



CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
November 29, 2017
Burgoyne Woods Room, City Hall - 5:00 p.m.

****NOTE: Hearing has been moved to “Burgoyne Woods Room”, 3rd floor, City Hall**

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 October 25, 2017
6. Application:
 1. 87 Alexandra Boulevard, Minor Variance Application, 60.81.5282 – A-114/17
 2. 98 Page Street, Minor Variance Application, 60.81.5222 – A-53/17
 3. 6 Rodman Hall Drive, Consent Application, 60.84.2137 – B-52/17SC
 - 8 Rodman Hall Drive, Consent Application, 60.84.2138 – B-53/17SC
 - 8A Rodman Hall Drive, Minor Variance Application, 60.81.5278 – A-110/17
 4. 47 Marlborough Drive, Consent Application, 60.84.2139 – B-54/17SC
 5. 101 Lake Street, Consent Application, 60.84.2140 – B-55/17SC
 - 101 Lake Street, Minor Variance Application, 60.81.5279 – A-111/17
7. New Business:
8. Date of next Hearing: December 13, 2017
9. Adjournment

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-114/17 (60.81.5282)

87 Alexandra Boulevard

DATE OF HEARING:
November 29, 2017



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 23, 2017

Date of Meeting: November 29, 2017

Submission(s): A-114/17

File: 60.81.5282

Subject: 87 Alexandra Boulevard

Recommendation

That Variance 1 of application **A-114/17** by Matthew Andrus and David Andrus, as outlined in the Notice of Hearing, be approved, subject to the following condition:

- 1) That the height of the detached dwelling shall not exceed one and a half storeys to a maximum height of 4.5 metres.

That Variance 2 of application **A-114/17** by Matthew Andrus and David Andrus, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is satisfied that Variance 1 of application **A-114/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be approved, as outlined in the recommendation. Staff is not satisfied that Variance 2 of application **A-114/17** is minor in nature, desirable for the appropriate use of the land, or that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be denied.

Proposed Development

Application **A-114/17** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following:

1. A reduction of the exterior side yard setback from 4.0 metres to 3.05 metres.
2. A reduction of the front yard setback to the garage from 7.0 metres to 6.05 metres.

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

Location and Site Description

The subject property is located on the northeast corner of Dunvegan Road and Alexandra Boulevard, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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

Application A-114/17

Variance 1 requests a reduction in minimum exterior side yard setback from 4.0 metres to 3.05 metres to accommodate for the proposed dwelling. The intent of the required exterior side yard setback is, in part, to ensure development does not impede drivers' sightlines at an intersection. The sightlines at the intersection of Dunvegan Road and Alexandra Boulevard are not compromised by the one metre reduction in the exterior side yard setback. The variance is considered to be minor in nature.

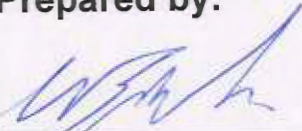
Part D, Section 7.1 of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site and context sensitive design to ensure the integration of compatible building form with adjacent buildings, properties and the surrounding neighbourhood. The area is characterized by single and one and a half storey dwellings, typically with yard setbacks that conform with or are greater than the requirements of the Zoning By-law. The exterior side yard on the corner lot on the opposite side of Alexandra Boulevard conforms with the Zoning By-law requirement. To ensure the development meets the intent of the general land use policies of the GCP, staff recommend that the dwelling be limited in height to a single or one and a half storey dwelling to mitigate any impact the reduced exterior side yard setback may have on the Dunvegan Road streetscape. With this condition, staff consider Variance 1 to be appropriate and in keeping with the intent of the Official Plan and Zoning By-law.

Variance 2 requests a reduction of the front yard setback to the garage from 7.0 metres to 6.05 metres. The Zoning By-law requires a minimum front yard setback for a garage in excess of the front yard setback requirement for a dwelling in order to recess the garage face, and in support of the City's Urban Design Guidelines to minimize and mitigate against garages defining the character of the streetscape. The majority of surrounding dwellings in the immediate vicinity have garages that are setback further than the face of the dwelling. While still meeting the front yard setback requirement for a dwelling, the size and orientation of the subject lot creates a building envelope that places the proposed dwelling closer to the street than neighbouring properties. The requested reduction in setback for the garage will place the garage at the same distance from the front lot line as the dwelling, and closer to the street than other dwellings and garages in the immediate area. This would not serve to support the City's Urban Design Guidelines to minimize the impact of garage locations on the character of the streetscape. In this context, staff do not consider the variance to be minor in nature or in keeping with the intent of the Official Plan and Zoning By-law. Staff recommends that the variance be denied.

Conclusion

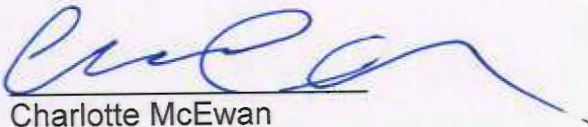
In summary, Staff are satisfied that, subject to a height limit for the dwelling of one and a half storeys to a maximum of 4.5 metres, Variance 1 of Application **A-114/17** is minor in nature, appropriate and desirable for the use of the land and maintains the intent and purpose of the Official Plan and Zoning By-law. Staff recommend that Variance 1 be approved, subject to the condition outlined in the recommendation. Staff is not satisfied that Variance 2 of application **A-114/17** is minor in nature, appropriate or desirable for the use of the land or in keeping with the intent and purpose of the Official Plan and Zoning By-law. Staff recommend that Variance 2 be denied.

Prepared by:




Wilrik Banda
Planner I

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Dylan Prowse, Planning Co-op Student
Will Banda, Planning Technician
Bruce Bellows, Planner 2

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

Date: November 10, 2017

Hearing Date: November 29, 2017

Subject: Engineering Comments to the Committee of Adjustment (Revised)
File No's: A-53/17SC – 98 Page Street
A-110/17SC – 8A Rodman Hall Drive
A-111/17SC – 101 Lake Street
A-114/17SC – 87 Alexandra Boulevard

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.

