

**\*All outstanding reports are now posted**

**Agenda**

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held September 27, 2017
6. Application:
  - 1) 112 Oakdale Avenue, Consent Application, 60.84.2107 – B-22/17SC  
112 Oakdale Avenue, Minor variance Application, 60.81.5230 – A-61/17
  - 2) 35 Catherine Street, Minor Variance Application, 60.81.5271 – A-102/17
  - 3) 55 Farmington Drive, Minor Variance Application, 60.81.5272 – A-103/17
  - 4) 132 Martindale Road, Consent Application, 60.84.2133 – B-48/17SC  
134 Martindale Road, Consent Application, 60.84.2134 – B-49/17SC  
134 Martindale Road, Consent Application, 60.84.2135 – B-50/17SC  
1A Violet Street, Consent Application, 60.84.2136 – B-51/17SC  
132 Martindale Road, Minor Variance Application, 60.81.5273 – A-104/17  
134 Martindale Road, Minor Variance Application, 60.81.5274 – A-105/17  
1A Violet Street, Minor Variance Application, 60.81.5275 – A-106/17  
1B Violet Street, Minor Variance Application, 60.81.5276 – A-107/17
  - 5) 10 Head Street, Minor Variance Application, 60.81.5277 – A-108/17
  - 6) 1011 Pelham Road, Minor Variance Application, 60.81.5278 – A-109/17
7. New Business:
8. Date of next Hearing: November 29, 2017
9. Adjournment

\* Please note that any comments received after 12 pm on October 18, 2017 will not be posted on the website.



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

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

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# **COMMENTS**

**B-22/17SC (60.84.2107) &  
A-61/17 (60.81.5230)**

**112 Oakdale Avenue**

**DATE OF HEARING:  
October 25, 2017**



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Meeting:** October 25, 2017

**Submission(s):** B-22/17SC  
A-61/17

**File:** 60.84.2107  
60.81.5230

**Subject:** 112 Oakdale Avenue

### Recommendation

That Submission **B-22/17SC** by ASTA Gardens Inc, as outlined in the Notice of Hearing, be approved subject to the conditions:

1. That the applicant dedicate to the City of St. Catharines a 4.80m (15.7') widening along the frontage of the subject parcel as Public Highway to be known as Oakdale Avenue, free and clear of any mortgages, liens or encumbrances;
2. That the applicant pay to the City the fees for City crews to remove and reinstate the existing north driveway entrance with 100mm topsoil and sod, in accordance with the City's current Schedule of Rates and Fees;
3. That the applicant remove the existing concrete entrance barriers from within the future dedicated right-of-way limits of Oakdale Avenue;
4. That an easement be established in favour of Part 4, to the satisfaction of the City, within Parts 1, 2 or 3 or parts thereof, to ensure adequate access, servicing, and similar site requirements to enable future development of Part 4;
5. That the City receive confirmation from MOECC that securities have been submitted to the satisfaction of MOECC, in accordance with its standards, relating to the ongoing environmental monitoring program for Part 4 (rear portion of site); and
6. That approval for the necessary minor variance application be obtained.

That Submission **A-61/17** by ASTA Gardens Inc, as outlined in the Notice of Hearing, be approved, subject to the condition that the westerly property line of Part 4, as identified on the attached sketch, be considered the front lot line for the purposes of

applying the provisions of the Zoning By-law to the subject lands, and that the attached sketch form part of the Committee's decision.

## **Summary**

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that consent application **B-22/17SC** 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 variance requested through applications **A-61/17** 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-22/17SC** is made for consent to sever 7,927m<sup>2</sup> of land (Part 4 on the submitted sketch) creating a new lot for a future development to be known as 112 Oakdale Avenue. A 10489m<sup>2</sup> remnant parcel of land (Parts 1, 2 & 3) to be known as 110 Oakdale Avenue would be retained for a proposed stacked townhouse development, subject to a future easement, in favour of Part 4. The site has a Holding Provision which requires that a record of site condition be approved from the Ministry of Environment prior to zoning taking effect. There is a concurrent minor variance application **A-61/17**.

Application **A-61/17** (Part 4 on the submitted sketch) is made pertaining to the City of St. Catharines By-law 2013-283 to vary Section 2.6(a) of the Zoning By-law to permit the development or construction of a building or structure or otherwise permitted use on a lot with no frontage on a public road, with the westerly property line of Part 4 being considered the front lot line for the purposes of determining zoning requirements.

## **Location and Site Description**

The subject property is located on the east side of Oakdale Avenue, north of Abbot Street. The subject property is surrounded by detached, and apartment dwellings to the north, forested land to the east, motor vehicle repair shops to the south, and detached dwellings to the west.

## **Circulation of Application**

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



## **Planning Analysis**

### *Official Plan (Garden City Plan)*

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Medium Density Residential as per Schedule E9 of the GCP. The Medium Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare.

### *Zoning By-law (2016-283)*

The subject land is zoned Medium Density Residential (R3-H1). The R3 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings, private road developments, apartment buildings, and long term care facilities. The Holding (H) provision requires the submission of an Environmental Site Assessment and environmental cleanup of the lands, if need be, prior to the removal of the Holding (H) designation. Removal of the Holding (H) designation is required in order to develop the lands. If contamination above the provincial guidelines is found a Record of Site Contamination, or other acceptable documentation, shall be required for submission to the Ministry of the Environment.

## **Consent Application B-22/17SC**

Application **B-22/17SC** is made for consent to sever 7,927m<sup>2</sup> of land (Part 4 on the submitted sketch) creating a new lot for a future development to be known as 112 Oakdale Avenue. A 10,489m<sup>2</sup> remnant parcel of land (Parts 1, 2 & 3) to be known as 110 Oakdale Avenue would be retained for a proposed stacked townhouse development.

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 proposed lots are of an adequate size and appropriate shape for medium density residential development. Part 4 does not have direct frontage on a public road. Staff generally do not consider the creation of landlocked parcels to be appropriate in terms of the optimum development of an area. However, Part 4 has some significant environmental constraints resulting from a former industrial use. Part 4 is significantly impacted and is not likely to be developable in the near future. The proposed development on Parts 1, 2 & 3 is not currently viable, as the owner has been unsuccessful in obtaining a mortgage over Part 4 due to its environmental condition. The consent will allow one portion of the lands (Parts 1, 2 & 3) to develop now, and ensure access to Part 4 so that, once environmental clean-up is possible, the lands may develop further.

Part D, Section 7.1 j) promotes a land configuration that will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which

may otherwise have future development or redevelopment potential. Part D, Section 7.1 k) states that alternative and innovative lottage patterns are supported, provided that compatibility with the surrounding area can be achieved, and adequate and maintained access to a public road is ensured. The proposed consent does not detract from the potential development or redevelopment of adjacent parcels. The proposed parcel of land without frontage on a public road will not lose its development potential as a result of the severance, as long as an easement is provided to ensure access and servicing. The establishment of an easement over the remnant parcel (Parts 1, 2, and 3) should be a condition of the consent. The exact location of that easement will be determined as part of the Site Plan Approval requirement for Parts 1, 2 & 3.

Staff recommends a condition to ensure the ongoing environmental monitoring program on Part 4, as administered by the Ministry of the Environment and Climate Change (MOECC), is secured according to MOECC standards.

No adverse effects are anticipated as a result of the consent. The proposed consent will facilitate the development of underutilized lands. Staff recommend approval of the proposed consent, subject to the conditions outlined in the recommendation.

### **Variance Application A-61/17 (Part 4)**

Application **A-61/17** requests to vary Section 2.6(a) of the Zoning By-law to permit the development or construction of a building or structure or otherwise permitted use on a lot with no frontage on a public road, with the westerly property line of Part 4 being considered the front lot line for the purposes of determining zoning requirements.

The intent of Section 2.6(a) is, in part, to ensure that properties have adequate access to a public road. This intent is reflected in the Official Plan Part D, Section 7.1 k) which supports alternative lottage patterns provided that adequate access to a public road is provided and ensured, and compatibility with the surrounding area can be maintained. The proposed concurrent consent is recommended to be conditional on the establishment of an easement over Parts 1, 2, and 3 for access and servicing to Part 4. The intent is to ensure access and servicing and retain the development potential of the rear lands. The unique lot configuration will allow the lands to develop in stages, and it is in the best interest of the City to ensure that the remnant parcel (Part 4) can still be developed in the future. The easement is considered necessary for access and providing services to Part 4. For these reasons, the variance is considered to meet the intent of Section 2.6(a) of the Zoning By-law.

The lack of frontage is not expected to negatively impact the development potential of the lot, nor is the development of the parcel expected to have any significant impact on surrounding uses as a result of the technical lack of frontage. The only impact of the lack of frontage is the lack of a defined front lot line, which is necessary for determining the side and rear lot lines for zoning purposes. Staff recommend that the requested variance be approved, subject to the condition that the westerly lot line of Part 4, as identified on the attached sketch, be considered the front property line for the purposes of implementing the Zoning By-law on the subject lands.

## Conclusion

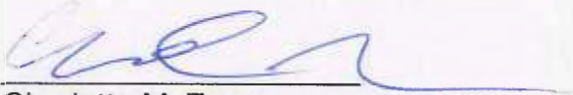
Staff is satisfied that the consent requested through application **B-22/17SC**, is desirable and compatible with the surrounding area and in keeping with the policies of the Official Plan. Additionally, staff is of the opinion that the variance requested by application **A-61/17** is in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate for the desirable use of the land. It is staff's recommendation that the consent and variance be approved.

### Prepared by:



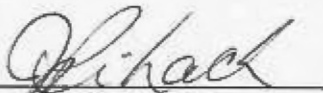
Dylan Prowse  
Student Planner

### Submitted by:



Charlotte McEwan  
Planner I

### Approved by:



Judy Pihach, MCIP, RPP  
Manager of Planning Services

SCALE 1:300 METRIC



20. *Explain the difference between a "strong" and a "weak" acid.*  
 A strong acid is one that completely dissociates in water, while a weak acid only partially dissociates.

ELEVATIONS HEREON ARE ORTHOMETRIC AND ARE RELATED TO THE  
MADRID (CSRS 98) EPOCH 2010.0 REFERENCE SYSTEM AS  
PREVIOUSLY ESTABLISHED BY THE LAMCAGE GROUP.

