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

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Legend

-  Campsites
-  Contours 2010 (1m)
- Top of Slope Features**
 -  Stable
 -  Unstable
-  Top of Slope Allowance
-  NHS - Fish Habitat Polygon
-  ECA: Valley Shoreline Buffer
-  ECA: Significant Woodlands
- Ontario Road Network**
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
-  Assessment Parcels
-  AIRPORTS
- SWOOP_2015**
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3

September 8, 2016

1: 1,000



50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

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

Notes

Munro, Elaine

Subject: RE: Outstanding Application - 368 Martindale Road & 64 Hillcrest Ave. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, August 09, 2017 1:05 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: Outstanding Application - 368 Martindale Road & 64 Hillcrest Ave. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hi Elaine
Cogeco has no issues or concerns with this application

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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Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à 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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This email is from Doug.Crown@cogeco.com. To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.

Munro, Elaine

Subject: RE: Notice of Minor Variance Application: A-92/17 – 60.81.5261 & A-93/17 – 60.81.5262

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]
Sent: Monday, August 14, 2017 3:27 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Minor Variance Application: A-92/17 – 60.81.5261 & A-93/17 – 60.81.5262

Hi Elaine,

Re: Notice of Minor Variance Application
368 Martindale Road
File: A-92/17 – 60.81.5261

Further to your inquiry, the above property is not located within the Ministry of Transportation Permit Control Area. The Building and Land Use Permit is not required.

Re: Notice of Minor Variance Application
30 South Drive
File: A-93/17 – 60.81.5262

The above property is located within the Ministry of Transportation Permit Control Area and Building and Land Use Permit is required before any construction started.
MTO Sign Permits are also required for any new signs visible from Hwy QEW for this location.

The application should be submitted through the online link below:
<https://www.hcms.mto.gov.on.ca/>

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region

Ministry of Transportation | Corridor Management Section | Niagara Region
159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7
(416) 235-3883 | Alexandra.Boucetta@ontario.ca



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
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 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

89 Meadowvale Ave

A-96/17 – 60.81.5265



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 2017

Submission(s): A-96/17

File: 60.81.5265

Subject: 89 Meadowvale Drive

Recommendation

That Submission **A-96/17** by 1264316 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-96/17** 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-96/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following:

1. An increase of the maximum lot front yard setback from 24 metres to 51 metres from Scott Street.
2. A reduction of the minimum landscaped open space within the northern parking area from 10% to 8%.

The variances are requested for the proposed 2-storey addition to the existing 5-storey structure to expand the hotel.

Location and Site Description

The property is located on the north side of Meadowvale Drive, west of Lake Street. The property is surrounded by commercial uses to the south, east and west, and residential uses to the north.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Commercial as per Schedule D1 of the Garden City Plan (GCP) and further designated Arterial Commercial as per Schedule E1 of the GCP. The Arterial Commercial designation permits retail and service commercial uses, excluding large scale retail food stores and adult oriented uses. Other uses permitted include institutional, office, civic, cultural, and indoor recreation uses.

Zoning By-law (2016-283)

The subject land is zoned Arterial Commercial (C3). The C3 zone permits a variety of commercial uses including hotel, restaurants, indoor recreation facilities and retail stores.

Application A-96/17

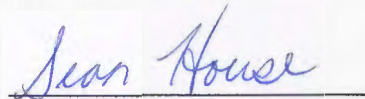
Variance 1 of Application A-96/17 requests a reduction in the maximum front yard setback from 24 metres to 51 metres from Scott Street. The variance is requested in order to accommodate a 2-storey addition to the existing 5-storey structure. The front yard setback is the largest on this section of Scott Street, with the neighbouring properties to the east and west having setbacks of 16 metres and 21 metres respectively. This is, in part, due to the nature of the property, which is a through lot. Though the technical frontage is on Scott Street, the building is oriented closer to Meadowvale Drive, and is ultimately in keeping with the intent and purpose of the Official Plan and Zoning By-law. The proposed height of the building is permitted, and the proposed set-back has existed since the existing 5-storey building was originally constructed. The property is still intended to be used for purposes permitted by the Official Plan and Zoning By-law. Staff consider the variance to be minor in nature, and do not anticipate any negative impact on surrounding properties.