Regards,

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

Munro, Elaine

From: Sarah Mastroianni <smastroianni@npca.ca>
Sent: Thursday, November 02, 2017 2:41 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; Prowse, Dylan; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

60.81.5282
60.84.2137
60.84.2138
60.81.5278

Good Afternoon,

It does not appear that the NPCA has any concerns with the applications described below.

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Thursday, November 02, 2017 12:27 PM
To: Sarah Mastroianni <smastroianni@npca.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Subject: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

Good Afternoon Sarah:

The applications that are being heard at the City of St. Catharines November 29, 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, Planner by **Friday, November 10, 2017.**

1. 87 Alexandra Boulevard, Minor Variance Application, 60.81.5282 – A-114/17
2. 6 Rodman Hall Drive, Consent Application, 60.84.2137 – B-52/17SC
8 Rodman Hall Drive, Consent Application, 60.84.2138 – B-53/17SC
8A Rodman Hall Drive, Minor Variance Application, 60.81.5278 – A-110/17

Thanks, Elaine

Elaine Munro ACST

60.81.5282
60.84.2140
60.81.5279

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

From: Button, Jessica

Sent: Monday, November 06, 2017 10:19 AM

To: Munro, Elaine <emunro@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Bellows, Bruce <bbellows@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

Please see our attached comments.

No comment with respect to the following files:

87 Alexandria Blvd	60.81.5282
101 Lake Street	60.84.2140, 60.81.5279

I have not included comments on 48 Haynes at this time, please let me know if the application will be going forward.

Jessica Button
Project and Development Planner
Email: jbutton@stcatharines.ca
Tel: 905.688.5601 x3145



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 9, 2017

Subject: Committee of Adjustment
Public Hearings – November 29, 2017
File No. 305-17-01

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

A-053/17 – 98 Page Street

The applicant should consider eliminating parking spaces 23 to 28 (as labeled on the plan). The primary concern are the angled spaces (24 to 26), which will be difficult to access/egress. Since these spaces do not exist, consideration should be given to maintaining the parking area as it currently exists. This is based on the assumption that these additional spaces are not needed to address the current and/or future parking demand.

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/

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

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

Sent: Thursday, November 02, 2017 12:43 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: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this applications

Thanks

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

Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à desabonnement@cogeco.com. Merci!

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

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

November 10, 2017

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

Attention: Elaine Munro

File# 60.81.5282

Re: 87 Alexandra Blvd

In response to your correspondence date November 2, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

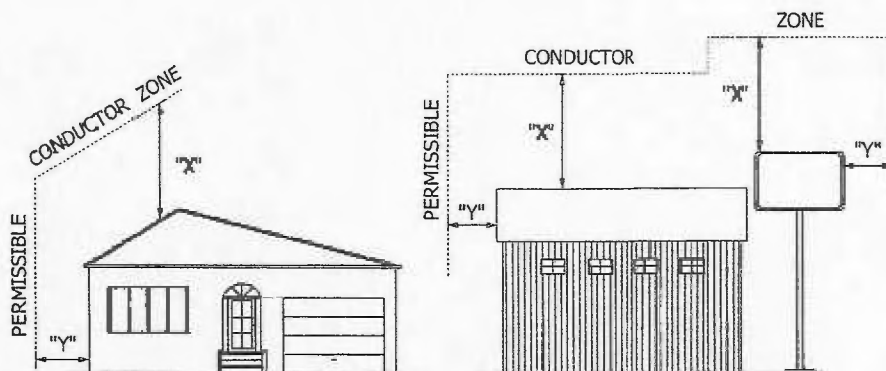
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 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 Chris Jolie at 905-522-6611 ext: 2265 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', with a large, sweeping 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"
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 <i>Looking beyond...</i>	DRAWING STATUS	BY	DATE DD/MM/YY	MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS (EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)	REFERENCE DRAWINGS:		DRAWINGS NOT TO SCALE	
	REDRAWN:	JM	12/06/07		DRAWING #	3-105	SHEET #	REVISION #
	CHECKED:	ND	26/04/05				1	0
	APPROVED:	CR	26/04/05					

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-53/17 (60.81.5222)

98 Page Street

DATE OF HEARING:
November 29, 2017



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 23, 2017

Date of Hearing: November 29, 2017

Submission(s): A-53/17

File: 60.81.5222

Subject: 98 Page Street

Recommendation

That Variance 1 of submission **A-53/17** by Eagle Apartments Ltd. as outlined in the Notice of Hearing, be approved.

That Variance 2 of submission **A-53/17** by Eagle Apartments Ltd. be approved as amended from the original submission, as follows:

A reduction in the minimum required parking spaces from 33 to 24;

And further:

Be subject to the condition that the owner submit a revised parking layout as a note-to-file to the existing Site Plan Agreement file and that the revised sketch be approved by staff.

That Variance 3 of submission **A-53/17** by Eagle Apartments Ltd. as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that Variance 1 requested through application **A-53/17** and Variance 2, as amended, 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.

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that Variance 3 requested through application **A-53/17** is not minor in nature, not desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

Staff recommends approval of Variance 1 and Variance 2, as amended, and denial of Variance 3 of Submission **A-53/17**.

Proposed Development

The following variances are requested to vary Zoning By-law 2013-283 to recognize the existing 26-unit, 3-storey apartment.

1. An increase in the maximum density per hectare from 99 units/ha to 116.3 units/ha.
2. A reduction in the minimum number of required parking spaces from 33 spaces to 27 spaces.
3. A reduction in the minimum number of required bicycle spaces from 8 spaces to 0 spaces.

Location and Site Description

The subject property is located on the southeast side of Page Street, north of Welland Avenue. It is surrounded by detached dwellings to the north and west, and commercial uses to the south and 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 lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E5 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 of land. The proposed density of 116.3 units/ha is considered to be generally in keeping with the medium density range.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, duplex, fourplex, quadruplex, semi-detached, triplex, townhouse, and apartment dwelling units.