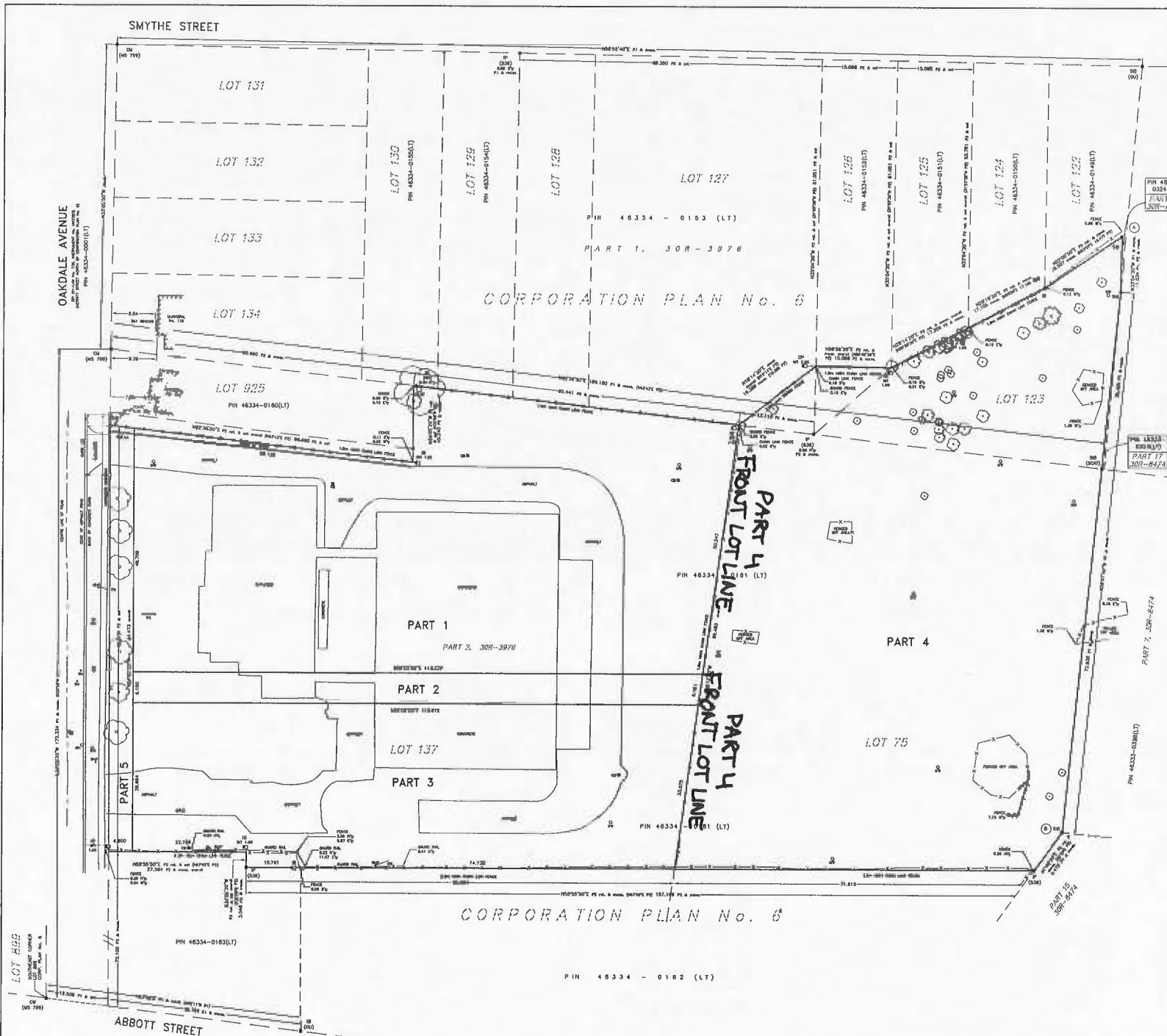
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

ALL FOUND MONUMENTS ARE (1257) UNLESS SHOWN OTHERWISE.

[illegible]

1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 26

DATE : MAY 2, 2017 FILE No. : 1964-0850





## Munro, Elaine

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**From:** Taya Devlin <tdevlin@npca.ca>  
**Sent:** Tuesday, May 23, 2017 2:11 PM  
**To:** Munro, Elaine  
**Cc:** McEwan, Charlotte; 'craig.rohe@niagararegion.ca'; devtplanningapplications@niagararegion.ca  
**Subject:** B22, A37 & A61/17 112 Oakdale Avenue, St. Catharines  
**Attachments:** 112 Oakdale Avenue Map.pdf

Good Afternoon Elaine,

NPCA staff have reviewed applications B-22/17SC, A-37/17 & A-61/17 which have been made for the following:

**B-22/17SC** is made for consent to sever 10,489 m<sup>2</sup> of land (Parts 1, 2 & 3) creating a new lot for a future stacked townhouse development to be known as 112 Oakdale Avenue, subject to an easement, in perpetuity, over 691 m<sup>2</sup> of land (Part 2) for the benefit of the easterly abutting lot to be known as 110 Oakdale Avenue (Part 4) for ingress and egress access purposes. A 7,927 m<sup>2</sup> remnant parcel of land (Part 4) would be retained for a future residential development. The site has a Holding Provision which requires that a record of site condition be approved from the Ministry of Environment.

**A-37/17** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

1. A reduction of the minimum front yard setback from 5 metres to 3 meters to the building.
2. A reduction of the minimum interior side yard setback from 5 metres to 4 metres (north side).
3. A reduction of the minimum interior side yard setback from 5 metres to 4 metres (south side).
4. A reduction of the minimum required parking spaces from 1.25 spaces/unit to 1 space/unit.
5. A reduction of the minimum landscaping strips of a parking area with greater than 100 spaces to lot line abutting Residential Zone from 4 metres to 3 metres.
6. A reduction of the minimum setback to the front line for a platform structure being greater than 1.2 metres above grade from 5 metres to 1.4 metres.
7. A reduction of the minimum front yard setback from 5 metres to 0 metres for the basement stairs.
8. A reduction of the minimum landscaping strips of a parking area with greater than 100 space to rear lot line abutting a Residential Zone from 4 metres to 2 metres.

The variances are requested for the proposed stacked townhouse development (Parts 1, 2 & 3).

**A-61/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a minor variance to vary Section 2.6 (a) of the Zoning By-law to permit the development or construction of a building or structure or otherwise permitted use on a lot with no frontage on a public road, with the westerly property line being considered the front lot line for the purposes of determining zoning by-law requirements.

NPCA mapping identifies a regulated watercourse adjacent to the rear (east) of the subject property. In accordance with Policy 3.6 of the Authorities Regulations (O.REG 155/06) a minimum setback of 15 metres shall be required from the bankfull channel of a regulated watercourse to all development and site alterations. A portion of the north east corner of the property is located within 15 metres of the identified watercourse. NPCA staff are satisfied no development is proposed within 15 metres of the identified watercourse and there will be no impact to the watercourse as a result of the subject applications.

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 also identifies the regulated watercourse. In accordance with Policy 7.B.1.15 a minimum 15 metre buffer shall be required from the edge of a regulated watercourse to all development and site alterations. NPCA staff are satisfied no development is proposed within 15 metres of the watercourse and there will be no significant negative impact to the watercourse 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

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# 112 Oakdale Avenue, St. Catharines



## Legend

- Contours 2010 (1m)
- Corporate Watershed Divide N
- NIAGARA NATURAL ENVIRO  
INFORMATION SCREENING
- NPCA APPROXIMATE REGULATORY
- 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

1: 2,000



101.6 0 50.80 101.6 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

## Notes



## Munro, Elaine

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**From:** Sarah Mastroianni <smastroianni@npca.ca>  
**Sent:** Wednesday, October 11, 2017 1:41 PM  
**To:** Munro, Elaine  
**Subject:** RE: 112 Oakdale Avenue - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Hi Elaine,

Please note that the NPCA offer no objections to the approval of the above noted applications. Our comments from May 23, 2017 on the original applications remain applicable.

Thank you

**Sarah Mastroianni**  
**Watershed Planner**  
*Niagara Peninsula Conservation Authority*  
250 Thorold Road West, 3rd Floor  
Welland, Ontario L3C 3W2  
Phone: 905 788 3135 (ext. 249)  
Fax: 905 788 1121  
email: [smastroianni@npca.ca](mailto:smastroianni@npca.ca)

---

**From:** David Deluce  
**Sent:** Tuesday, October 10, 2017 9:44 AM  
**To:** Sarah Mastroianni <smastroianni@npca.ca>  
**Subject:** FW: 112 Oakdale Avenue - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

David Deluce, MCIP, RPP  
Acting Manager, Plan Review & Regulations  
Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, Ontario, L3C 3W2  
905-788-3135 ext. 224  
[ddeluce@npca.ca](mailto:ddeluce@npca.ca)

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**From:** Munro, Elaine [<mailto:>]  
**Sent:** October 3, 2017 4:17 PM  
**To:** David Deluce <[ddeluce@npca.ca](mailto:ddeluce@npca.ca)>  
**Subject:** 112 Oakdale Avenue - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Good Afternoon,

The applications are being heard at the City of St. Catharines October 25, 2017 Committee of Adjustment Hearing.

**Munro, Elaine**

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**Subject:** RE: Return of applications for 112 Oakdale Avenue - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

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**From:** Aaron White [mailto:aaron.white@trilliumrailway.com]  
**Sent:** Tuesday, October 10, 2017 1:01 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Cc:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>  
**Subject:** RE: Return of applications for 112 Oakdale Avenue - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Good Afternoon Elaine,

I've attached the requirements for development adjacent to spur lines. We are in the process of severing off the excess land adjacent to our active rail corridor to the east of this property. We will only be retaining the minimum corridor necessary to operate our single line to access our customers to the north.

Given this, only Clauses C and E are relevant, as the subject property will still be within 300 metres of our active right of way. Berm and fencing are not required.

We do not have any other comments at this time.

Thanks,

Aaron White  
Vice President Operations  
Trillium Railway Co. Ltd.  
p. 905-735-5529 | f. 905-735-7559 | c. 289-968-9357





Railway Properties  
1 Administration Rd  
Concord, ON L4K 1B9

Telephone: 905-760-5007  
Fax: 905-760-5010

## SPUR LINE REQUIREMENTS

- A. Safety setback of dwellings from the railway rights-of-way to be a minimum of 15 metres.
- B. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
- C. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- D. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- E. The Owner may be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.84.2107

**Re: 112 Oakdale Ave**

In response to your correspondence date October 3, 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](http://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.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- Hydro easement is to remain clear of encroachment of any kind.

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.

**Alectra Utilities Corporation**

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

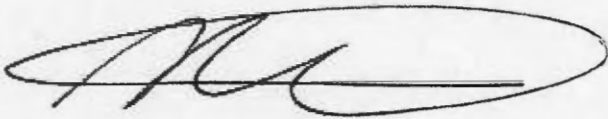
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

[alectrautilities.com](http://alectrautilities.com)

- 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to be 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5230

**Re: 112 Oakdale Ave**

In response to your correspondence date October 3, 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](http://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.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- Hydro easement is to remain clear of encroachment of any kind.

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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



## Munro, Elaine

---

**From:** Network Info <network.info@horizonutilities.com>  
**Sent:** Friday, October 06, 2017 3:08 PM  
**To:** Munro, Elaine  
**Cc:** McEwan, Charlotte; Banda, Wilrik; Prowse, Dylan  
**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (3 of 3 emails)  
**Attachments:** SCH\_CLR2017-302.pdf; SCH\_CLR2017-305.pdf; SCH\_CLR2017-306.pdf; SCH\_CLR2017-312.pdf; SCH\_CLR2017-313.pdf

Good Afternoon Elaine,

Response letters attached for files 60.84.2136, 60.81.5275 & 60.81.5276 (1A & 1B Violtet St), 60.81.5230 & 60.84.2107 (112 Oakdale Ave). This is an email response only. The original letters will NOT be mailed.

Thanks,  
Samantha

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**From:** Munro, Elaine [mailto:[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)]  
**Sent:** Thursday, September 28, 2017 3:45 PM  
**To:** Samantha Burke <[samantha.burke@alectrautilities.com](mailto:samantha.burke@alectrautilities.com)>; Scott Beaudrie <[scott.beaudrie@alectrautilities.com](mailto:scott.beaudrie@alectrautilities.com)>  
**Cc:** McEwan, Charlotte <[cmcewan@stcatharines.ca](mailto:cmcewan@stcatharines.ca)>; Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>; Prowse, Dylan <[dprowse@stcatharines.ca](mailto:dprowse@stcatharines.ca)>  
**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (3 of 3 emails)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Elaine Munro ACST

Committee Secretary and Planning Technician

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca) **Visit:** [www.stcatharines.ca](http://www.stcatharines.ca)

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

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



---

**From:** Munro, Elaine  
**Sent:** Thursday, September 28, 2017 3:42 PM  
**To:** Burke, Samantha ([samantha.burke@horizonutilities.com](mailto:samantha.burke@horizonutilities.com)) <[samantha.burke@horizonutilities.com](mailto:samantha.burke@horizonutilities.com)>; Beaudrie, Scott ([scott.beaudrie@horizonutilities.com](mailto:scott.beaudrie@horizonutilities.com)) <[scott.beaudrie@horizonutilities.com](mailto:scott.beaudrie@horizonutilities.com)>  
**Cc:** McEwan, Charlotte <[cmcewan@stcatharines.ca](mailto:cmcewan@stcatharines.ca)>; Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>; Prowse, Dylan

112 Oakdale  
35 Catherine.

**Munro, Elaine**

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**Subject:** RE: Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

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**From:** Doug Crown [mailto:Doug.Crown@cogeco.com]  
**Sent:** Tuesday, October 03, 2017 4:23 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** RE: Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

Hello  
Cogeco has no issue or concerns with this applications  
Thanks

The information in this message, including in all attachments, is confidential or privileged. In the event you have received this message in error and are not the intended recipient, you are hereby advised that any use, copying or reproduction of this document is strictly forbidden. Please notify immediately the sender of this error and destroy this message, including its attachments, as the case may be.