Variance 2 requests a reduction of the minimum landscaped open space within the northern parking area from 10% to 8%. Part C, Section 5.4 6) d) of the GCP states that the negative impacts of vehicular parking on the urban environment, cycling, and pedestrian activity shall be minimized through landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines. The northern parking area currently has 0% landscaped open space. The addition of the proposed landscaping would bring the property far closer to compliance with the requirements of the Zoning By-law and the Official Plan policies. The Urban Design Guidelines provide further detail on reducing the negative impacts of parking through landscaping and should be consulted in the development process. Staff consider the 2% reduction of the minimum landscaped open space to be minor in nature and are supportive of the requested variance.

Conclusion

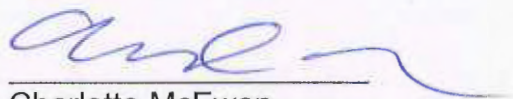
Staff is of the opinion that application **A-96/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate for the desirable use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:

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

Sean House
Student Planner

Submitted by:

A handwritten signature in blue ink, reading "Charlotte McEwan", written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, reading "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

August 14, 2017

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

Attention: Elaine Munro

File# 60.81.5265

Re: 89 Meadowvale Drive

In response to your correspondence date August 11, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

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

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark 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: Friday, August 11, 2017 8:27 AM
To: Munro, Elaine
Cc: McEwan, Charlotte; House, Sean; Banda, Wilrik
Subject: RE: Last Application - 89 Meadowvale Drive RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Good Morning Elaine
Cogeco has no issue or concerns with this application

Have a great Friday

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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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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- Contact us

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



Memorandum

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

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

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

Date: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
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 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

30 South Drive

A-93/17 – 60.81.5262

Minor variance application file no. 60.81.5262 for an increase in maximum building height from 4.5m, (14'-9") to 6.4m., (21') at 30 South Drive in St. Catharines for a detached garage, accessory structure.
Hearing date August 23, 2017

Hello, my name is Harald Ensslen and I have had the pleasure of living at 32 South Drive with my family since 1991 in a great neighbourhood. First a brief description of the character of South Drive and then I will describe my opposition to the proposed CofA application for 30 South Drive which abuts my property to the west.

Old Glenridge is a desirable inner city neighbourhood that was a Neo Traditional neighbourhood before the term was invented. It can be seen as a model for the current trend in residential development emulated in many new communities. In fact the R2 residential zoning describes the neighbourhood as Neo Traditional and has adopted that term. The 29 houses constructed on South Dr. from Westchester to Downing during the 1920's and 1930's are typically single family free standing houses on relatively large properties with widths of 55' feet and varying depths. Garages, where they exist, (1/3 don't have garages), are either tastefully incorporated into the architecture of the house, or discretely located in the side or back yards and typically not visible from the street. The free standing garages are generally modest single car garages about 1/3 of the total with 2 car garages in the minority. Garages range in size from 200 sq.ft for a single car to about 400 sq.ft for a double car structure, my estimate.

My opposition to the increase in height from 14'-9" to 21' for the proposed garage at 30 South Dr. is based on the following concerns:

1. The proposed free standing garage at 2 stories in height is out of scale and has no precedents in the Old Glenridge neighbourhood. As stated many houses have no garages, and if they do they are typically single car garages, or small 2 car garages which would fit within the height limits of the current bylaw. There are no 2 story free standing garages of this size with accessory uses on the second floor. This structure would be more appropriately located on an acreage in the countryside.
2. The proposed garage will be located in the middle of private rear yards, at a height of 21' it will overshadow adjacent properties and with overlooks from the 4 second floor windows will negatively impact rear yard privacy. We will be facing a 35' long wall, 21' high, 2' from our property line.
3. The proposed garage will replace an existing 1 story 2 car garage which is approximately 400 sq. ft. in area. The footprint of the proposed structure is 840 sq. ft, more than twice the size of the existing and more akin to the size of 4 car garage.
4. The stated use of the building as noted in the drawings and application is a garage/workshop with second floor attic storage. A ground floor area of 840 sq. ft. is more than adequate for 2 cars with 440 sq. ft. left over for a storage/workshop. There is no need for a second floor to provide supplemental storage for this use. Denial of the application does not present a hardship to the applicant for the stated purpose of the garage, workshop and storage.