Application A-53/17

The requested variances are to recognize and legalize the existing 3-storey, 26-unit apartment building. The property is subject to a registered Site Plan Agreement that recognizes 24 apartment units. Two additional units were established without building permits since the Site Plan Agreement was registered, and prior to current ownership.

Variance 1 requests an increase in the maximum density per hectare from 99 units/ha to 116.3 units/ha. To meet the maximum of 99 units/ha, the property would need to contain 22 dwelling units. The requested increase in density represents 4 additional apartment units over the permitted maximum. Staff note that the apartment has been

operating in noncompliance with the increased maximum density for approximately six years, and has not negatively impacted the surrounding properties. The requested increase is generally in keeping with the density targets of the Garden City Plan, and does not represent a substantial intensification of the permitted residential use. Staff is of the opinion that the requested increase in density is minor in nature, appropriate for the desirable use of the property, and that the intent of the Official Plan and Zoning By-law are being maintained.

Variance 2 requests a reduction of the minimum required parking spaces from 33 to 27. Staff note that although a reduction to 27 spaces is requested, spaces 26, 27, and 28, as identified on the submitted sketch, are not clearly identifiable based on a site inspection, and the area appears to be landscaped currently. These spaces are shown on the registered Site Plan Agreement. However, it is the preference of staff that the areas in which these spaces are shown remain landscaped rather than paved, and consider a reduction in the number of required parking spaces from 33 to 24 to be appropriate. The reduction in parking is not expected to have adverse impacts on the surrounding area, and should adequately service the apartment building.

Part C, Section 5.4.2 of the GCP allows for consideration to reduce parking requirements where certain criteria are met, including where:

- transit is readily available;
- bicycle parking and facilities are provided;
- land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.
- reduced parking standards will not aggravate the parking supply or result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management.

The apartment has been operating with its current number of units and existing parking configuration for some time, and no complaints have been received from tenants or neighbouring residents regarding the parking adequacy on-site. This is supported by site visits and aerial photography where underutilization of existing parking has been observed. Staff are satisfied that the proposed reduction will not result in spillover parking. There are 10 active transit stops within 500 metres (3-6 minute walk) of the subject site. The reduction in parking will enable enhanced landscaping and greening on the subject site.

The GCP also states that the reduction of parking requirements may be considered where bicycle parking is provided. The submitted sketch shows that there is adequate space on-site to provide the required 8 bicycle parking spaces without requiring any additional changes to the existing site layout. Variance 3 requests a reduction in the minimum required bicycle parking from 8 spaces to 0. There does not appear to be a need to request a reduction in required bicycle parking, and given the requested reduction in vehicle parking, the elimination of bicycle parking is not considered to be in keeping with the intent of the Official Plan to encourage and accommodate cycling as

an alternative method of transportation. Staff is of the opinion that the required 8 bicycle parking spaces should be provided to mitigate the concurrent requested reduction in vehicle parking, and maintain the intent of the Garden City Plan.

The property is subject to a registered Site Plan. The parking reduction will involve a re-lining and minor changes to the layout of the parking area. Given the relatively minor changes to the existing site layout there is no need to amend the existing Site Plan. However, staff recommends that the variance only be approved subject to the condition that the applicant submit a sketch showing the revised parking layout to the City for staff approval, which will be included in the Site Plan as a note-to-file. This will allow staff to evaluate compliance with the site plan, if necessary, in the future.

Conclusion

Staff is of the opinion that Variance 1 requested through Application **A-53/17** and Variance 2 as amended, 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, and that Variance 3 is not in keeping with the general intent of the Official Plan and Zoning By-law, not minor in nature, and not appropriate for the desirable use of the land. Staff recommends approval of Variance 1 and Variance 2, as amended, and denial of Variance 3.

Prepared by:



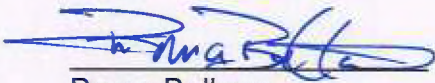
Dylan Prowse
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Dylan Prowse, Planning Co-op Student
Will Banda, Planning Technician
Bruce Bellows, Planner 2

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

Date: November 10, 2017

Hearing Date: November 29, 2017

Subject: Engineering Comments to the Committee of Adjustment (Revised)
File No's: A-53/17SC – 98 Page Street
A-110/17SC – 8A Rodman Hall Drive
A-111/17SC – 101 Lake Street
A-114/17SC – 87 Alexandra Boulevard

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.

Regards,

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



Memorandum

To: Charlotte McEwan, Planning and Building Services
Bruce Bellows, Planning and Building Services
Wilrik Banda, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Jessica Button, Parks, Recreation and Culture Services

Date: November 6, 2017

Subject: Notice of Hearing: Minor Variance
Address: 98 Page Street
File No: 60.81.5222

Please be advised that we have reviewed the above-noted application and offer no objections with respect to variances 1 and 3. With respect to Variance 3, for a reduction in parking, PRCS offers no objections in principle to a reduced parking standard, but recommend further consideration of parking requirements prior to removing landscaping in favour of additional parking area.

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

Jessica Button
Project and Development Planner
Parks, Recreation and Culture Services



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 9, 2017

Subject: Committee of Adjustment
Public Hearings – November 29, 2017
File No. 305-17-01

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

A-053/17 – 98 Page Street

The applicant should consider eliminating parking spaces 23 to 28 (as labeled on the plan). The primary concern are the angled spaces (24 to 26), which will be difficult to access/egress. Since these spaces do not exist, consideration should be given to maintaining the parking area as it currently exists. This is based on the assumption that these additional spaces are not needed to address the current and/or future parking demand.