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Ce courriel provient de [Doug.Crown@cogeco.com](mailto: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](mailto: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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If you no longer wish to receive promotional emails from Cogeco, please forward this message to [unsubscribe@cogeco.com](mailto:unsubscribe@cogeco.com). Thank you!  
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- [Contact us](#)  
Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

---

**From:** Munro, Elaine [mailto:[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)]  
**Sent:** Tuesday, October 3, 2017 3:58 PM  
**To:** Doug Crown  
**Subject:** Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

Hi Doug:

Two additional applications have been added to the October 25, Hearing for comment.

## Munro, Elaine

---

**From:** Boucetta, Alexandra (MTO) <Alexandra.Boucetta@ontario.ca>  
**Sent:** Friday, October 06, 2017 10:48 AM  
**To:** Munro, Elaine  
**Cc:** McEwan, Charlotte; Prowse, Dylan; Banda, Wilrik  
**Subject:** RE: Return of applications for 112 Oakdale Avenue added to Oct. 25/17 Hearing RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Hi Elaine,

This property is outside Permit Control Area. MTO does not have any comments. You may proceed with the proposal.

Kindest Regards,

**Alexandra Boucetta**

*Corridor Management Officer – Niagara Region*

---

**From:** Munro, Elaine [mailto:[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)]  
**Sent:** October 3, 2017 4:25 PM  
**To:** Boucetta, Alexandra (MTO)  
**Cc:** McEwan, Charlotte; Prowse, Dylan; Banda, Wilrik  
**Subject:** Return of applications for 112 Oakdale Avenue added to Oct. 25/17 Hearing RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Hi Alexandra:

In addition to the applications just sent, the consent and minor variance applications for 112 Oakdale Avenue are returning to the October 25, 2017 Hearing to be heard.

- 3) 112 Oakdale Avenue, Consent Application, 60.84.2107 – B-22/17SC  
112 Oakdale Avenue, Minor Variance Application, 60.81.5230, A-61/17

That is it.....Thanks, Elaine

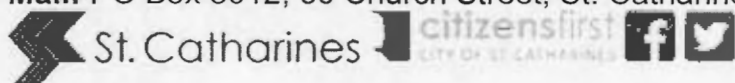
**Elaine Munro ACST**

Committee Secretary and Planning Technician

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca) **Visit:** [www.stcatharines.ca](http://www.stcatharines.ca)

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

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



**Munro, Elaine**

---

**Subject:** RE: Additional Applications added to October 25, 2017 Agenda Please review RE:  
Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

**From:** Sullivan, Kristen

**Sent:** Wednesday, October 04, 2017 4:08 PM

**To:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>

**Cc:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** FW: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Please see attached comments from PRCS. We have no comments on the following applications:

- 112 Oakdale (ld and mv)
- 35 Catherine (mv)
- 132 Martindale (mv)
- 134 Martindale (mv)
- 1A Violet (mv)
- 1B Violet (mv)
- 10 Head (mv)
- 1011 Pelham (mv)

PRCS has no comments on the minor variance for 55 Farmington Dr. The applicant will be required to protect the existing street tree through construction.

**Kristen Sullivan**

Project & Development Planner

**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)

**Tel:** 905.688.5601 x3145

---

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-22/17SC**



October 12, 2017

**ENGINEERING FILE 300-36**

**Hearing Date:** October 25, 2017 (Revised Application)

**Applicant:** ASTA Gardens Inc.

**Location:** 112 Oakdale Avenue

**MUNICIPAL SERVICES**

**Water:** 300mm (12") P.V.C.  
**Sanitary Sewer:** 300mm (12")  
**Storm Sewer:** 600mm (24") Welland Canal Valley lands outlet  
**Sidewalks:** Yes  
**Road Allowance Width:** 17.4m (57') ±

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

**Comment(s):**

It is noted that the Owner proposes a consent to sever Part 4 on the submitted sketch creating a new lot for a future residential development known as 112 Oakdale Avenue, subject to an easement in perpetuity over Part 2 for ingress/egress and servicing purposes. A remnant parcel, Parts 1, 2 & 3 would be retained for future residential development purposes. The site has a Holding provision which requires that a Record of Site Condition be approved and registered with the Ontario Ministry of Environment.

**Roads**

Oakdale Avenue is currently designated an Arterial road per the City's Official Plan, with a desired right-of-way width of 26.2m (86'). It is currently deficient at 17.4m (57') along the frontage of the subject property. Discussions with staff have concluded that Oakdale Avenue along this section would be satisfactory with a 22.0m (72') right-of-way width, therefore the City shall require a 4.80m (15.7') road widening along this section, dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Oakdale Avenue.

Existing concrete entrance barriers exist along the property frontage, within the future right-of-way lands. The applicant shall be required to relocate the existing concrete barriers to outside of the future right-of-way limits.

Two existing entrances exist, which the Owner proposed to improve only one at the south limit. The Owner shall be responsible to pay to the City the fee for City crews to remove and reinstate the existing north entrance with 100mm topsoil and sod, the fee in accordance with the City's current Schedule of Rates and Fees.

The easterly and westerly development parcels propose to be serviced by existing municipal and public utilities on Oakdale Avenue from within a shared easement (Part 2). The Owner must identify an adequate width of Part 2 that will accommodate all services and utility needs required to service both development parcels, as well as provide perpetual access and maintenance abilities to both development parcels through an easement document and reference plan. This plan and document shall be submitted for review and comment to the satisfaction of the City of St. Catharines and registered on title of the properties prior to the

final consent of the severance application.

**Condition(s):** Prior to final consent, the Owner shall;

- Dedicate to the City of St. Catharines a 4.80m (15.7') widening along the frontage of the subject parcel as Public Highway to be known as Oakdale Avenue, free and clear of any mortgages, liens or encumbrances; and
- Pay to the City the fees for City crews to remove and reinstate the existing north driveway entrance with 100mm topsoil and sod, in accordance with the City's current Schedule of Rates and Fees; and
- Remove the existing concrete entrance barriers from within the future dedicated right-of-way limits of Oakdale Avenue; and
- Submit to the City for review and approval and prior to registration, a draft reference plan and easement document that outlines the purposes and obligations of both parcel owners to the perpetual access and maintenance needs of required services and utilities within Part 2, in order to service both development parcels from Oakdale Avenue

Prepared By:



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





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## Memorandum

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**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:** October 12, 2017  
**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
File No's: A-61/17SC – 112 Oakdale Avenue  
A-102/17SC – 35 Catherine Street  
A-103/17SC – 55 Farmington Drive  
A-104/17SC – 132 Martindale Road  
A-105/17SC – 134 Martindale Road  
A-106/17SC – 1A Violet Street  
A-107/17SC – 1B Violet Street  
A-108/17SC – 10 Head Street  
A-109/17SC – 1011 Pelham Road

---

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 applications.

Regarding application A-108/17 SC for 10 Head Street, it is requested that the Committee note that while the Minor Variance may be justified, the importance of a proposed drainage design with respect to minimized setbacks is crucial, so as not to cause negative drainage effects to existing adjacent and abutting lots, nor the subject lot.

Regards,

Brad Johnston, C.E.T.





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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

---

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

**A-103/17 – 55 Farmington Drive**

We are not prepared to support the driveway as proposed. The minimum depth of a parking space is 5.2 metres. As such, the entire width of the parking area must be able to achieve this depth. The area abutting the side of the house has a depth of 6.0 metres to the property line, which is acceptable. The area abutting the porch has a depth of 3.56 metres, which isn't acceptable.

In order satisfy our requirement, the applicant has two options. Option 1 is to narrow the driveway up to the edge of the deck. Option 2 is to remove the section of deck within the area proposed for the driveway. A diagram is attached showing both options.

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

Steve Bittner  
Transportation Technologist  
SB/



St. Catharines

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

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

---

# **COMMENTS**

**A-102/17 (60.81.5271)**

**35 Catherine Street**

**DATE OF HEARING:**  
**October 25, 2017**



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Meeting:** October 25, 2017

**Submission(s):** A-102/17

**File:** 60.81.5271

**Subject:** 35 Catharine Street

### Recommendation

That Submission **A-102/17** by Kelly Carpino, Matthew Carpino, and Paul Carpino 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 satisfied that the variance requested through application **A-102/17** 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

Revised Application **A-102/17** is made pertaining to the City of St. Catharines By-law 2013-283 for a decrease of the required parking spaces from 3 spaces to 1 space. The variance is requested for the proposed conversion of the existing dwelling to a triplex dwelling.

### Location and Site Description

The property is located on the northwest corner of Catharine Street and Edmund Street. The property is surrounded by detached dwellings to the north, south, and west, and St. Catharine's Collegiate to the east.

### Circulation of Application

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

### Planning Analysis

*Official Plan (Garden City Plan)*

The subject property is designated Neighborhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E4 of the GCP. The Low Density Residential designation permits detached,

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

#### *Zoning By-law (2016-283)*

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

### **Application A-102/17**

The variance requests a reduction in minimum required parking spaces from 3 to 1. The reduction would allow the conversion of the existing dwelling into a triplex.

Part C, Subsection 5.4.2(ii) states that the City may consider the reduction or elimination of parking requirements where transit is readily available. There are 16 active transit stops within 500 metres (3-6 minute walk) which provide access to the downtown terminal, Fairview Mall, Port Weller, and Port Dalhousie. Additionally, a wide variety of services and amenities including groceries, restaurants, retail, and places of worship are available within a 10 to 15 minute walk from the property.

Staff note that the parking area width of 5.49 metres is 0.21 metres too narrow for two recognized parking spaces. However, it may be possible that a second car could choose to park in the driveway. Street parking is available along Edmund Street on a first come first serve basis. The requested reduction is not anticipated to cause unreasonable levels of spillover parking nor negatively impact the surrounding neighbourhood.

Given the transit availability in the area and proximity to amenities, the location of the property is considered appropriate for a parking reduction, the reduction in parking is not expected to have adverse impacts on the surrounding area, and the intent of the Official Plan and Zoning By-law are being maintained.

### **Conclusion**

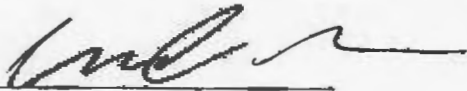
Staff is of the opinion that application **A-102/17**, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be approved.

**Prepared by:**



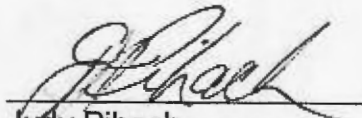
Dylan Prowse  
Student Planner

**Submitted by:**



Charlotte McEwan  
Planner I

**Approved by:**



Judy Pihach, MCIP, RPP  
Manager of Planning Services



112 Oakdale  
35 Catherine.

**Munro, Elaine**

---

**Subject:** RE: Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

---

**From:** Doug Crown [mailto:Doug.Crown@cogeco.com]  
**Sent:** Tuesday, October 03, 2017 4:23 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** RE: Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

Hello  
Cogeco has no issue or concerns with this applications  
Thanks

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

**Sent:** Tuesday, October 3, 2017 3:58 PM

**To:** Doug Crown

**Subject:** Additional Applications added to Oct. 25/17 Hearing, Please review. RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

Hi Doug:

Two additional applications have been added to the October 25, Hearing for comment.

**Munro, Elaine**

---

**Subject:** RE: Additional Applications added to October 25, 2017 Agenda Please review RE:  
Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

**From:** Sullivan, Kristen

**Sent:** Wednesday, October 04, 2017 4:08 PM

**To:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>

**Cc:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** FW: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Please see attached comments from PRCS. We have no comments on the following applications:

- 112 Oakdale (ld and mv)
- 35 Catherine (mv)
- 132 Martindale (mv)
- 134 Martindale (mv)
- 1A Violet (mv)
- 1B Violet (mv)
- 10 Head (mv)
- 1011 Pelham (mv)

PRCS has no comments on the minor variance for 55 Farmington Dr. The applicant will be required to protect the existing street tree through construction.