5. While nothing prevents the construction of the proposed oversized 840 sq. ft. ground floor structure due to the size of the property, there is no need to allow this footprint to be extruded into a second floor. A full second floor would be a major intrusion into our yards.
6. In reviewing the building section the intent of the application becomes clear, to allow for second floor habitable studio space. This intent can be seen in the building elevations with 4 second floor windows, dormers over almost all of the length of the building on both sides creating 6' plus head room, and a normal stair not a ladder which would be more typical for attic access. Although no second floor plan is provided I estimate the useable area to be around 600 sq.ft. The section drawing is mislabeled as attic/storage, the real intent is habitable space/studio.
7. In essence what is being constructed could be compared to a 2 story 1,400 – 1,500 sq. ft house in the middle of our rear yards. This proposal has no precedence in our neighbourhood.
8. The attached drawings which are part of the application have been annotated by me to illustrate the actual use.
 - a. Drawing 1 shows the full height of the structure with continuous dormers on both sides,
 - b. Drawing 2 shows the section as submitted with the application. It is misleading noting the upper floor to be an attic. This section applies only to about 1.5' on either side of the plan, see the blue tone. More than 30' of the second floor has a full ceiling.
 - c. Drawing 3 has been modified by me to show the actual second floor. You will note the majority of the second floor has a ceiling height starting at 6' providing full useable space of approx. 600 sq. ft. The Building Code would define this space as a second floor, the term attic applies to a space that has sloping walls to the floor or to knee walls.

In summary I oppose the application for the following reasons:

1. This application is not minor in the impact it will have on the adjacent properties,
2. The development is incompatible with the existing character of the neighbourhood. There are no precedents for a free standing 840 sq.ft. garage with a second floor, totaling 1,440 sq.ft. The proposal is the size of a 2 story house.
3. The development negatively impacts adjacent properties through it's scale, massing, overshadowing and loss of privacy.
4. The application does not clearly identify the proposed use of the second floor, clearly habitable space not attic storage as indicated on the drawings,
5. And finally, denial of the application does not present a hardship to the owner as the ground floor space is more than adequate for a normal garage with a generous space for a workshop and storage. The second floor is not required for storage nor is it intended to fulfill that purpose.

Thank you for your consideration.