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/

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

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

Sent: Thursday, November 02, 2017 12:43 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: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this applications

Thanks

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

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November 10, 2017

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

Attention: Elaine Munro

File# 60.81.5222

Re: 98 Page St

In response to your correspondence date November 2, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

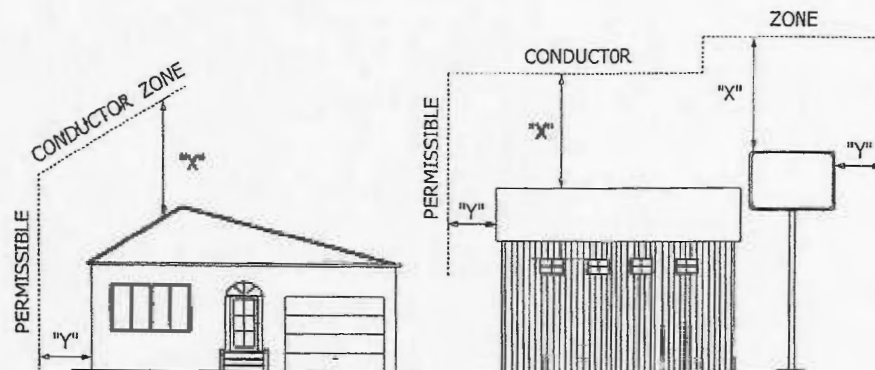
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
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 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational 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 Chris Jolie at 905-522-6611 ext: 2265 in our Engineering Design Department.

Sincerley,

A handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature is stylized and appears to be 'Mark Jakubowski'.

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:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET #

1

REVISION #

0

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

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

COMMENTS

**B-52/17SC (60.84.2137), B-53/17SC
(60.84.2138) & A-110/17 (60.81.5278)**

6 & 8 Rodman Hall Drive

**DATE OF HEARING:
November 29, 2017**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 23, 2017

Date of Meeting: November 29, 2017

Submission(s): B-52/17SC
B-53/17SC
A-110/17

File: 60.84.2137
60.84.2138
60.81.5278

Subject: 6 Rodman Hall Drive
8 Rodman Hall Drive
8A Rodman Hall Drive

Recommendation

That Submissions **B-52/17SC**, **B-53/17SC** and **A-110/17** by Southport Builders Niagara Inc., as outlined in the Notice of Hearing, be approved subject to the following condition:

- 1) 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.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-52/17SC** and **B-53/17SC** 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 variance requested through applications **A-110/17** 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 consents and variance be approved.

Proposed Development

Application **B-52/17SC** is made for consent to a partial discharge of mortgage and for consent to sever 317.2m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 8A Rodman Hall Drive for the purpose of severing a unit of the 3-unit townhouse development currently under construction. A 609.1m² remnant parcel with the remaining units (Parts 2 & 3 on the submitted sketch) of the townhouse would be retained for residential use. Application **B-53/17SC** is made for consent to partial discharge of mortgage and for consent to sever 272.6m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 8B Rodman Hall Drive for the purpose of severing a unit of the 3-unit townhouse currently under construction. A

336.5m² remnant parcel would be retained for residential use. Application **A-110/17** is made pertaining the City of St. Catharines By-law 2013-283 for a reduction in the minimum lot area per dwelling unit of 280m² to 272.6m² (Part 2 on the submitted sketch). The variance is requested to facilitate concurrent consent applications **B-52/17SC** and **B-53/17SC** to sever the lands and to allow each unit of the 3-unit townhouse development currently under construction to be owned and/or sold separately.

Location and Site Description

The subject property is located on the southwest side of Rodman Hall Drive, south of St. Paul Crescent, within the Western Hill neighbourhood. The property is surrounded by single detached dwellings to the south, west and north, and Brock University's Rodman Hall Art Centre to the northeast.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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-52/17SC and B-53/17SC

Applications **B-52/17SC** and **B-53/17SC** request consent to sever the lot in order to allow each unit of the 3-unit townhouse block to be owned and sold separately. The current total lot area is 926.3m² in size. The proposed consents would create three lots with areas of 317.2m² (Part 1), 272.6m² (Part 2), and 336.5m² (Part 3).

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

The lots are suitable for the purpose for which they are being proposed, as they each contain one unit of the townhouse dwelling complex that is currently being constructed on the property. All applicable zoning provisions are met with the exception of minimum lot area for the middle unit (Part 2). The proposed severances will allow the existing units under construction to be owned and sold separately. There is no impact imposed on the surrounding area by the creation of the proposed lots. The lot configuration is appropriate in terms of the optimum development of the area and the intent of the Official Plan is being upheld.

Variance Application A-110/17

Application **A-110/27** (Part 2) requests a reduction in the minimum lot area per dwelling unit from 280 m² to 272.6m².

The proposed lot meets all other requirements of the Zoning By-law, including the lot frontage. The streetscape and the character of the neighbourhood will not be negatively impacted as a result of the reduced size. The reduction is considered minor in nature, as it is not expected to have any adverse impact on the surrounding properties. In the opinion of staff, the proposal is in keeping with the intent and purpose of the Official Plan and Zoning By-law.

Conclusion


Staff are satisfied that the consents requested through application **B-52/17SC** and **B-53/17SC** 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 application **A-110/17** is 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 variance be approved.

Prepared by:




Wilrik Banda
Planner I

Submitted by:



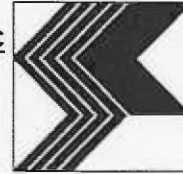
Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-52&53/17SC



November 10, 2017

ENGINEERING FILE 300-36

Hearing Date: November 29, 2017

Applicant: Southport Builders Niagara Inc.

Location: 6 & 8 Rodman Hall Drive

MUNICIPAL SERVICES

Rodman Hall Drive

Water: 150mm (6")
Sanitary Sewer: 200mm (8")
Storm Sewer: None
Sidewalks: None
Road Allowance Width: Varies – Cul-de-sac

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1 & 2 from Part 3 creating a new lots to be known as 8A, 8B and 8C Rodman Hall Drive for the purposes of severing the units of a 3-unit townhouse currently under construction.

Roads

Rodman Hall Drive is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width varies, however the City has recently acquired a road widening along the applicant frontage to meet the City's road needs in accordance with Plan 30R-14880, therefore further road widenings will not be required.

Engineering Services

The lots are currently under construction and under regulations through the building permit process for servicing and lot grading.

Condition(s): None required.