**Kristen Sullivan**

Project & Development Planner

**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)

**Tel:** 905.688.5601 x3145

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## Memorandum

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**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:** October 12, 2017

**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
File No's: A-61/17SC – 112 Oakdale Avenue  
A-102/17SC – 35 Catherine Street  
A-103/17SC – 55 Farmington Drive  
A-104/17SC – 132 Martindale Road  
A-105/17SC – 134 Martindale Road  
A-106/17SC – 1A Violet Street  
A-107/17SC – 1B Violet Street  
A-108/17SC – 10 Head Street  
A-109/17SC – 1011 Pelham Road

---

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 applications.

Regarding application A-108/17 SC for 10 Head Street, it is requested that the Committee note that while the Minor Variance may be justified, the importance of a proposed drainage design with respect to minimized setbacks is crucial, so as not to cause negative drainage effects to existing adjacent and abutting lots, nor the subject lot.

Regards,

Brad Johnston, C.E.T.

Development Engineering Technologist



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

---

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

**A-103/17 – 55 Farmington Drive**

We are not prepared to support the driveway as proposed. The minimum depth of a parking space is 5.2 metres. As such, the entire width of the parking area must be able to achieve this depth. The area abutting the side of the house has a depth of 6.0 metres to the property line, which is acceptable. The area abutting the porch has a depth of 3.56 metres, which isn't acceptable.

In order satisfy our requirement, the applicant has two options. Option 1 is to narrow the driveway up to the edge of the deck. Option 2 is to remove the section of deck within the area proposed for the driveway. A diagram is attached showing both options.

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

Steve Bittner  
Transportation Technologist  
SB/



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

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

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# **COMMENTS**

**A-103/17 (60.81.5272) '**

**55 Farmington Drive**

**DATE OF HEARING:  
October 25, 2017**



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Hearing:** October 25, 2017

**Submission(s):** A-103/17

**File:** 60.81.5272

**Subject:** 55 Farmington Road

### Recommendation

That Submission **A-103/17** by Sharon Ralph 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 variances requested through application **A-103/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested variances be approved.

### Proposed Development

Application A-103/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following variances:

1. A reduction of the front yard setback to the garage 7 metres to 6 metres.
2. A reduction of the front yard setback to the dwelling from 6 metres to 5 metres.

The Variances are requested to facilitate the construction of a single detached dwelling.

### Location and Site Description

The subject property is located at the east end of Farmington Drive, south of Elderwood Drive, and is surrounded by detached dwellings.

### Circulation of Application

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

### Planning Analysis

*Official Plan (Garden City Plan)*

## **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 E13 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-103/17**

The variances requested through Application **A-103/17** are requested to permit the construction of a single detached dwelling.

Variance 1 requests a reduction of the front yard setback to the garage from 7 metres to 6 metres. The intent of the setback is – in part – to ensure that the garage does not impose on the streetscape. The proposed garage is flush with primary façade of the dwelling, and will be recessed 2.44 metres from the proposed covered porch, making it less imposing and clearly secondary to the dwelling. Additionally, due to the unique shape of the property it is difficult to locate the garage in a configuration that meets all required setbacks. The 1 metre reduction is considered minor in nature.

Variance 2 requests a reduction of the front yard setback to the dwelling from 6 metres to 5 metres. This reduction is required due to the irregular front lot line. The majority of the dwelling will meet the required front yard setback of 6 metres. The variance is for a pinch point between the curved front lot line and the corner of the proposed house. No adverse effects on the neighbouring properties are expected as a result of the variance and staff are of the opinion that the proposed front yard reduction is compatible with the surrounding area and minor in nature.

## **Conclusion**

Staff is of the opinion that Application **A-103/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and appropriate for the desirable use of the land. It is staff's recommendation that the requested variances be approved.

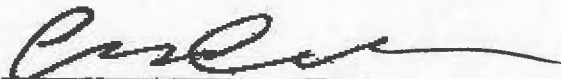


**Prepared by:**



Dylan Prowse  
Student Planner

**Submitted by:**



Charlotte McEwan  
Planner I

**Approved by:**



Judy Pihach, MCIP, RPP  
Manager of Planning Services

**Munro, Elaine**

---

**Subject:** RE: 55 Farmington Drive, St. Catharines - Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

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**From:** Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]  
**Sent:** Tuesday, October 03, 2017 2:26 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Cc:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>  
**Subject:** 55 Farmington Drive, St. Catharines - Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Dear Elaine,

Further to your request, the Ministry has received Committee of Adjustment Notice on the subject land at 55 Farmington Drive, St. Catharines for the proposed new two storey house. In accordance with the requirements under the Public Transportation and Highway Improvement Act, the Ministry offers the following comments:

- ☐ The subject land is located within the Ministry's permit control area and the future development requires ministry review and approval.
- ☐ A Building and Land Use permit may be obtained by submitting an online application through the link below to Corridor Management Office.  
<https://www.hcms.mto.gov.on.ca/>

Information regarding the application process, forms and the policy can be found at the link:  
<http://www.mto.gov.on.ca/english/engineering/management/corridor/building.shtml>

Please make sure to upload:

- ☐ Site plan:
  - o Existing and proposed structures;
  - o Dimensions;
- ☐ Schematics of elevations.

Please do not hesitate to contact me if you have any further questions.

Kindest Regards,

**Alexandra Boucetta**

*Corridor Management Officer – Niagara Region*

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

**Munro, Elaine**

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**Subject:**

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

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

**Sent:** Monday, October 02, 2017 10:43 AM

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

**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

Good morning on this lovely Monday.

Cogeco has no issues or concerns with this applications

53 Farmington Drive, Minor Variance Application, 60.81.5272 – A-103/17

10 Head Street, Minor Variance Application, 60.81.5277 – A-108/17

1011 Pelham Road, Minor Variance Application, 60.81.5278 – A-109/

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October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5272

**Re: 55 Farmington Dr**

In response to your correspondence date October 3, 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](http://www.alectrautilities.com).
- 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



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## Memorandum

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**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:** October 12, 2017  
**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
File No's: A-61/17SC – 112 Oakdale Avenue  
A-102/17SC – 35 Catherine Street  
A-103/17SC – 55 Farmington Drive  
A-104/17SC – 132 Martindale Road  
A-105/17SC – 134 Martindale Road  
A-106/17SC – 1A Violet Street  
A-107/17SC – 1B Violet Street  
A-108/17SC – 10 Head Street  
A-109/17SC – 1011 Pelham Road

---

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 applications.

Regarding application A-108/17 SC for 10 Head Street, it is requested that the Committee note that while the Minor Variance may be justified, the importance of a proposed drainage design with respect to minimized setbacks is crucial, so as not to cause negative drainage effects to existing adjacent and abutting lots, nor the subject lot.

Regards,

Brad Johnston, C.E.T.





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## Memorandum

---

**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

---

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

**A-103/17 – 55 Farmington Drive**

We are not prepared to support the driveway as proposed. The minimum depth of a parking space is 5.2 metres. As such, the entire width of the parking area must be able to achieve this depth. The area abutting the side of the house has a depth of 6.0 metres to the property line, which is acceptable. The area abutting the porch has a depth of 3.56 metres, which isn't acceptable.

In order satisfy our requirement, the applicant has two options. Option 1 is to narrow the driveway up to the edge of the deck. Option 2 is to remove the section of deck within the area proposed for the driveway. A diagram is attached showing both options.

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

Steve Bittner  
Transportation Technologist  
SB/

**FARMINGTON**  
(PUBLICLY TRAVELLED)  
**DRIVE**



PART 1  
(LOT AREA: 378.12 SM)

RESIDENTIAL  
PROPERTY

**METRIC**

PREPARED BY: HENRY FRIEDMAN, P. ENG.  
681 CONCESSION 5 RD., RR#4  
NIAGARA-ON-THE-LAKE, ONTARIO  
L0S-1A0  
PHONE: 905-684-7529  
FAX: 905-684-3555

GENERAL NOTES:  
1. ALL CONSTRUCTION TO COMPLY WITH THE LATEST VERSION  
OF THE ONTARIO BUILDING CODE, NATIONAL FARM BUILDING  
CODE & LOCAL BYLAWS.  
2. ALL STRUCTURAL LUMBER TO BE #2 GRADE SPRUCE OR  
BETTER.

SCALE:	1:100	DATE:	01 SEPT 2017
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SITE PLAN

DRAWING NO.

LOT AREA: 378.12 SM  
PROPOSED HOUSE AREA: 126.3 SM  
PROPOSED PORCH AREA: 41 SM  
PROPOSED DRIVEWAY AREA: 37.7 SM  
PERCENT GARDENS: 45.8%

# **COMMENTS**

**B-48/17SC (60.84.2133),  
B-49/17SC (60.84.2134),  
B-50/17SC (60.84.2135),  
B-51/17SC (60.84.2136),  
A-104/17 (60.81.5273),  
A-105/17 (60.81.5274),  
A-106/17 (60.81.5275) &  
A-107/17 (60.81.5276)**

**132 & 134 Martindale Road**

**DATE OF HEARING:  
October 25, 2017**



CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Meeting:** October 25, 2017

**Submission(s):** B-48/17SC  
B-49/17SC  
B-50/17SC  
B-51/17SC  
A-104/17  
A-105/17  
A-106/17  
A-107/17

**File:** 60.84.2133  
60.84.2134  
60.84.2135  
60.84.2136  
60.81.5273  
60.81.5274  
60.81.5275  
60.81.5276

**Subject:** 132 Martindale Road  
134 Martindale Road  
1A Violet Street  
1B Violet Street

## Recommendation

That Submission **B-48/17SC (Parts 9 & 10 severed, Parts 7 & 8 retained)** by Charles Wah, as outlined in the Notice of Hearing, be approved. Subject to the following conditions:

1. That the applicant dedicate a 3.0 metre road widening along the Violet Street frontage of Parts 7, 8, 9 and 10 gratuitously to the City of St Catharines. The land is to be conveyed free and clear of any mortgagees, liens, or encumbrances;
2. That payment of 5% of the appraised value of the new lots (Parts 2, 3, 9, and 10) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser;
3. That the applicant submit a payment of \$443 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees; and
4. That pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant

will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of Committee of Adjustment will be implemented and the properties (Parts 2, 3, 9 and 10) will be merged and become one parcel of land.

That Submission **B-49/17SC (Parts 2 & 3 severed, Parts 1, 4, 5 & 6 retained)** by Charles Wah, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That payment of 5% of the appraised value of the new lots (Parts 2, 3, 9, and 10) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser;
2. That the applicant submit a payment of \$443 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees; and
3. That pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of Committee of Adjustment will be implemented and the properties (Parts 2, 3, 9, and 10) will be merged and become one parcel of land.

That Submission **B-50/17SC (Parts 5 & 6 severed, Parts 1 & 4 retained)** by Charles Wah, as outlined in the Notice of Hearing, be approved, subject to the following condition:

1. That approval for the necessary minor variance application be obtained; and
2. That pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of Committee of Adjustment will be implemented and the properties (Parts 5, 6, and 8) will be merged and become one parcel of land.

That Submission **B-51/17SC (Parts 3 & 10 severed, Parts 2 & 9 retained)** by Charles Wah, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That approval for the necessary minor variance application be obtained;

2. That the applicant dedicate a 3.0 metre road widening along the Violet Street frontage of Parts 9 and 10 gratuitously to the City of St Catharines. The land is to be conveyed free and clear of any mortgagees, liens, or encumbrances;
3. That the applicant submit a payment of \$443 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees; and
4. That Submissions B-48/17SC and B-49/17SC be registered preceding the registry of Submission B-51/17SC.

That Submission **A-104/17** by Charles Wah, as outlined in the Notice of Hearing, be approved.

That Submission **A-105/17** by Charles Wah, as outlined in the Notice of Hearing, be approved.

That Submission **A-106/17** by Charles Wah, as outlined in the Notice of Hearing, be approved as follows:

*A reduction of the minimum lot area per dwelling unit from 280m<sup>2</sup> to 186m<sup>2</sup>.*

That Submission **A-107/17** by Charles Wah, as outlined in the Notice of Hearing, be approved.