Harald Ensslen,



32 South Dr. St. Catharines,

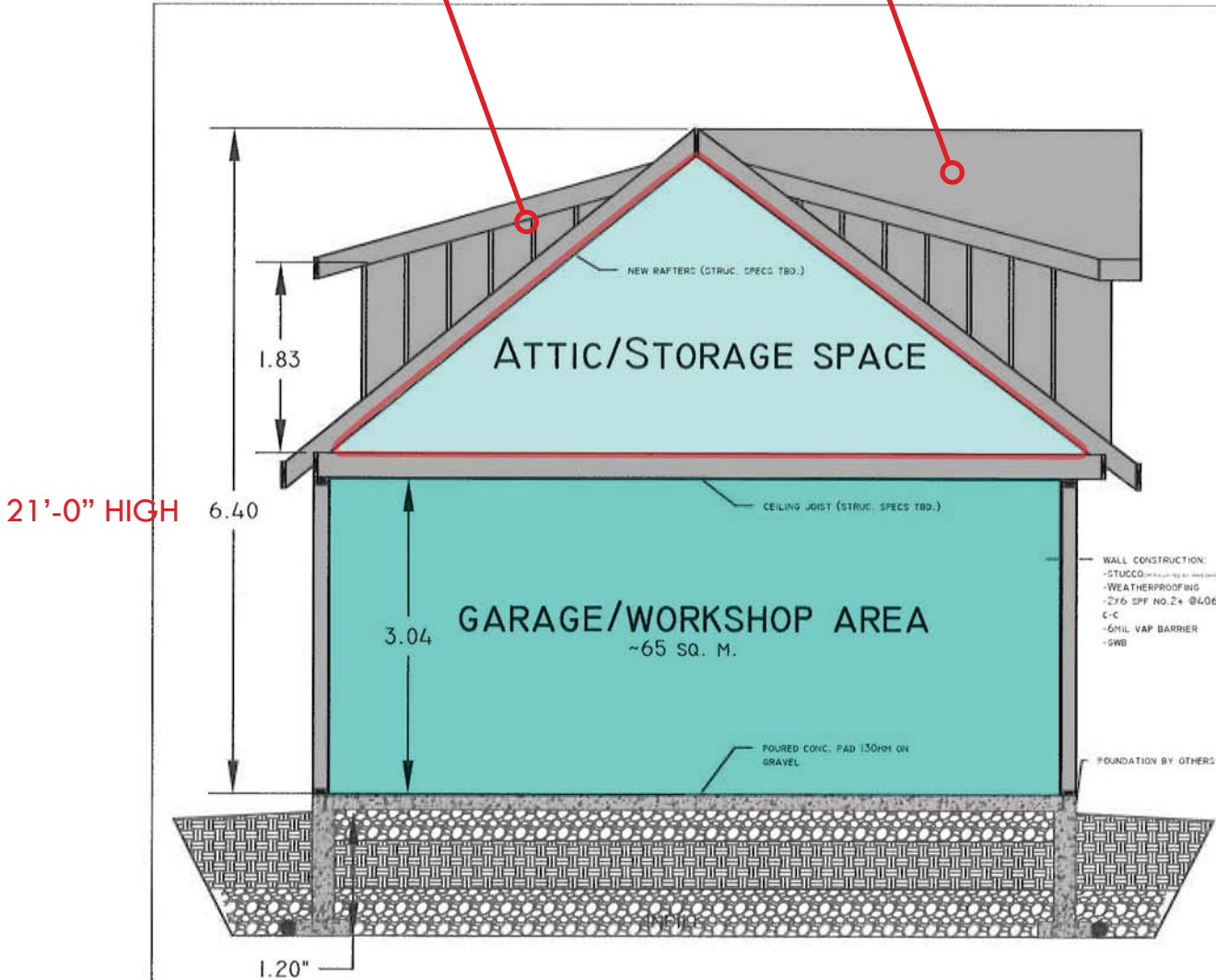
(Total 5 pages with 3 pages of drawings attached)

North Elevation: The drawing shows a two-story building with a brown brick facade and a dark brown gabled roof. A large dormer with three windows is centered on the roof. The dormer is 21'-0" high. The main roof elevation is 6.40M. The building is 35'-0" wide. Red lines indicate that the dormer extends nearly full length of the north elevation and that the dormers extend nearly full length of both the north and south elevations.