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

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Dylan Prowse, Planning Co-op Student
Will Banda, Planning Technician
Bruce Bellows, Planner 2

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

Date: November 10, 2017

Hearing Date: November 29, 2017

Subject: Engineering Comments to the Committee of Adjustment (Revised)
File No's: A-53/17SC – 98 Page Street
A-110/17SC – 8A Rodman Hall Drive
A-111/17SC – 101 Lake Street
A-114/17SC – 87 Alexandra Boulevard

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.

Regards,

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

Munro, Elaine

From: Sarah Mastroianni <smastroianni@npca.ca>
Sent: Thursday, November 02, 2017 2:41 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; Prowse, Dylan; Banda, Wilrik
Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

60.81.5282
60.84.2137
60.84.2138
60.81.5278

Good Afternoon,

It does not appear that the NPCA has any concerns with the applications described below.

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Thursday, November 02, 2017 12:27 PM
To: Sarah Mastroianni <smastroianni@npca.ca>
Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Prowse, Dylan <dprowse@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>
Subject: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

Good Afternoon Sarah:

The applications that are being heard at the City of St. Catharines November 29, 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, Planner by **Friday, November 10, 2017.**

1. 87 Alexandra Boulevard, Minor Variance Application, 60.81.5282 – A-114/17
2. 6 Rodman Hall Drive, Consent Application, 60.84.2137 – B-52/17SC
8 Rodman Hall Drive, Consent Application, 60.84.2138 – B-53/17SC
8A Rodman Hall Drive, Minor Variance Application, 60.81.5278 – A-110/17

Thanks, Elaine

Elaine Munro ACST



Memorandum

60.84.2157
60.84.2138
60.81.5278

To: Charlotte McEwan, Planning and Building Services
Bruce Bellows, Planning and Building Services
Wilrik Banda, Planning and Building Services
CC: Elaine Munro, Planning and Building Services
From: Jessica Button, Parks, Recreation and Culture Services
Date: November 6, 2017
Subject: Notice of Hearing: Consent to Sever
Address: 6, 8, 8A Rodman Hall Drive
File No: 60.84.2137, 60.84.2138. 60.81.5278

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.

No objections to the associated Minor Variance.

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

Jessica Button
Project and Development Planner
Parks, Recreation and Culture Services



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 9, 2017

Subject: Committee of Adjustment
Public Hearings – November 29, 2017
File No. 305-17-01

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

A-053/17 – 98 Page Street

The applicant should consider eliminating parking spaces 23 to 28 (as labeled on the plan). The primary concern are the angled spaces (24 to 26), which will be difficult to access/egress. Since these spaces do not exist, consideration should be given to maintaining the parking area as it currently exists. This is based on the assumption that these additional spaces are not needed to address the current and/or future parking demand.

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/

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

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

Sent: Thursday, November 02, 2017 12:43 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: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (1 of 2 emails)

Hi Elaine

Cogeco has no issues or concerns with this applications

Thanks

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

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- [Contact us](#)

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

November 10, 2017

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

Attention: Elaine Munro

File# 60.84.2137

Re: 6 Rodman Hall Dr

In response to your correspondence date November 2, 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.
- 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.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

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.
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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 Chris Jolie at 905-522-6611 ext: 2265 in our Engineering Design Department.

Sincerley,

A handwritten signature in dark ink, appearing to read 'Mark Jakubowski', with a large, sweeping horizontal stroke at the end.

Mark Jakubowski
Supervisor, Design, Customer Capital

November 10, 2017

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

Attention: Elaine Munro

File# 60.84.2138

Re: 8 Rodman Hall Dr

In response to your correspondence date November 2, 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.
- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
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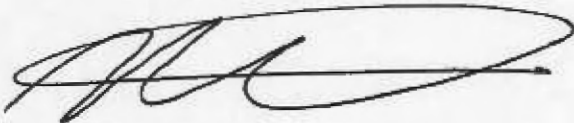
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- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- 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 Chris Jolie at 905-522-6611 ext: 2265 in our Engineering Design Department.

Sincerley,

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

Mark Jakubowski
Supervisor, Design, Customer Capital

November 10, 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: 8A Rodman Hall Dr

In response to your correspondence date November 2, 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.
- 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.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

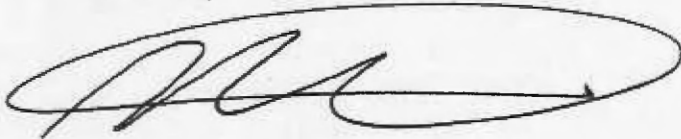
We would also like to stipulate the following:

- 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)
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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 Chris Jolie at 905-522-6611 ext: 2265 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

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

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

COMMENTS

B-54/17SC (60.84.2139)

47 Marlborough Drive

DATE OF HEARING:
November 29, 2017



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 23, 2017

Date of Meeting: November 29, 2017

Submission(s): B-54/17SC

File: 60.84.2139

Subject: 47 Marlborough Avenue

Recommendation

That Submission **B-54/17SC** by Nella Sachar, as outlined in the Notice of Hearing, be approved, subject to the following condition:

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

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-54/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties.

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

Proposed Development

Application **B-54/17SC** is made for consent to sever 381.3 m² of land (Part 1 on the submitted sketch), creating a new lot known as 49 Marlborough Avenue, for the purpose of severing one half of an existing semi-detached dwelling. A 372.8 m² remnant parcel of land (Part 2 on the submitted sketch) with the existing other half of the semi-detached would be retained for continued residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Location and Site Description

The subject property is located on the west side of Marlborough Avenue, south of Garnet Street. The property is surrounded by single detached dwellings in all directions. There is an existing semi-detached dwelling on the site.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received. However, the City's Development Engineering Section has identified that Marlborough Avenue is designated as a Local Road in the City's Official Plan with a desired road right-of-way width of 20.12 metres (66 ft). The current width of the road

allowance at this location is 15.2 metres and, as such, Development Engineering requests a 2.44 metre (8 ft) road widening to be dedicated to the City across the frontage of the lot so as to support the desired ultimate road right-of-way width as identified in the Official Plan.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and is further designated Low Density Residential as per Schedule E3 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 (2013-283)

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

Consent Application B-54/17SC

Application **B-54/17SC** requests consent to sever the lot in order to recognize each half of an existing semi-detached dwelling. The current lot is 754.1 m² in size. The proposed consent would create one lot that is 381.3 m² (Part 1) and one lot that is 372.8 m² (Part 2).