*A reduction of the minimum lot area per dwelling unit from 280m<sup>2</sup> to 186m<sup>2</sup>.*

## Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-48/17SC**, **B-49/17SC**, **B-50/17SC**, and **B-51/17SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-104/17**, **A-105/17**, **A-106/17**, and **A-107/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the requested consents and variances be approved as outlined in the recommendation.

## Proposed Development

Application **B-48/17SC** is made for a partial discharge of mortgage, and consent to sever 217.6m<sup>2</sup> of land (Parts 9 & 10 on the submitted sketch) which will be added to parts 2 & 3, to create a new lot to be known as 1A Violet Street for the development of a



proposed semi-detached dwelling. A 365m<sup>2</sup> remnant parcel (Parts 7 and 8) with the existing single detached dwelling would be retained for continued residential use.

Application **B-49/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 219.6 m<sup>2</sup> of land (Parts 2 & 3 on the sketch) which will be added to Parts 9 & 10 to create a new lot to be known as 1A Violet Street for the construction of a proposed semidetached dwelling. A 393.3 m<sup>2</sup> remnant parcel (Parts 1 & 4) with the existing single detached dwelling will be retained for continued residential use.

Application **B-50/17SC** is made for a partial discharge of mortgage, and consent to sever 45.9m<sup>2</sup> of land (Parts 5 & 6 on the submitted sketch) which will be added to parts 7 & 8 (132 Martindale Property) subject to an easement for a right-of-way over part 4 to benefit the northerly abutting lot (Parts 1 & 4) known as 134 Martindale Road. A 347.5m<sup>2</sup> remnant parcel with the existing single detached dwelling (Parts 1 & 4) would be retained for continued residential use together with an easement for a right-of-way over part 4 for access to benefit the southerly abutting lot (Parts 5, 6, 7 & 8) known as 132 Martindale Road.

Application **B-51/17SC** is made for a partial discharge of mortgage, and consent to sever 218.6m<sup>2</sup> of land (Parts 3 & 10 on the submitted sketch) to create a new lot known as 1A Violet Street for the construction of 1 half of the proposed semi-detached dwelling. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Application **A-104/17 (132 Martindale Road, Parts 5, 6, 7 & 8)** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum interior side yard setback from 1.2 metres to 0.0 metres for the proposed construction of a single car garage sharing a common wall with 134 Martindale Road.

Application **A-105/17 (134 Martindale Road, Parts 1 & 4)** is made pertaining to the City of St. Catharines By-law 2013-283 for a reduction of the minimum interior side yard setback from 1.2 metres to 0.0 metres for the proposed construction of a single car garage sharing a common wall with 132 Martindale Road.

Application **A-106/17 (1A Violet Street, Parts 2 & 9)** 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 280m<sup>2</sup> to 212m<sup>2</sup>. The variance is requested to permit the construction of one half of a semi-detached dwelling.

Application **A-107/17 (1B Violet Street, Parts 3 & 10)** 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 280m<sup>2</sup> to 212m<sup>2</sup>. The variance is requested to permit the construction of one half of a semi-detached dwelling.

## **Location and Site Description**

The subject properties are located on the northeast corner of Martindale Road and Violet Street. The property is surrounded by detached dwellings to the south and east, and semi-detached dwellings to the north and west.

## **Circulation of Application**

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

## **Planning Analysis**

*Official Plan (Garden City Plan)*

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

## **Consent Applications B-48/17SC, B-49/17SC, and B-51/17SC**

Application **B-48/17SC** is made for consent to sever 217.6m<sup>2</sup> of land (Parts 9 & 10 on the submitted sketch) to be added to Parts 2 & 3 to create a new lot for the purpose of constructing a proposed semi-detached dwelling. A 365m<sup>2</sup> remnant parcel with the existing single detached dwelling would be retained for continued residential use.

Application **B-49/17SC** is made for consent to sever 219.6m<sup>2</sup> of land (Parts 2 & 3 on the submitted sketch) to be added to Parts 9 & 10 to create a new lot for the purpose of constructing of a proposed semi-detached dwelling. A 393.3 m<sup>2</sup> remnant parcel (Parts 1 & 4) with the existing single detached dwelling will be retained for continued residential use. Together, consent applications **B-48/17SC, B-49/17SC**, are proposed to sever the rear portions 132 and 124 Martindale Road and merge them in order to create one 437.2m<sup>2</sup> lot. Application **B-51/17SC** is submitted to sever the proposed lot into two equal lots of equal size (218.6m<sup>2</sup>) comprised of parts 2 & 9, and 3 & 10, to be known as 1A and 1B Violet Street, allowing each half of the proposed semi-detached dwelling to be owned and sold individually.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. Section 16.11.3 states that requests to sever individual parcels of land will only be given where they contribute to the infilling of areas that are already developed, and 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 proposed lots do not meet the minimum lot area requirements for semi-detached dwellings in an R2 zone. However, all other requirements of the Zoning By-law, including frontage are maintained. The proposed lots are similar in size to the lots of the existing adjacent semi-detached dwellings to the north, which are roughly 200m<sup>2</sup>. Additionally, the proposed consents contribute to the infilling of an area that is already substantially developed. It is the opinion of staff that the size and shape of the proposed lots are suitable for the use proposed, support the optimum use of the subject lands, and are compatible with the surrounding residential neighbourhood.

The City requests a 3.0 metre road widening along the Violet Street frontage of Parts 7, 8, 9 & 10. Violet Street is designated as a Local Road per the GCP with a desired Right-of-Way of 20.12 metres. The current width of 13.71 metres is insufficient. A 3.0 metre widening would be satisfactory to the City and provide around half of the required additional width.

### **Variance Applications A-106/17 (Parts 2 & 9) and A-107/17 (Parts 3 & 10)**

Applications **A-106/17** and **A-107/17** each request a 68m<sup>2</sup> reduction in the minimum lot area per dwelling unit from 280m<sup>2</sup> to 212m<sup>2</sup> to facilitate the construction of one half of the proposed semi-detached dwelling.

Staff note that, as a result of the City's requested road widening of 3.0 metres along the Violet Street frontage of the proposed lots, the resulting lot area will be further reduced to 186m<sup>2</sup>. Provided that the required setbacks can still be satisfied, a semi-detached dwelling is in keeping with the character of the area, which contains several semi-detached dwellings including one directly adjacent to the proposed development with a lot size of roughly 200m<sup>2</sup>. The proposed lots meet all other requirements of the Zoning By-law, including the frontage. The streetscape and the character of the neighbourhood will not be negatively impacted as a result of their reduced size. The reductions are considered minor in nature, as it are not expected to have any adverse impact on the surrounding properties. The proposal is in keeping with the intent and purpose of the Official Plan and Zoning By-law, and it is the opinion of staff that the variances should be approved, as revised and outlined in the recommendation.

### **Consent Application B-50/17SC**

Application **B-50/17SC** is made for consent to sever 45.9m<sup>2</sup> of land (Parts 5 & 6 on the submitted sketch) to be added to Parts 7 & 8 (132 Martindale Property) subject to an easement for a right-of-way over Part 5 to benefit the northerly abutting lot 134 Martindale Road. A 347.5m<sup>2</sup> remnant parcel with the existing single detached dwelling

(Parts 1 & 4) would be retained for continued residential use together with an easement for a right-of-way over part 4 for access to benefit the southerly abutting lot Parts 5, 6, 7 & 8), 132 Martindale Road. The purpose of the consent is to permit the construction of, and facilitate access to, two single car garages for 132 and 134 Martindale Road which share a common centre wall.

It is the opinion of staff that the size and shape of the parcels with the proposed boundary adjustment are suitable for the use proposed, support the optimum use of the subject lands, and are compatible with the surrounding residential neighbourhood. No negative impacts are anticipated as a result of the proposed boundary adjustment.

### **Variance Applications A-104/17 (Parts 1 & 4) and A-105/17 (Parts 5, 6, 7 & 8)**

Applications **A-104/17** and **A-105/17** both request a reduction in the minimum required interior side yard setback from 1.2 metres to 0.0 metres to permit the construction of a double car garage with a common wall centred on the realigned lot line between 132 and 134 Martindale Road wall. The requested variance does not propose and significant changes to the existing layout of the properties. The location of the proposed garages will be more or less the same as the existing garage (currently located entirely upon 134 Martindale Road), however the lot line adjustments proposed in the concurrent consent application **B-50/17SC** create the need for a variance. The proposed variance does not significantly alter the existing character of the properties, and is in keeping with the character of the adjacent development on Flynn Court, wherein the majority of properties have garages centered on the common lot line. The proposed reduction to the minimum interior side yard setback is not expected to have any adverse effects on the neighbouring properties. It is staff's opinion that the proposed variances maintains the intent and purpose of the Official Plan and Zoning By-law, and is considered minor in nature.

### **Conclusion**

Staff are satisfied that the consents requested through application **B-48/17SC**, **B-49/17SC**, **B-50/17SC**, and **B-51/17SC** are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. Additionally, staff is satisfied that applications **A-104/17**, **A-105/17**, **A-106/17** and **A-107/17** 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 consents and variances be approved.



**Prepared by:**

A blue ink signature of Dylan Prowse, consisting of stylized initials 'DP' followed by a horizontal line.

Dylan Prowse  
Student Planner

**Submitted by:**

A blue ink signature of Charlotte McEwan, featuring a cursive 'C' followed by a horizontal line.

Charlotte McEwan  
Planner I

**Approved by:**

A blue ink signature of Judy Pihach, with a cursive 'J' and 'P' followed by a horizontal line.

Judy Pihach, MCIP, RPP  
Manager of Planning Services



## Munro, Elaine

---

**From:** Michelle.Tien@HydroOne.com  
**Sent:** Tuesday, October 03, 2017 8:50 AM  
**To:** Munro, Elaine  
**Subject:** St. Catharines - 132, 134 Martindale Rd, 1A Violet St - 60.84.2133 to 60.84.2136

Hello,

We are in receipt of your Applications for Consent dated Sept 28, 2017:

60.84.2133 – 132 Martindale Rd  
60.84.2134 – 145 Martindale Rd  
60.84.2135 – 134 Martindale Rd  
60.84.2136 – 1A Violet St

We have reviewed the documents concerning the noted Applications and have no comments or concerns at this time.  
**Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:  
<http://www.hydroone.com/StormCenter3/>

Please select "Service Territory Overlay" and locate address in question by entering the address or by zooming in and out of the map.



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre.

Please let me know if you have any questions or concerns.

Thank you,

**Michelle Tien**

Real Estate Co-op, Real Estate Department  
Hydro One Networks Inc.  
Tel: (905) 946-6238

Email: [Michelle.Tien@HydroOne.com](mailto:Michelle.Tien@HydroOne.com)

Sent on behalf of

**Dennis De Rango**

Specialized Services Team Lead, Real Estate Department  
Hydro One Networks Inc.



Tel: (905) 946-6237

Email: [Dennis.DeRango@HydroOne.com](mailto:Dennis.DeRango@HydroOne.com)

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**Please note we also accept circulations via email at [LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com).**

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

**Munro, Elaine**

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**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

---

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

**Sent:** Monday, October 02, 2017 10:51 AM

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

**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (2 of 3 emails)

Hello

Cogeco has no issues or concerns with this applications

132 Martindale Road, Consent Application, 60.84.2133 – B-48/17SC

134 Martindale Road, Consent Application, 60.84.2134 – B-49/17SC

134 Martindale Road, Consent Application, 60.84.2135 – B-50/17SC

1A Violet Street, Consent Application, 60.84.2136 – B-51/17SC

132 Martindale Road, Minor Variance Application, 60.81.5273 – A-104/

134 Martindale Road, Minor Variance Application, 60.81.5274 – A-105/17

1A Violet Street, Minor Variance Application, 60.81.5275 – A-106/17

1B Violet Street, Minor Variance Application, 60.81.5276 – A-107/

Hope you have the best Monday ever

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Ce courriel provient de [Doug.Crown@cogeco.com](mailto: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](mailto: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](mailto: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.

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

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.84.2133

**Re: 132 Martindale Rd**

In response to your correspondence date October 3, 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](http://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.
- 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.