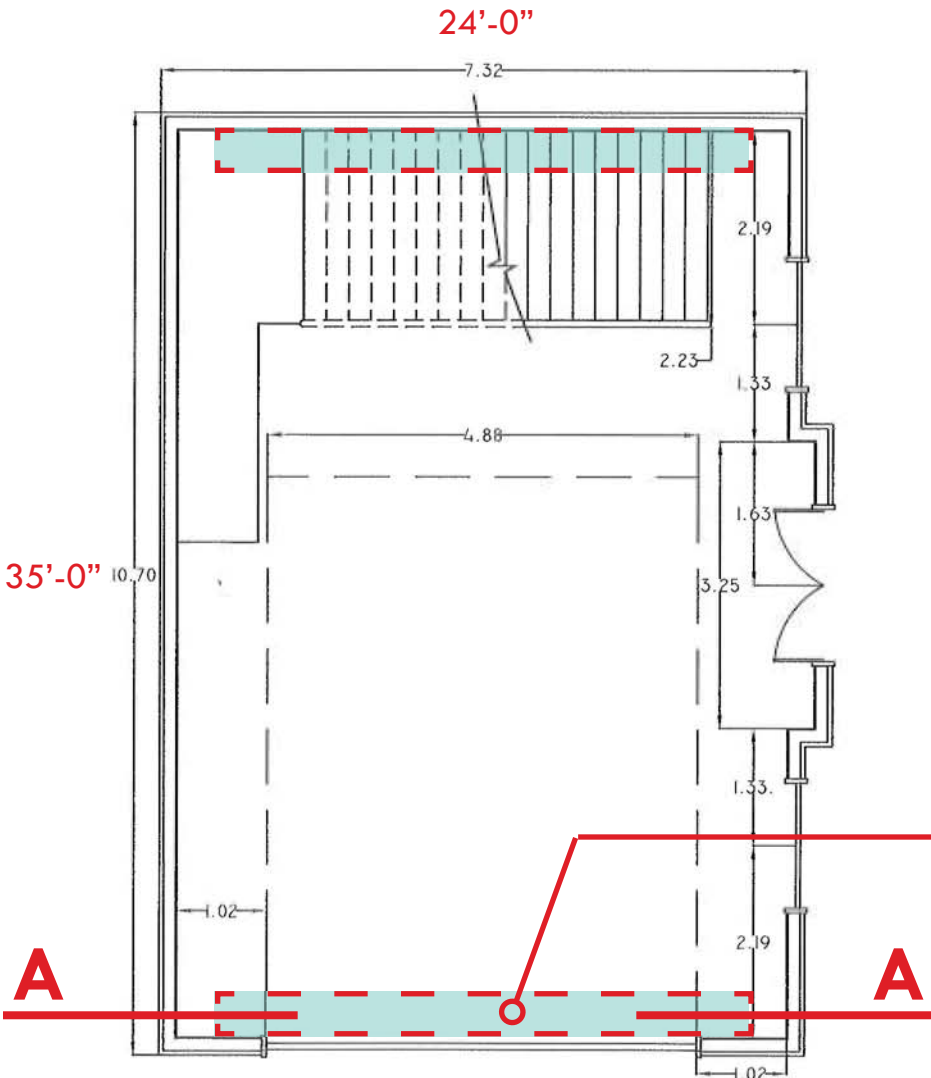
East Elevation: The drawing shows a two-story building with a brown brick facade and a dark brown gabled roof. A dormer with two windows is centered on the roof. The building is 24'-0" wide. A red line indicates that the dormer extends nearly full length of the south elevation.

COMMITTEE OF ADJUSTMENT HEARING
AUGUST 23, 2017
30 SOUTH DRIVE - PROPOSED DETACHED GARAGE

SECTION A-A EXCLUDES THE DORMER SPACE (SHOWN JUST BEYOND)
THAT EXTENDS NEARLY FULL LENGTH OF NORTH & SOUTH ELEVATIONS



A-A SECTION VIEW
SCALE: 1:64



PLAN VIEW
SCALE: 1:64

PORTION OF SECOND FLOOR AREA CAPTURED BY SECTION A-A SHOWN SHADED SIMILAR AT OPPOSITE END

REMAINING SECOND FLOOR AREA CAPTURED BY SECTION B-B ON DRAWING No3

JAMES FEDERICO & ASSOCIATES <small>Professional Engineers Mechanical, Civil, Structural federico@jfedco.ca 416-496-1171</small>	PROJECT 30 SOUTH DRIVE	DESCRIPTION GARAGE PLAN AND SECTION		
	PREPARED FOR JAMES GROAT	SIZE 11X17	DRAWING NUMBER 20160818-2	REV 1
		SCALE: VARIES		SHEET: 2 OF 2

6'-0" MINIMUM
CEILING HEIGHT
AT SECOND FLOOR

21'-0" HIGH

600 SF +/-

GARAGE/WORKSHOP AREA
~65 SQ. M.

840 SF +/-

B-B SECTION VIEW
SCALE: 1:64



**JAMES FEDERICO
& ASSOCIATES**

**Professional Engineers
Mechanical, Civil, Structural**
federico@progeo.ca
416-498-1111

PROJECT
30 SOUTH DRIVE

PREPARED FOR
JAMES GROAT

DESCRIPTION	GARAGE PLAN AND SECTION
-------------	-------------------------

SIZE IIX17	DRAWING NUMBER 20160818-2	REV 1
SCALE: VARIES		SHEET: 2 OF 2

[illegible]

TOTAL GROSS FLOOR AREA 1440 SF +/-

DRAWING No.3

COMMITTEE OF ADJUSTMENT HEARING
AUGUST 23, 2017
30 SOUTH DRIVE - PROPOSED DETACHED GARAGE



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Meeting: August 23, 2017

Submission(s): A-93/17

File: 60.81.5262

Subject: 30 South Drive

Recommendation

That Submission **A-93/17** by James Groat & Erica Zomboles, 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-93/17** 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-93/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for an increase of the maximum required height for an accessory structure (detached garage) from 4.5 metres to 6.4 metres.