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

The lots are suitable for the purpose for which they are being proposed, as they each contain half of the semi-detached dwelling that is currently occupying the property. Once severed, the lot frontages of 10.950 metres and 10.386 metres meet the Zoning By-law requirements and are consistent with the lot frontage of surrounding properties. The proposed lot areas of 381.3m² and 372.8m² are also consistent with the lot areas of surrounding properties. All required setbacks to the dwelling units are met. The proposed severance will allow the existing units to be owned and sold separately. There is no added impact imposed on the surrounding area by the creation of the proposed lots, and they are appropriate in terms of the optimum development of the area. The intent of the Official Plan is being upheld. Staff is supportive of the proposed consent.

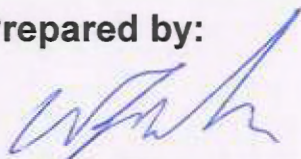
The City's Development Engineering Section requests a 2.44 metre road widening along the Marlborough Avenue frontage of Parts 1 and 2 on the submitted sketch. Marlborough Avenue is designated as a Local Road in the GCP with a desired right-of-way width of 20.12 metres. The current width of the road is 15.2 metres. The requested 2.44 metre widening is half of that needed to meet the local road ultimate standard.

Notwithstanding the road widening request from Development Engineering, it is the opinion of Planning and Building Services staff that the requested road widening is not required at this time. The 20.12 metre local road standard is a desired road width, but not an absolute required standard. The Official Plan establishes policy giving discretion as to when and where road widenings may be taken and to what extent in order to avoid negative impacts on adjacent properties. There has been no other road widening taken along this portion of Marlborough Avenue to date, there are no plans to widen or improve the street in the foreseeable future, and the proposed consent is not to facilitate new development but only to divide a lot to separate existing semi-detached dwelling units.

Conclusion

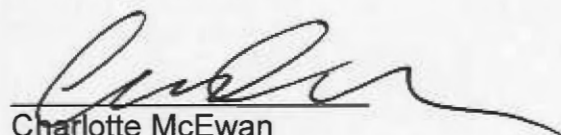
Staff is satisfied that the proposed consent is appropriate and desirable for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff support approval of the application, subject to the condition outlined in the recommendation.

Prepared by:



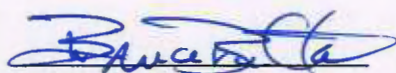
Wilrik Banda
Planner I

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Bruce Bellows
Planner II

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-54/17SC



November 10, 2017

ENGINEERING FILE 300-36

Hearing Date: November 29, 2017

Applicant: Nella Sachar

Location: 47 Marlborough Avenue

MUNICIPAL SERVICES

Marlborough Avenue

Water: 100mm (4")
Sanitary Sewer: 200mm (8") Clay 2.5m Depth Approx.
250mm (10") Clay 2.5m Depth Approx.
Storm Sewer: 1200mm (47")
Sidewalks: Yes
Road Allowance Width: 15.2m± (49')

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


Comment(s): It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 47 Marlborough Avenue for the purpose of severing an existing semi-detached dwelling. A remnant parcel Part 2 would be retained (Part 2) for continued residential dwelling use of the other ½ of the semi-detached.

Roads

Marlborough Avenue is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width along the Applicant frontage is deficient at 15.2m± (49'). The City will be requiring a 2.44m (8') road widening be dedicated free and clear of any encumbrances to be known as Marlborough Avenue.

Condition(s): Prior to the severance finalization the Owner shall;

- Dedicate to the City of St. Catharines a 2.44m (8') widening along the frontage of the subject and remnant parcel as Public Highway to be known as Marlborough Avenue, free and clear of any mortgages, liens or encumbrances

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



Memorandum

To: Charlotte McEwan, Planning and Building Services
Bruce Bellows, Planning and Building Services
Wilrik Banda, Planning and Building Services

CC: Elaine Munro, Planning and Building Services

From: Jessica Button, Parks, Recreation and Culture Services

Date: November 6, 2017

Subject: Notice of Hearing: Consent to Sever
Address: 47 Malborough Drive
File No: 60.84.2139

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

That the applicant submit a payment of \$443 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.

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

Jessica Button
Project and Development Planner
Parks, Recreation and Culture Services



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 9, 2017

Subject: Committee of Adjustment
Public Hearings – November 29, 2017
File No. 305-17-01

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

A-053/17 – 98 Page Street

The applicant should consider eliminating parking spaces 23 to 28 (as labeled on the plan). The primary concern are the angled spaces (24 to 26), which will be difficult to access/egress. Since these spaces do not exist, consideration should be given to maintaining the parking area as it currently exists. This is based on the assumption that these additional spaces are not needed to address the current and/or future parking demand.

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/

60.84.0137
60.84.2140
60.81.5279

Munro, Elaine

Subject:

RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (2 of 2 emails)

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

Sent: Thursday, November 02, 2017 12:42 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: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (2 of 2 emails)

Hi Elaine

Cogeco has no issues 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.

L'information apparaissant dans ce message électronique et dans les documents qui y sont joints est de nature confidentielle ou privilégiée. Si ce message vous est parvenu par erreur et que vous n'en êtes pas le destinataire visé, vous êtes par les présentes avisé que toute utilisation, copie ou distribution de ce message est strictement interdite. Vous êtes donc prié d'en informer immédiatement l'expéditeur et de détruire ce message, ainsi que les documents qui y sont joints, le cas échéant.

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

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

desabonnement@cogeco.com. Merci!

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

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

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!