**Alectra Utilities Corporation**

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

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

[alectrautilities.com](http://alectrautilities.com)



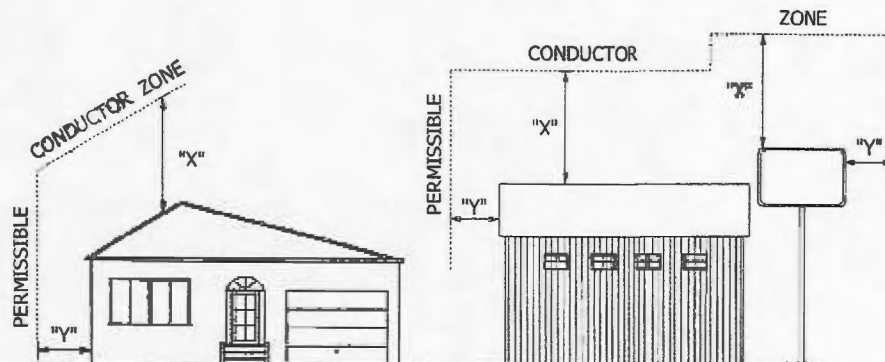
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', with a large, sweeping horizontal stroke underneath the main text.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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:

DRAWINGS  
NOT TO SCALE

DRAWING #

**3-105**

SHEET#

1

REVISION#

0

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.84.2134

**Re: 134 Martindale Rd**

In response to your correspondence date October 3, 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](http://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.
- 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.

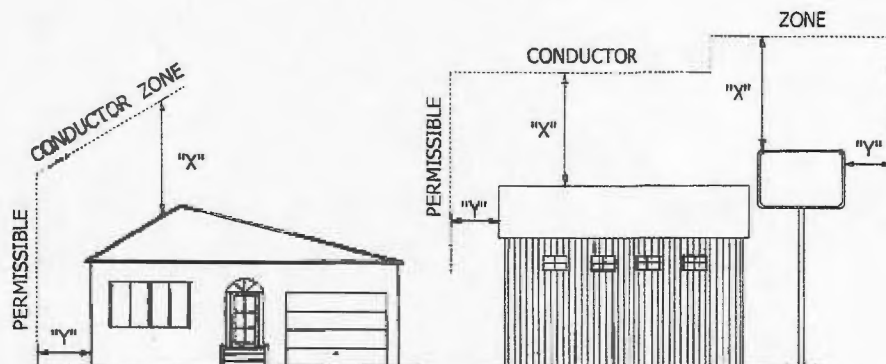
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
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  - 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', enclosed within a large, loopy oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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)
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NOTES:

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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#

**1**

REVISION#

**0**



October 6, 2017

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

**Attention: Elaine Munro**

File# 60.84.2135

**Re: 134 Martindale Rd**

In response to your correspondence date October 3, 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](http://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.
- 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.
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**Alectra Utilities Corporation**

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

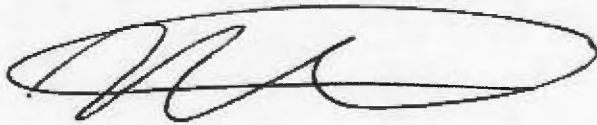
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

[alectrautilities.com](http://alectrautilities.com)

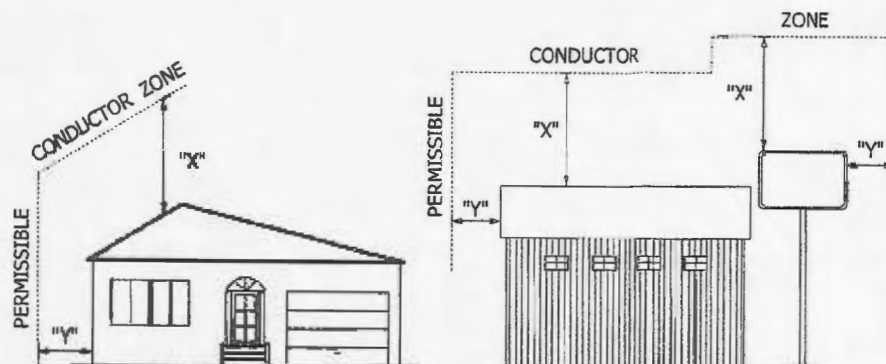
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in dark ink, appearing to be 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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.
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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#

**1**

REVISION#

**0**

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.84.2136

**Re: 1A Violet St**

In response to your correspondence date October 3, 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](http://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.
- 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.
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**Alectra Utilities Corporation**

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

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

[alectrautilities.com](http://alectrautilities.com)



- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
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  - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
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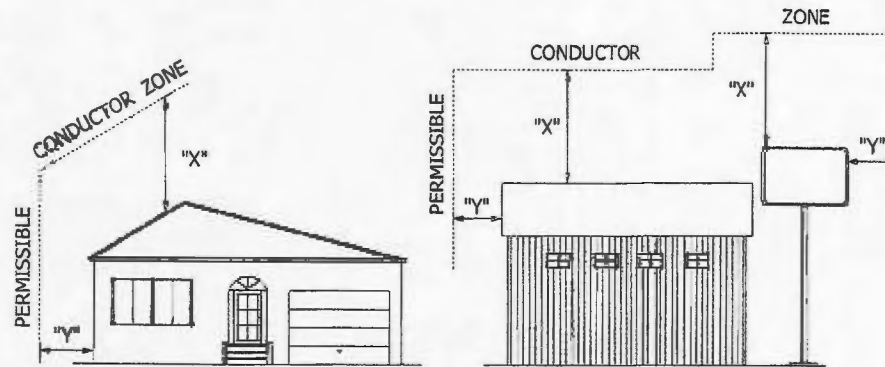
We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

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Mark Jakubowski  
Supervisor, Design, Customer Capital





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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)
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\* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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**horizon**  
UTILITIES *Looking beyond...*

DRAWING STATUS	BY	DATE
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#

**1**

REVISION#

**0**

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5273

**Re: 132 Martindale Ave**

In response to your correspondence date October 3, 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](http://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.
- 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:

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**Alectra Utilities Corporation**

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

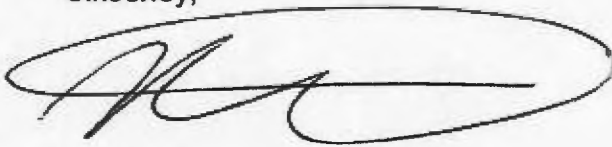
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

[alectrautilities.com](http://alectrautilities.com)

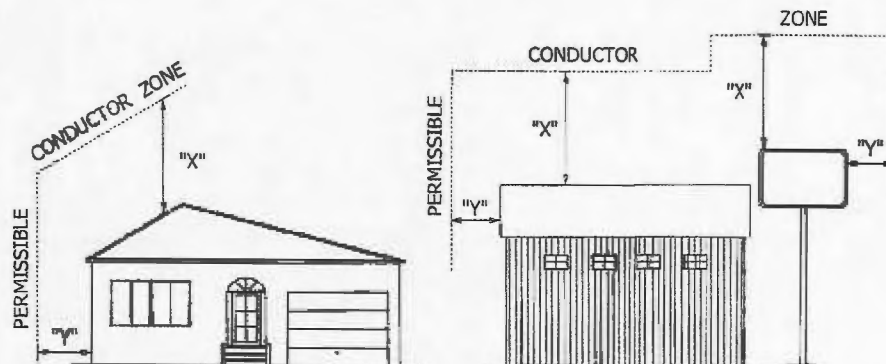
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  - CAN/CSA-C22.3 No. 1-10, Overhead System
  - C22.3 No. 7-10 Underground Systems

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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line and a large loop at the end.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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"
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NOTES:

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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 #	SHEET#	REVISION#
3-105	1	0



October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5274

**Re: 134 Martindale Ave**

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We would also like to stipulate the following:

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

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

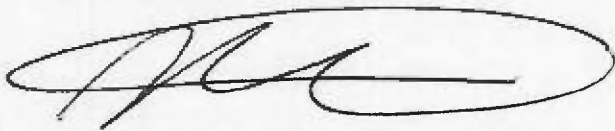
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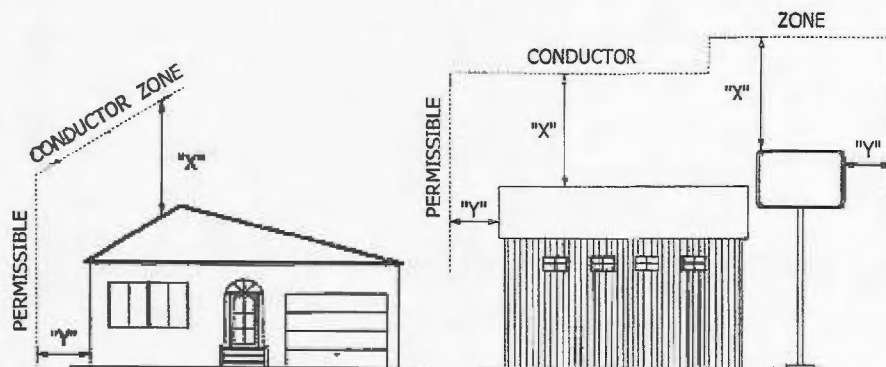
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Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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"
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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:

DRAWING #

**3-105**

DRAWINGS NOT TO SCALE

SHEET#

**1**

REVISION#

**0**

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5275

**Re: 1A Violet St**

In response to your correspondence date October 3, 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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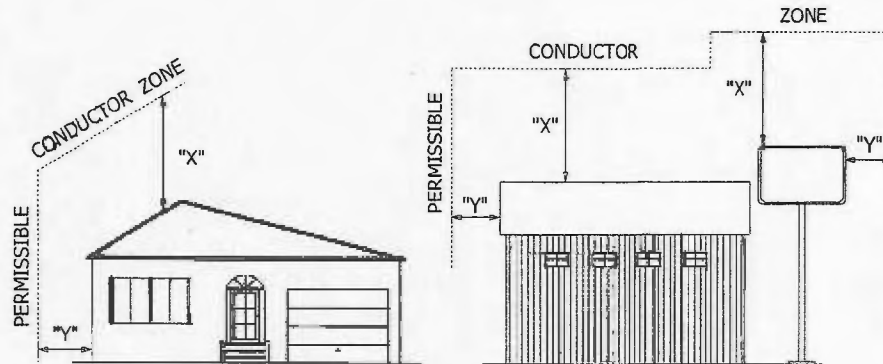
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Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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"
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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:

DRAWING #  
**3-105**

DRAWINGS  
NOT TO SCALE

SHEET #	REVISION #
1	0



October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5276

**Re: 1B Violet St**

In response to your correspondence date October 3, 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](http://www.alectrautilities.com).
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- 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.

**Alectra Utilities Corporation**

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

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

[alectrautilities.com](http://alectrautilities.com)

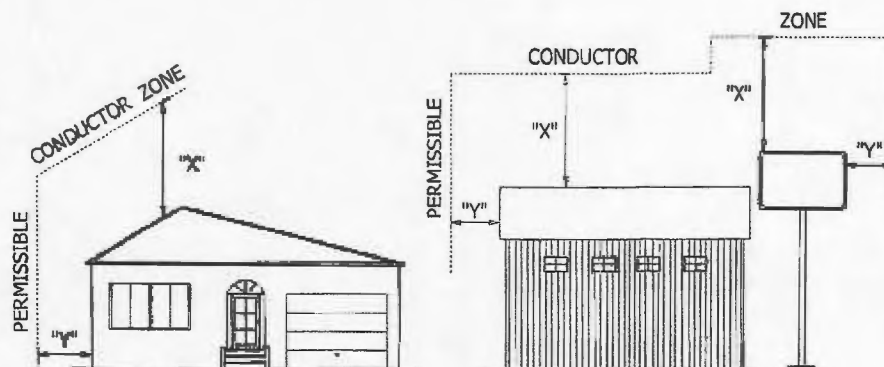
- **CALL BEFORE YOU DIG**, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to be 'Mark Jakubowski', enclosed within a large, hand-drawn oval.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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:

DRAWINGS  
NOT TO SCALE

DRAWING #

3-105

SHEET#

1

REVISION#

0



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## Memorandum

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**To:** Charlotte McEwan, Planning and Building Services  
Dylan Prowse, 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:** October 4, 2017

**Subject:** Notice of Hearing: Consent to Sever  
Address: 132 and 134 Martindale Rd. and 1A Violet St.  
File No: 60.84.2133, 60.84.2134, 60.84.2136

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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 (\$443 for each new lot being created) for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lots (Parts 2, 3, 9, and 10) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. 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**

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**Subject:** RE: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

**From:** Sullivan, Kristen

**Sent:** Wednesday, October 04, 2017 4:08 PM

**To:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>

**Cc:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** FW: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Please see attached comments from PRCS. We have no comments on the following applications:

- 112 Oakdale (ld and mv)
- 35 Catherine (mv)
- 132 Martindale (mv)
- 134 Martindale (mv)
- 1A Violet (mv)
- 1B Violet (mv)
- 10 Head (mv)
- 1011 Pelham (mv)

PRCS has no comments on the minor variance for 55 Farmington Dr. The applicant will be required to protect the existing street tree through construction.