The variance is requested for the construction of a detached garage to replace the original detached garage.

Location and Site Description

The property is located on the west side of South Drive, north of Downing Street, and is surrounding 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 E8 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2016-283)

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

Application A-93/17

The variance requested through Application A-93/17 proposes to permit the construction of a detached garage with a height of 6.4 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.

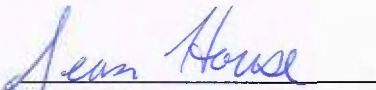
The increase in height of 1.9 metres is not considered minor in nature. The requested increase is not appropriate for the use of the subject lands. The garage does not reflect the character of the abutting properties which comply with the height provisions for accessory buildings and structures. The scale and massing do not conform to the character of the dwellings and accessory structures in the immediate neighbourhood, which is not in keeping with section 7.1 of the GCP.

Additionally, the proposed height would allow a garage that is more imposing on adjacent yards. 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

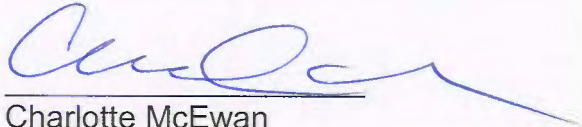
Staff is of the opinion that application **A-93/17**, is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be denied.

Prepared by:

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

Sean House
Student Planner

Submitted by:

A handwritten signature in blue ink, reading "Charlotte McEwan", written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, reading "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Notice of Minor Variance Application: A-92/17 – 60.81.5261 & A-93/17 – 60.81.5262

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]
Sent: Monday, August 14, 2017 3:27 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Minor Variance Application: A-92/17 – 60.81.5261 & A-93/17 – 60.81.5262

Hi Elaine,

Re: Notice of Minor Variance Application
368 Martindale Road
File: A-92/17 – 60.81.5261

Further to your inquiry, the above property is not located within the Ministry of Transportation Permit Control Area. The Building and Land Use Permit is not required.

Re: Notice of Minor Variance Application
30 South Drive
File: A-93/17 – 60.81.5262

The above property is located within the Ministry of Transportation Permit Control Area and Building and Land Use Permit is required before any construction started.
MTO Sign Permits are also required for any new signs visible from Hwy QEW for this location.

The application should be submitted through the online link below:
<https://www.hcms.mto.gov.on.ca/>

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region

Ministry of Transportation | Corridor Management Section | Niagara Region
159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7
(416) 235-3883 | Alexandra.Boucetta@ontario.ca

August 11, 2017

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

Attention: Elaine Munro

File# 60.81.5262

Re: 30 South Drive

In response to your correspondence date August 8, 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:

- We have NO objection(s).

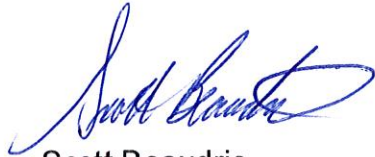
We would also like to stipulate the following:

- 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 Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

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

Sent: Wednesday, August 09, 2017 8:04 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hello Elaine

Cogeco has no issues or concerns with this Adjustment Notices

Thanks

Have a great day

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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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



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
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 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/

COMMENTS

14 Lochinvar Drive

A-95/17 – 60.81.5264



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 18, 2017

Date of Report: August 23, 2017

Submission(s): A-95/17

File: 60.81.5264

Subject: 14 Lochinvar Drive

Recommendation

That Submission **A-95/17** by Martin Wittmann & Louise Wittmann, 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-95/17** 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-95/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for a reduction of the easterly interior side yard setback from 0.6 metres to 0.27 metres.

The variance is requested to recognize the location of the existing accessory structure.