Privacy Policy and Anti-spam Commitment

- [Contact us](#)

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

November 10, 2017

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

Attention: Elaine Munro

File# 60.84.2139

Re: 47 Marlborough Dr

In response to your correspondence date November 2, 2017, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

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

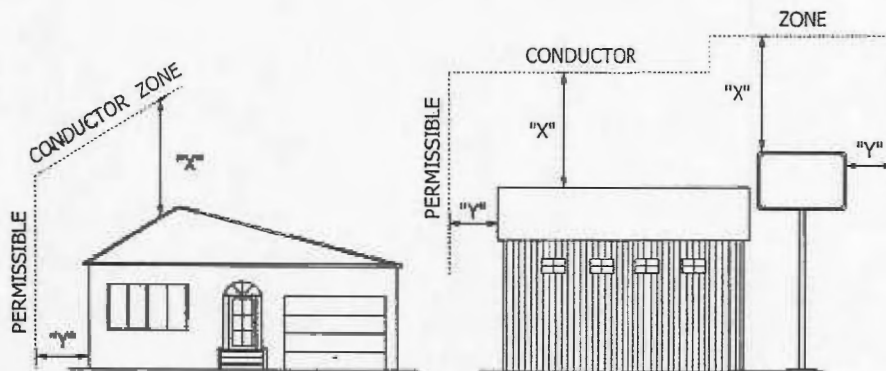
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)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

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Chris Jolie at 905-522-6611 ext: 2265 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



- 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

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

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

COMMENTS

**B-55/17SC (60.84.2140) &
A-111/17 (60.81.5279)**

101 & 105 Lake Street

**DATE OF HEARING:
November 29, 2017**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 22, 2017

Date of Meeting: November 29, 2017

Submission(s): B-55/17SC
A-111/17

File: 60.84.2140
60.81.5279

Subject: 105 Lake Street

Recommendation

1. That Submission **B-55/17SC** by Mira Lee, and Myunghoon Yoo, as outlined in the Notice of Hearing, be approved subject to the following conditions:
 - a. That the applicant submit a payment of \$443.00 for deposit in the general tree planting reserve fund, in accordance with the 2017 Schedule of Rates and Fees.
 - b. That the existing air conditioning unit located on Part 2 of the submitted sketch, and which services 101 Lake Street (Part 1 on the submitted sketch) be removed or relocated entirely onto 101 Lake Street (Part 1) in accordance with Zoning By-law requirements.
 - c. That the applicant obtain approval for all necessary minor variances.
2. That Variance 1 of application **A-111/17** by Mira Lee, and Myunghoon Yoo, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that application **B-55/17SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45 (1) of the Planning Act, staff is satisfied that application **A-111/17** 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-55/17SC is made for consent to sever 237 m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 101 Lake Street with an existing commercial building. A 234 m² remnant parcel with an existing detached dwelling (Part

2 on the submitted sketch) would be retained for continued residential use. There is a concurrent minor variance application A-111/17.

Application A-111/17 is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for a reduction of the required minimum rear yard setback from 3 metres to 0.5 metres on Part 1 of the submitted sketch in order to facilitate the concurrent consent application B-55/17SC.

Location and Site Description

The subject property is located on the northwest corner of Lake Street and Louisa Street, and is surrounded by a mix of commercial uses to the east and south, and detached dwellings in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies: no objections were received. However, the City's Development Engineering Section has identified that Lake Street is designated as an Arterial Road in the City's Official Plan, with a desired ultimate road right of way width of 26.21 metres (86 ft.). Louisa Street is designated a local road, with a desired ultimate road right-of-way width of 20.12 metres (66 ft.). The Lake Street road allowance is currently 23.8 metres wide, and Louisa Street 15.21 metres wide. As such, Development Engineering requests a road widening of 2.4 metres be dedicated across the frontage of the lot (both Parts 1 and 2 on the submitted sketch) along Lake Street, and a road widening of 2.4 metres be dedicated across the frontage of the lot (part 1 on the submitted sketch) along Louisa Street in order to support the desired ultimate right of way widths identified in the Official Plan.

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Mixed Use as per Schedule D1 of the Garden City Plan (GCP). The subject property is further designated Mixed Use as per Schedule E4 of the GCP. Lands designated Mixed Use are intended to provide for a broad array and mix of medium and higher density housing, work live accommodation, commercial, local office, institutional, indoor recreation, and cultural uses intended to primarily serve the immediate neighbourhood and community population.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Mixed Use (M1). The M1 zone permits a variety of dwelling types including triplex, fourplex and apartment dwellings, as well as commercial, institutional and recreational uses.

Consent B-55/17SC

The consent is requested to permit the applicant to sever 237 m² of land (Part 1 of the submitted sketch) re-creating the lot known as 101 Lake Street with an existing commercial building. A 234m² remnant parcel (Part 2 of the submitted sketch) with an

existing detached dwelling would be retained for continued residential use. The purpose of the consent is to subdivide the lot in order re-constitute Part 1 and Part 2 as separate lots as they were originally established prior to the lots being merged on title several years ago.

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

The lots are suitable for the purpose for which they are being proposed, as they allow the existing commercial building and detached dwelling to be located on separate properties, and be owned and sold individually. Since both the commercial building and dwelling are currently existing, there is no added impact imposed on the surrounding area by the creation of the proposed lots. The proposed parcels existed previously as separate properties, and were later merged on title. The consent proposes that the previously existing lots be recreated without any changes to the design of the site. The proposed parcels conform to the provisions of the Zoning By-law with the exception of the required rear yard setback on Part 1 which is being addressed through concurrent minor variance application **A-111/17**.

The existing commercial building on Part 1 (101 Lake Street) is currently being serviced by an air conditioning unit which, if the consent is approved, will be located entirely on Part 2 (105 Lake Street). The unit will need to be relocated entirely on to Part 1 (101 Lake Street), or be removed altogether.

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

As identified in the Circulation of Application Section of this report, the City's Development Engineering Section has requested a 2.4 metre road widening along both Lake Street and Louisa Street. Notwithstanding the road widening request from Development Engineering, it is the opinion of Planning and Building Services staff that the requested road widenings are not required at this time.