**Kristen Sullivan**

Project & Development Planner

Email: [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)

Tel: 905.688.5601 x3145

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**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-48-50-17SC**



October 12, 2017

**ENGINEERING FILE 300-36**

**Hearing Date:** October 25, 2017

**Applicant:** Charles Wah

**Location:** 132-134 Martindale Road

<u>MUNICIPAL SERVICES</u>	<b>Martindale Road</b>	<b>Violet Street</b>
<b>Water:</b>	300mm (12") PVC	150mm (6") C.I.
<b>Sanitary Sewer:</b>	825mm (32") Regional	250mm (10") A.C.
<b>Storm Sewer:</b>	750mm (30")	300mm (12") half frontage
<b>Sidewalks:</b>	Yes	Yes
<b>Road Allowance Width:</b>	Varies – Regional Discretion	13.71m (45') ±

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

Comment(s): It is noted that the Applicant proposes to sever Parts 2, 3, 9 & 10, creating two new lots to be known municipally as 1A and 1B Violet Street for the purposes of constructing a semi-detached dwelling. Parts 1 and 4 applicable to 134 Martindale Road and Parts 5, 6, 7 & 8 applicable to 132 Martindale Road would be retained for continued residential use and access to two new proposed garages on both properties.

The Applicant also proposes to sever Parts 5 & 6 and add them to Parts 7 & 8 subject to an easement for a right-of-way over Part 5 for access to benefit the northerly abutting lot (Parts 1 & 4) known as 134 Martindale Road. A remnant parcel (Parts 1 & 4) would be retained for continued residential use together with an easement for a right-of-way over Part 4 for access to benefit the southerly abutting lot (Parts 5, 6 7 & 8) known as 132 Martindale Road.

**City Services**

Violet Street is designated as a Local road per the City's Official plan with a desired right-of-way width of 20.12m (66'). Its current width along this section is deficient at 13.71m (50')±. The City requires a road widening of 3.21m (10.5') along the frontage of Violet Street be dedicated gratuitously, free and clear of any encumbrances to the City as Public Highway to be known as Violet Street.

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 varies, however since Martindale Road is under Regional jurisdiction, widening requirements shall 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 lots convey drainage flows to a suitable outlet, and do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. There is a roadside catch basin which may be able to accommodate the westerly proposed semi-detached unit's foundation drainage flows via storm lateral lead. This shall be reviewed and assessed at the building permit stage to determine whether a storm lateral shall be required to be installed from the catch basin to the future lot at the cost of the owner, so that foundation weeping tile flows may be discharged directly to the storm sewer, as is the City's practice. There are no existing storm sewers available along the remaining frontage of Violet Street at this time, therefore weeping tile foundation drainage of the easterly proposed semi-detached unit shall be discharged via sump pump to grade at the front yards of the proposed lot.

Condition(s):

None



Prepared By:

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

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-51-17SC**



October 12, 2017

**ENGINEERING FILE 300-36**

**Hearing Date:** October 25, 2017

**Applicant:** Charles Wah

**Location:** 1A Violet Street

**MUNICIPAL SERVICES**      **Violet Street**

**Water:** 150mm (6") C.I.

**Sanitary Sewer:** 250mm (10") A.C.

**Storm Sewer:** 300mm (12") half frontage

**Sidewalks:** Yes

**Road Allowance Width:** 13.71m (45') ±

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

*Comment(s):* It is noted that the Applicant proposes to sever Parts 3 & 10, a new lot to be known municipally as 1A Violet Street for the purposes of constructing a semi-detached dwelling. Parts 2 and 9 would be retained for the other half of the proposed semi-detached dwelling. The application would allow each unit of the semi-detached dwelling to be owner and/or sold separately.

**City Services**

Violet Street is designated as a Local road per the City's Official plan with a desired right-of-way width of 20.12m (66'). Its current width along this section is deficient at 13.71m (50') ±. The City requires a road widening of 3.21m (10.5') along the frontage of Violet Street be dedicated gratuitously, free and clear of any encumbrances to the City as Public Highway to be known as Violet Street.

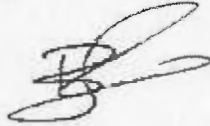
**Engineering Services**

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. There is a roadside catch basin which may be able to accommodate the westerly proposed semi-detached unit's foundation drainage flows via storm lateral lead. This shall be reviewed and assessed at the building permit stage to determine whether a storm lateral shall be required to be installed from the catch basin to the future lot at the cost of the owner, so

that foundation weeping tile flows may be discharged directly to the storm sewer, as is the City's practice. There are no existing storm sewers available along the remaining frontage of Violet Street at this time, therefore weeping tile foundation drainage of the easterly proposed semi-detached unit shall be discharged via sump pump to grade at the front yards of the proposed lot.

Condition(s): None



Prepared By:

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



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## Memorandum

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**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:** October 12, 2017  
**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
File No's: A-61/17SC – 112 Oakdale Avenue  
A-102/17SC – 35 Catherine Street  
A-103/17SC – 55 Farmington Drive  
A-104/17SC – 132 Martindale Road  
A-105/17SC – 134 Martindale Road  
A-106/17SC – 1A Violet Street  
A-107/17SC – 1B Violet Street  
A-108/17SC – 10 Head Street  
A-109/17SC – 1011 Pelham Road

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

Regarding application A-108/17 SC for 10 Head Street, it is requested that the Committee note that while the Minor Variance may be justified, the importance of a proposed drainage design with respect to minimized setbacks is crucial, so as not to cause negative drainage effects to existing adjacent and abutting lots, nor the subject lot.

Regards,

Brad Johnston, C.E.T.





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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

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

**A-103/17 – 55 Farmington Drive**

We are not prepared to support the driveway as proposed. The minimum depth of a parking space is 5.2 metres. As such, the entire width of the parking area must be able to achieve this depth. The area abutting the side of the house has a depth of 6.0 metres to the property line, which is acceptable. The area abutting the porch has a depth of 3.56 metres, which isn't acceptable.

In order satisfy our requirement, the applicant has two options. Option 1 is to narrow the driveway up to the edge of the deck. Option 2 is to remove the section of deck within the area proposed for the driveway. A diagram is attached showing both options.

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

Steve Bittner  
Transportation Technologist  
SB/

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

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

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# **COMMENTS**

**A-108/17 (60.81.5277)**

**10 Head Street**

**DATE OF HEARING:**  
**October 25, 2017**



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Hearing:** October 25, 2017

**Submission(s):** A-108/17

**File:** 60.81.5277

**Subject:** 10 Head Street

### Recommendation

That submission **A-108/17** by Grigg & Associates 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 variances requested through application **A-108/17** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Staff recommends that the variances be approved

### Proposed Development

Application A-108/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following:

The following Variances are requested to vary Zoning By-law 2013-283 to allow the construction of a 3-storey, 6 unit apartment building.

1. A reduction of the minimum front yard setback from 3 metres to 1.2 metres.
2. A reduction of the rear yard setback from 4.5 metres to 1.5 metres.
3. A reduction of the minimum required lot frontage from 20 metres to 12.9 metres.
4. A reduction of the minimum required lot area dwelling from 45m<sup>2</sup> to 38m<sup>2</sup>.

### Location and Site Description

The subject property is located on the southeast side of Head Street between Bond Street and Carlisle Street, and is surrounded by a parking lot to the north, a duplex to the east, and commercial buildings to the northwest.

### 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 Mixed Medium High Density Residential/Commercial as per Schedule E10 of the Garden City Plan (GCP). This designation permits detached, semi-detached duplex, triplex, quadraplex, fourplex, townhouse and apartment dwellings at a density of between 60 and 198 units per hectare.

### *Zoning By-law (2016-283)*

The subject land is zoned Medium/High Density Mixed Use (M2-92). The M2-92 zone permits detached, duplex, fourplex, quadraplex, semi-detached, triplex and apartment dwelling units. Special Provision 92 exempts the property from the parking requirements of Sections 3.12.1, 3.12.2 and 3.15 of the Zoning By-law.

## **Application A-101/17**

The variances through Application A-108/17 are requested to facilitate the construction of a 3-storey, 6 unit apartment building.

Variance 1 requests a reduction of the minimum front yard setback from 3 metres to 1.2 metres. This reduction would set the proposed development back further from the sidewalk than the existing 1-storey dwelling on the property and is in keeping with the established building line of other medium density buildings on Head Street. No negative impacts are anticipated as a result of the requested reduction.

Variance 2 requests a reduction of the rear yard setback from 4.5 metres to 1.5 metres. This proposed reduction is requested due in part to the irregular shape of the property, specifically the angle of the rear lot line. The reduction is partially mitigated by an existing board fence acting as a visual screen between the rear yards of the subject, and adjacent properties. The primary rear facing window openings of the proposed apartment units are located on the portion of the building that is set back furthest from the property line. The height and massing of the proposed apartment is in keeping with the requirements for a fourplex in an M2 zone which requires a rear yard setback of only 1.2 metres. Setback requirements are primarily meant to mitigate the effects of a building's massing and height on surrounding properties. Given that the proposed apartment is not expected to be any more imposing than a fourplex, staff are satisfied that the intent and purpose of the official plan and Zoning By-law are being maintained. The requested reduction in minimum rear yard setback is considered minor in nature and is not anticipated to have any adverse effects on the surrounding properties.

Variance 3 requests a reduction of the minimum required lot frontage from 20 metres to 12.9 metres. The subject property is located within the downtown parking special provision area, and is therefore exempt from the parking requirements of Section 3.12.1 and 3.15 of this By-law. There is no need for an on-site parking access which typically requires around 6 metres of frontage to accommodate. This accounts for the majority of the requested reduction. Furthermore, despite the reduction in frontage, the proposed development meets both side yard setback requirements. The proposed variance is not anticipated to have any adverse effects on the surrounding properties.

Variance 4 requests a reduction of the minimum required lot area dwelling from 45m<sup>2</sup> to 38m<sup>2</sup>. This variance is required in order to permit the construction of the proposed 6<sup>th</sup> unit, the addition of which is not anticipated to have any adverse impacts on the surrounding properties. The property is exempt from the parking requirements of the Zoning By-law, which would otherwise take up lot area. The variance represents one additional unit on the property. The reduction in lot area per dwelling unit is not anticipated to have any adverse impacts on the neighbouring properties, or the surrounding area, and staff consider the variance to be minor in nature.

## Conclusion

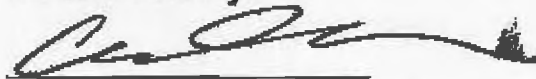
Staff is of the opinion that the Variances of Application **A-108/17** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate for the desirable use of the land. It is staff's recommendation that these variances be approved.

