



**The Corporation of the City of St. Catharines**  
**CITY COUNCIL AGENDA**  
**Regular, Monday, February 12, 2018**  
**Council Chambers, City Hall, 6:30 PM**

*His Worship Mayor Walter Sendzik takes the Chair and opens the meeting*

Page

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Adoption of the Minutes (Council and General Committee)**

3.1 Regular Meeting of Council, [Minutes of January 29, 2018](#)

3.2 General Committee, [Minutes of January 29, 2018](#)

- 4. Declarations of Interest**

- 5. Public Meetings Pursuant to Planning Act**

5.1 Planning Act Public Meeting - Information Report  
Application for Draft Plan of Standard Condominium Approval for 27-Unit  
Apartment Building Development at 16 Wood Street; Owner: Niagara  
Innovative Living Inc.; Agent: Al Heywood

- 6. Delegations**

6.1 Bernice D'Ettorre  
Re: Timing of Severances, Design Review Panel Input and Issuance of  
Building Permits ([see General Committee Agenda, Item 4.2](#))

6.2 Leo DiFabio  
Re: Proposed Amendments to R1 and Use of Design Review Panel  
([see General Committee Agenda, Item 4.2](#), Timing of Severances,  
Design Review Panel Input and Issuance of Building Permits)

- 7. Presentations**

7.1 Brian York, Director of Economic Development and Government Relations  
and Karen Doyle, Tourism Marketing Officer, City of St. Catharines  
Re: St. Catharines Destination Awareness - New Tourism Video

5 - 14

## 8. Motions

- 8.1 Moratorium on Construction of Oversized Dwellings on Undersized Lots  
*At the meeting of January 29, 2018, Councillor Stevens advised she would present the following motion:*

WHEREAS according to Miriam-Webster the definition of moratorium means: 1 a: an authorized period of delay in the performance of an obligation (as the paying of a debt) b: a waiting period set by an authority. 2: a suspension of activity; and

WHEREAS according to Wikipedia, moratorium is defined as: A delay or suspension of an activity or a law. In a legal context, it may refer to the temporary suspension of a law to allow a legal challenge to be carried out; and

WHEREAS on October 16, 2017, Council adopted Zoning By-law Amendment 2016-295 to delete Section 2.15.1.1 thereby only permitting construction of single dwellings on undersized lots. This By-law was amended on October 16, 2017, through By-law 2017-295; and

WHEREAS By-law Amendment 2017-295 has subsequently been appealed to the Ontario Municipal Board and no date for the appeal hearing has yet been scheduled; and

WHEREAS until By-law Amendment 2017-295 is dealt with by the Ontario Municipal Board overdevelopment of lots is permitted and is occurring; and

WHEREAS allowing this overdevelopment is causing considerable concern and upset in existing neighborhoods; an example being the construction occurring at 102 and 102A Eastchester Avenue;

THEREFORE BE IT RESOLVED that a moratorium be placed on construction of oversized dwellings on undersized lots; and

BE IT FURTHER RESOLVED that the moratorium follow the staff recommendation of June 13, 2016, which recommended that only single dwellings be permitted on undersized lots; and

BE IT FURTHER RESOLVED that the moratorium also confirm the decision of Council on May 8, 2017, allowing only single dwellings on undersized lots and which deleted the December 31, 2019 deadline.

8.2 Rat Infestation - Requesting Alternative Solutions  
*Councillor Garcia will present the following motion:*

WHEREAS many of our City's residents have been complaining about rat infestations on their properties for over a year; and

WHEREAS on October 30, 2017, a Regional Public Health officer and our Manager of Building and Development attended Council and presented the information that they would circulate in a pamphlet to homeowners "Control of Rodent Infestations" which provides advice on how to make properties less attractive to rats and rodents; and

WHEREAS, even though city staff will visit affected properties and provide advice, residents increasingly complain that they have tried all recommended remedies including traps and poison to no avail; and

WHEREAS in the past few weeks Councillor Williamson and I have seen a surge of calls from frustrated residents demanding action and complaining that the situation is out of control with rats running wild in broad daylight yet, they are told when they phone in that "it is their issue" and "it is up to Council";

THEREFORE BE IT RESOLVED that staff be directed to immediately consult further with the Region on alternative solutions that could be implemented to help our residents cope with this city-wide emergency situation and provide their recommended solution, including estimated costs, at the next Council meeting scheduled for February 26, 2018.  
FORTHWITH

- 9. Call for Notices of Motion**
- 10. Resolve into General Committee**
- 11. Motion Arising from In-Camera Session**
- 12. Motion to Ratify Forthwith Recommendations**
- 13. By-laws**
  - 13.1 Reading of By-laws

## **14. Agencies, Boards, Committee Reports**

### **14.1 Minutes to Receive:**

- Accessibility Advisory Committee, [October 25, 2017](#), and [November 22, 2017](#)
- Heritage Advisory Committee, [December 14, 2017](#)
- Arts and Culture Advisory Committee, [January 9, 2018](#)
- Economic Sustainability Committee, [January 23, 2018](#) (draft)
- Environmental Sustainability Committee, [January 24, 2018](#) (draft)

### **14.2 Amendment to Terms of Reference - Clean City Committee Composition**

That Council approve the amendment to the Terms of Reference for the Clean City Advisory Committee to change the District School Board of Niagara and the Niagara Catholic District School Board representatives from voting members to non-voting members, as moved by the Environmental Sustainability Committee at its meeting of January 24, 2018.