The local and arterial road standards identified in the Official Plan are a desired ultimate road width, but are not an absolute required standard. The Official Plan establishes policy giving discretion to when and where road widenings may be taken, and to what extent in order to avoid negative impacts to adjacent properties.

The subject portion of Lake Street went through a road reconstruction and improvement project in 2012. There has only been a road widening taken on one lot along this subject portion of Lake Street in the past. There are no plans for further widening or improvements along Lake Street in the foreseeable future. There has not been any road widening taken

on other lots fronting Louisa Street at this location, and there are no plans for road improvements along Louisa Street in the foreseeable future.

The purpose of the proposed consent is not to facilitate new development, but only to divide an existing lot. Further, taking the requested road widenings will also have a negative impact on the existing and future usability of the site, as well as compromise the provision of adequate parking on both Part 1 and 2.

Application A-111/17

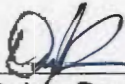
Variance 2 requests a reduction in the required minimum rear yard setback from 3 metres to 0.5 metres on Part 1 of the submitted sketch. The consent requested in application B55/17SC establishes or reconstitutes a northern lot line for Part 1 and as a result, establishes a rear yard setback of 0.5 metres for the commercial building. Staff note that due to the lots corner location and configuration, the proposed technical rear yard will serve functionally as an interior yard, which requires a smaller minimum setback of 1.2 metres. Additionally, there are no changes proposed regarding the location and footprint of the existing buildings, and the variance is required only to recognize the proposed reconstituted new lot line. Separation between the existing restaurant and neighbouring detached dwelling will remain unchanged.

In the opinion of staff, the variance is considered appropriate for the desirable use of the land, and in keeping with the intent of the Official Plan and Zoning By-law. Staff recommends that the variance be approved.

Conclusion

In summary, Staff is supportive of Application **B-55/17SC** and Application **A-111/17**. The subject consent and variance are appropriate and desirable for the use of the land and the intent and purpose of the Official Plan and Zoning By-law are being maintained. The variance is minor in nature. It is the opinion of staff that the consent and variance be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Dylan Prowse
Student Planner

Approved by:



Bruce Bellows
Planner II

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-55-17SC



November 10, 2017

ENGINEERING FILE 300-36

Hearing Date: November 29, 2017

Applicant: Mira Lee, Myunghoon Yoo

Location: 101 Lake Street

<u>MUNICIPAL SERVICES</u>	Lake Street	Louisa Street
Water:	150mm (6")	150mm (6")
Sanitary Sewer:	300mm (12")	250mm (10")
Storm Sewer:	600mm (24")	None
Sidewalks:	Yes	Yes
Road Allowance Width:	23.80m (78') ±	15.21m (50')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1, recreating the lot known as 101 Lake Street with the existing commercial building. A remnant parcel with the existing single detached dwelling (Part 2) would be retained for continued residential use.

Roads

Lake Street is designated as an Arterial road per the City's Official Plan with a desired right-of-way width of 26.21m (86'). Its current width along this section is deficient at 23.80m (78') ±. Louisa Street is designated a Local road per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width is deficient at 15.21m (50'). In order to achieve the City's Complete Streets and Walkable Communities initiative, which includes bike lanes, adequate boulevard space for tree plantings, utility plant infrastructure upgrades/relocations and accessibility requirements with respect to sidewalks, the City requires a road widening of 2.4m (8.0') along the frontage of Lake Street and a road widening of 2.4m (8.0') along the frontage of Louisa Street, dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Lake Street and Louisa Street, respectively.

A sign exists within the future road allowance of Lake Street, to which the Applicant would be required to relocate onto private property, or enter into an Encroachment Agreement with the City to recognize the existing encroachment of the sign within the future City right-of-way of Lake Street.

Condition(s): Prior to consent the Applicant shall;

- Dedicate to the City gratuitously, free and clear of any encumbrances, 2.40m (8') road widenings along the Applicant frontages as Public Highway to be known as Lake Street and Louisa Street, respectively;

- Remove or relocate the sign from within the future Lake Street right-of-way



Prepared By:

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



Memorandum

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

Cc: Charlotte McEwan, Planner 1
Dylan Prowse, Planning Co-op Student
Will Banda, Planning Technician
Bruce Bellows, Planner 2

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

Date: November 10, 2017

Hearing Date: November 29, 2017

Subject: Engineering Comments to the Committee of Adjustment (Revised)
File No's: A-53/17SC – 98 Page Street
A-110/17SC – 8A Rodman Hall Drive
A-111/17SC – 101 Lake Street
A-114/17SC – 87 Alexandra Boulevard

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.

Regards,

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

60.81.5282
60.84.2140
60.81.5279

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

From: Button, Jessica

Sent: Monday, November 06, 2017 10:19 AM

To: Munro, Elaine <emunro@stcatharines.ca>; McEwan, Charlotte <cmcewan@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>; Bellows, Bruce <bbellows@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing

Please see our attached comments.

No comment with respect to the following files:

87 Alexandria Blvd 60.81.5282

101 Lake Street 60.84.2140, 60.81.5279

I have not included comments on 48 Haynes at this time, please let me know if the application will be going forward.

Jessica Button

Project and Development Planner

Email: jbutton@stcatharines.ca

Tel: 905.688.5601 x3145



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 9, 2017

Subject: Committee of Adjustment
Public Hearings – November 29, 2017
File No. 305-17-01

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

A-053/17 – 98 Page Street

The applicant should consider eliminating parking spaces 23 to 28 (as labeled on the plan). The primary concern are the angled spaces (24 to 26), which will be difficult to access/egress. Since these spaces do not exist, consideration should be given to maintaining the parking area as it currently exists. This is based on the assumption that these additional spaces are not needed to address the current and/or future parking demand.

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/

60.84.0137
60.84-2140
60.81.5279

Munro, Elaine

Subject: RE: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (2 of 2 emails)

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, November 02, 2017 12:42 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: City of St. Catharines Committee of Adjustment Notices and Applications for the November 29/17 CofA Hearing (2 of 2 emails)

Hi Elaine
Cogeco has no issues or concerns with this applications
Thanks

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

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