Location and Site Description

The subject property is located on the south side of Lochinvar Drive, west of Glenridge 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 lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E8 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 –Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings, and private road developments.

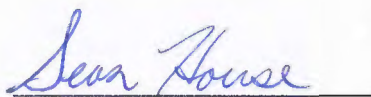
Application A-95/17

Application **A-95/17** requests reduction to the easterly interior yard setback from 0.6 metres to 0.27 metres. The variance is requested to recognize the location of an existing change room/shed. The reduction of 0.33 metres is considered minor in nature and staff are supportive of the variance. While there are no concerns, staff note that the reduced setback has the potential to impact the neighbouring property by directing rainwater onto their yard. The applicant is encouraged to install rain gutters on the easterly side of the structure to prevent this. A letter written by the neighbour adjacent to the subject setback was submitted with the application. The letter states that the setback has had no impacts on the neighbouring property. The neighbour has no objection to the reduced setback.

Conclusion

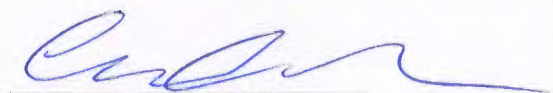
Staff are satisfied that the subject variance is appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommend that the variance be approved.

Prepared by:

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

Sean House
Student Planner

Submitted by:

A handwritten signature in blue ink, reading "Charlotte McEwan", written over a horizontal line.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, reading "Judy Pihach", written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

August 11, 2017

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

Attention: Elaine Munro

File# 60.81.5264

Re: 14 Lochinvar Drive

In response to your correspondence date August 8, 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:

- We have NO objection(s).

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 Paige Webb-Murre at 905-522-6611 ext: 2381 in our Engineering Design Department.

Sincerley,



Scott Beaudrie
Supervisor, Engineering Design

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

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

Sent: Wednesday, August 09, 2017 8:04 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; House, Sean <shouse@stcatharines.ca>

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

Hello Elaine

Cogeco has no issues or concerns with this Adjustment Notices

Thanks

Have a great day

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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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



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: August 10, 2017

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 23, 2017 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-73/17	79 Main Street	No Comment
A-74/17	81 Main Street	No Comment
A-90/17	55 Dunvegan Road	Be advised that reductions of yard setbacks will have spatial separation implications affecting the permitted area of glazed openings.
A-92/17	368 Martindale Road	No Comment.
A-93/17	30 South Drive	A demolition permit has been issued for the demolition of the existing garage. Be advised a building permit is required to construct a new garage.
A-95/17	14 Lochinvar Drive	No Comment
A-96/17	89 Meadowvale Drive	Be advised that a building permit is required for the proposed addition.
A-97/17	64 Hillcrest Avenue	Building permit applications have been submitted for the Pool House, Pool Cabana, and the Pool Enclosure and can not be issued until minor variance is approved. (Note that other conditions may apply as part of the building permit review).

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2017\23 bcoa memo-mv-Aug 23, 2017.docx

Munro, Elaine

To: Sullivan, Kristen
Subject: RE: Committee of Adjustment Notices and Applications for the August 23/17 CofA Hearing

From: Sullivan, Kristen
Sent: Friday, August 11, 2017 11:47 AM
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 23/17 CofA Hearing

Please see attached comments, PRCS has no comments on the following:

- 79 Main (mv)
- 81 Main (mv)
- 55 Dunvegan (mv)
- 368 Martindale (mv)
- 89 Meadowvale (mv)
- 30 South (mv)
- 14 Lochnivar (mv)
- 64 Hillcrest (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: August 11, 2017

Hearing Date: August 23, 2017

Subject: Engineering Comments to the Committee of Adjustment
File No's: A-73&74/17SC – 79 & 81 Main Street REVISED
A-90/17SC – 55 Dunvegan Road
A-92/17SC – 368 Martindale Road
A-93/17SC – 30 South Drive
A-95/17SC – 14 Lochinvar Drive
A-96/17SC – 89 Meadowvale Drive
A-97/17SC – 64 Hillcrest Avenue

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: August 11, 2017

Subject: Committee of Adjustment
Public Hearings – August 23, 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/