### Prepared by:



Dylan Prowse  
Student Planner

### Submitted by:



Charlotte McEwan  
Planner I

### Approved by:



Judy Pihach, MCIP, RPP  
Manager of Planning Services



**Munro, Elaine**

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**Subject:**

RE: 10 Head Street, St. Catharines - City of St. Catharines Committee of Adjustment  
Notices and Applications for the October 25/17 CofA Hearing

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**From:** Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]

**Sent:** Friday, October 06, 2017 10:35 AM

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

**Cc:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Prowse, Dylan <dprorowse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

**Subject:** 10 Head Street, St. Catharines - City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Dear Elaine,

Further to your request, the Ministry has received Committee of Adjustment Notice on the subject land at 10 Head Street, St. Catharines for the proposed construction of a three-storey, 6 unit residential building. In accordance with the requirements under the *Public Transportation and Highway Improvement Act*, the Ministry offers the following comments:

- ☐ The subject land is located within the Ministry's permit control area.
- ☐ The general site layout for proposed residential building is acceptable.
- ☐ All future phases of the subject site require MTO review and approval.
- ☐ All signs related to the development that are visible from the QEW and its ramps will require MTO permit(s).
- ☐ Noise mitigation is the responsibility of the developer and must be located on private lands.
- ☐ Only once the applicant has received Site Plan Approval and/or clearance can they apply for applicable MTO Permits. This is to ensure that there is no discrepancy with Plan revisions.
- ☐ A Building and Land Use permit may be obtained by submitting an online application through the link below to Corridor Management Office.  
<https://www.hcms.mto.gov.on.ca/>

Information regarding the application process, forms and the policy can be found at the link:  
<http://www.mto.gov.on.ca/english/engineering/management/corridor/building.shtml>

Please do not hesitate to contact me if you have any further questions.

Kindest Regards,

**Alexandra Boucetta**

*Corridor Management Officer – Niagara Region*

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5277

**Re: 10 Head St**

In response to your correspondence date October 3, 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](http://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.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

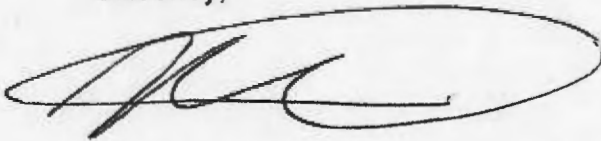
We would also like to stipulate the following:

- 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.
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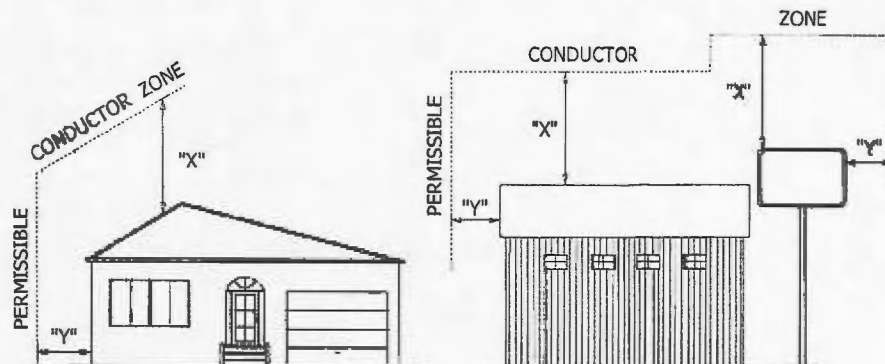
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
  - Ontario Building Code (1997) Section 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', enclosed within a large, loopy oval shape.

Mark Jakubowski  
Supervisor, Design, Customer Capital



- 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)
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NOTES:

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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
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

**Munro, Elaine**

---

**From:** Network Info <network.info@horizonutilities.com>  
**Sent:** Friday, October 06, 2017 2:54 PM  
**To:** Munro, Elaine  
**Cc:** McEwan, Charlotte; Banda, Wilrik; Prowse, Dylan  
**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 2 emails)  
**Attachments:** SCH\_CLR2017-297.pdf; SCH\_CLR2017-298.pdf; SCH\_CLR2017-296.pdf

Good Afternoon Elaine,

Response letters attached for files 60.81.5277 (10 Head St), 60.81.5272 (55 Farmington Dr) & 60.81.5278 (1011 Pelham Rd). This is an email response only. The original letters will NOT be mailed.

Thanks,  
Samantha

---

**From:** Munro, Elaine [mailto:emunro@stcatharines.ca]  
**Sent:** Thursday, September 28, 2017 3:40 PM  
**To:** Samantha Burke <samantha.burke@alecrautilities.com>; Scott Beaudrie <scott.beaudrie@alecrautilities.com>  
**Cc:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Prowse, Dylan <dprorowse@stcatharines.ca>  
**Subject:** City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 2 emails)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon, Samantha & Scott:

The applications are being heard at the City of St. Catharines October 25, 2017 Committee of Adjustment Hearing.

It would be greatly appreciated if you could forward your comments to me, Charlotte McEwan, Planner, Dylan Prowse, Student Planner and Wil Banda by **Friday, October 13, 2017**.

- 1) 53 Farmington Drive, Minor Variance Application, 60.81.5272 – A-103/17 – **Email 1**
- 2) 132 Martindale Road, Consent Application, 60.84.2133 – B-48/17SC
- 134 Martindale Road, Consent Application, 60.84.2134 – B-49/17SC
- 134 Martindale Road, Consent Application, 60.84.2135 – B-50/17SC
- 1A Violet Street, Consent Application, 60.84.2136 – B-51/17SC
- 132 Martindale Road, Minor Variance Application, 60.81.5273 – A-104/17
- 134 Martindale Road, Minor Variance Application, 60.81.5274 – A-105/17
- 1A Violet Street, Minor Variance Application, 60.81.5275 – A-106/17
- 1B Violet Street, Minor Variance Application, 60.81.5276 – A-107/17



**Munro, Elaine**

---

**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

---

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

**Sent:** Monday, October 02, 2017 10:43 AM

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

**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

Good morning on this lovely Monday.

Cogeco has no issues or concerns with this applications

53 Farmington Drive, Minor Variance Application, 60.81.5272 – A-103/17

10 Head Street, Minor Variance Application, 60.81.5277 – A-108/17

1011 Pelham Road, Minor Variance Application, 60.81.5278 – A-109/

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

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**Munro, Elaine**

---

**Subject:** RE: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

**From:** Sullivan, Kristen

**Sent:** Wednesday, October 04, 2017 4:08 PM

**To:** McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>

**Cc:** Munro, Elaine <emunro@stcatharines.ca>

**Subject:** FW: Additional Applications added to October 25, 2017 Agenda Please review RE: Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

Please see attached comments from PRCS. We have no comments on the following applications:

- 112 Oakdale (ld and mv)
- 35 Catherine (mv)
- 132 Martindale (mv)
- 134 Martindale (mv)
- 1A Violet (mv)
- 1B Violet (mv)
- 10 Head (mv)
- 1011 Pelham (mv)

PRCS has no comments on the minor variance for 55 Farmington Dr. The applicant will be required to protect the existing street tree through construction.

**Kristen Sullivan**

Project & Development Planner

Email: [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)

Tel: 905.688.5601 x3145

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## Memorandum

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**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:** October 12, 2017

**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
File No's: A-61/17SC – 112 Oakdale Avenue  
A-102/17SC – 35 Catherine Street  
A-103/17SC – 55 Farmington Drive  
A-104/17SC – 132 Martindale Road  
A-105/17SC – 134 Martindale Road  
A-106/17SC – 1A Violet Street  
A-107/17SC – 1B Violet Street  
A-108/17SC – 10 Head Street  
A-109/17SC – 1011 Pelham Road

---

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 applications.

Regarding application A-108/17 SC for 10 Head Street, it is requested that the Committee note that while the Minor Variance may be justified, the importance of a proposed drainage design with respect to minimized setbacks is crucial, so as not to cause negative drainage effects to existing adjacent and abutting lots, nor the subject lot.

Regards,

Brad Johnston, C.E.T.



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

---

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

**A-103/17 – 55 Farmington Drive**

We are not prepared to support the driveway as proposed. The minimum depth of a parking space is 5.2 metres. As such, the entire width of the parking area must be able to achieve this depth. The area abutting the side of the house has a depth of 6.0 metres to the property line, which is acceptable. The area abutting the porch has a depth of 3.56 metres, which isn't acceptable.

In order satisfy our requirement, the applicant has two options. Option 1 is to narrow the driveway up to the edge of the deck. Option 2 is to remove the section of deck within the area proposed for the driveway. A diagram is attached showing both options.

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

Steve Bittner  
Transportation Technologist  
SB/

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

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

---

# **COMMENTS**

**A-109/17 (60.81.5278)**

**1011 Pelham Road**

**DATE OF HEARING:**  
**October 25, 2017**





CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** October 18, 2017

**Date of Hearing:** October 25, 2017

**Submission(s):** A-109/17

**File:** 60.81.5278

**Subject:** 1011 Pelham Road

### Recommendation

That Submission **A-109/17** by Centennial Construction & Contracting (Niagara) 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-109/17** 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-109/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for a reduction in minimum lot area per dwelling from 315m<sup>2</sup> to 295.8m<sup>2</sup>. The variance is to permit the release of the middle unit of a townhouse from Part Lot Control, being Parts 3 & 4 on the submitted sketch.

### Location and Site Description

The subject property is located on the north side of Pelham Road between Vansickle Road, and Nicholas Drive. It's surrounded by detached and townhouse dwelling units.

### 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 Medium Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation permits detached,

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

*Zoning By-law (2016-283)*

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

## **Application A-109/17**

Application **A-109/17** requests a 19.2m<sup>2</sup> decrease in the minimum required lot area per dwelling, from 315m<sup>2</sup> to 295.8m<sup>2</sup>. The variance is requested to permit the middle unit of a townhouse to sit on its own lot which is to be created through an application to lift Part Lot Control. The subject property is currently part of a 3 unit townhouse block with a total lot area of 1018.9m<sup>2</sup>, exceeding the required 945m<sup>2</sup>. The applicant has applied to lift part lot control on the block to create three separate lots.

While the overall development meets the zoning provisions, the middle lot does not have the required lot area on its own. The buildings have already been legally constructed, and no physical changes are proposed. The reduction will allow the middle unit to be owned and sold separately from the other units. The proposed lot meets all other requirements of the Zoning By-law, including the minimum frontage requirement. The proposed variance is not expected to have an adverse impact on the surrounding properties, and is in keeping with the intent and purpose of the Official Plan and Zoning By-law.

## **Conclusion**

Staff is of the opinion that Application **A-109/17** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and appropriate for the desirable use of the land. It is staff's recommendation that the requested variance be approved.

**Prepared by:**



Dylan Prowse  
Student Planner

**Submitted by:**



Charlotte McEwan  
Planner I

**Approved by:**



Judy Pinach, MCIP, RPP  
Manager of Planning Services

October 6, 2017

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

**Attention: Elaine Munro**

File# 60.81.5278

**Re: 1011 Pelham Road**

In response to your correspondence date October 3, 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](http://www.alectrautilities.com).
- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
- 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', with a large, sweeping horizontal stroke underneath the main text.

Mark Jakubowski  
Supervisor, Engineering Design



**Munro, Elaine**

---

**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

---

**From:** Doug Crown [mailto:Doug.Crown@cogeco.com]  
**Sent:** Monday, October 02, 2017 10:43 AM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** RE: City of St. Catharines Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing (1 of 3 emails)

Good morning on this lovely Monday.  
Cogeco has no issues or concerns with this applications

53 Farmington Drive, Minor Variance Application, 60.81.5272 – A-103/17  
10 Head Street, Minor Variance Application, 60.81.5277 – A-108/17  
1011 Pelham Road, Minor Variance Application, 60.81.5278 – A-109/

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**Munro, Elaine**

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Committee of Adjustment Notices and Applications for the October 25/17 CofA Hearing

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Project & Development Planner

**Email:** [ksullivan@stcatharines.ca](mailto:ksullivan@stcatharines.ca)

**Tel:** 905.688.5601 x3145

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## Memorandum

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

**Cc:** Charlotte McEwan, Planner 1  
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Will Banda, Planning Technician

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**Date:** October 12, 2017

**Hearing Date:** October 25, 2017

**Subject:** Engineering Comments to the Committee of Adjustment (Revised)  
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Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** October 4, 2017

**Subject:** Committee of Adjustment  
Public Hearings – October 25, 2017  
File No. 305-17-01

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SB/