## **15. Adjournment**



CITY OF  
ST. CATHARINES

## Corporate Report

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

**Date of Report:** January 25, 2018

**Date of Meeting:** February 12, 2018

**Report Number:** PBS-034-2018

**File:** 60.46.434

**Subject:** *Planning Act Public Meeting - Information Report*  
Application for Draft Plan of Standard Condominium Approval for 27-Unit  
Apartment Building Development at 16 Wood Street; Owner: Niagara  
Innovative Living Inc.; Agent: Al Heywood

## Recommendation

That Council receive this Information Report; and

That Council consider the Recommendation Report regarding application for Draft Plan of Standard Condominium at a meeting of Council on March 5, 2018, at least 14 days after the Public Meeting of February 12, 2018, pursuant to Section 51(20) of the Planning Act. FORTHWITH

## Summary

The purpose of this Information Report is to provide Council and the public with information concerning the application for Draft Plan of Standard Condominium at 16 Wood Street prior to the Public Meeting scheduled for February 12, 2018. This report provides an overview of the application, and a summary of applicable planning policies and circulation comments. An additional Recommendation Report containing planning analysis, addressing outstanding concerns from the Public Meeting, and providing a staff recommendation will be considered by Council at the meeting on March 5, 2018.

## Background

On May 8, 2017, Council approved a 2-step process for planning applications requiring a Public Meeting. The first step is an Information Report to be presented to Council on the date of the Public Meeting. The second step is a Recommendation Report to Council at a subsequent meeting. This report is the Information Report followed by a Recommendation Report on March 5, 2018.

## Report

### Proposed Development

The Draft Plan of Standard Condominium application proposes to create 27 residential units, as well as a common element area for visitor parking, landscaping and servicing, as outlined in Appendix 2.

The development has one access from Wood Street. The applicant has requested Draft Plan of Standard Condominium Approval so that each of the 27 units can be sold individually. The development went through the Site Plan Approval process and a Site Plan Agreement was registered on title of the property on July 15, 2015.

## Location and Site Description

The subject lands are located on northeast corner of the intersection of Wood Street and Greenmeadow Court, in the City's North Planning District. A location map is attached as Appendix 1.

The subject property is 0.282 hectares in size, with approximately 34 metres of frontage along Wood Street.

Surrounding land uses include:

North:	Apartment dwellings
South:	Townhouse dwellings, Lancaster Park
East:	Townhouse dwellings, one detached dwelling
West:	Detached dwellings

## Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. No objections to this application were received.

## Planning Context

### Provincial and Regional Policy Context

The subject property is located within a settlement area under the 2014 Provincial Policy Statement (PPS) and the Built-Up Area for St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources, infrastructure, and public service facilities which are planned or available to settlement areas.

In accordance with the Growth Plan, the Regional Official Plan (ROP) directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above and establishes a residential intensification target of 95% for the St. Catharines Built-Up Area.

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

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) (Appendix 3). The lands are further designated as Medium Density Residential (Appendix 4) as per Schedule E3 of the GCP. The GCP provides further direction within the Medium Density Residential designation providing for a range of housing types, including apartment dwellings, at a density range generally between 25 and 99 units per hectare.

The apartment building development currently under construction is a permitted use under the existing Medium Density Residential designation and complies with the applicable land use policies. An Official Plan Amendment is not required.

## **Zoning By-law**

By-law 2013-283 zones the lands as Medium Density Residential (R3) (refer to Appendix 5). The R3 zone permits a range of residential uses, including detached, semi-detached, quadruplex and townhouse units, apartment buildings, and private road developments comprising any of the preceding housing forms.

The apartment building development currently under construction is a permitted use under the property's existing R3 zoning. A Zoning By-law Amendment is not required.

## **Site Plan Control**

The development of the apartment building was subject to the developer entering into a site plan agreement with the City, which addressed matters such as access, parking, lighting, buffering, servicing, stormwater management, tree preservation, and building facades. A Site Plan Agreement was approved and registered on title of the subject lands on July 15, 2015. The proposed Draft Plan of Condominium is in compliance with the approved site plan.

Circulated departments and agencies had the opportunity to comment on the development during the site plan process. No further concerns were raised by the circulated departments with respect to the current application.

## **Draft Plan of Condominium**

Section 51(24) of the Planning Act directs the matters to be considered in recommending approval for a Draft Plan of Condominium:

- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest.
- The proposal complies with the Official Plan, and the lands are suitable for development as proposed.
- The proposed development is compatible with the surrounding residential neighbourhood.
- The existing utilities and services are adequate to support the development.

Approval of the application for Draft Plan of Standard Condominium for 27 apartment dwelling units, plus common element areas, which include visitor parking, servicing, and

landscaped areas would make the condominium corporation responsible for the terms and conditions of the registered site plan agreement.

Staff will be commenting further in the Recommendation Report for Council's consideration on March 5, 2018.

## **Public Open House**

A public open house was hosted by Planning and Building Services on January 9, 2018. The agent for the application was in attendance. No members of the public attended. Phone calls were received from two residents. The following concerns were raised:

### **Public Notice**

Comment: This is the first notice received, but the building is under construction.

Response: The development at 16 Wood Street received Site Plan Approval in 2015. Plans were reviewed by staff and ultimately found acceptable. No public information events were held during the Site Plan Process since it predated Council's direction of May 8, 2017 to host open houses for site plan applications. The condominium process requires the public to be notified, and this notification has been carried out.

### **Traffic**

Comment: The new development will create too much traffic.

Response: The development was reviewed in preconsultation and throughout the Site Plan process. Traffic staff had no concerns with the proposal with regards to traffic.

## **Public Notice**

In accordance with established procedures, notices for the public meeting have been circulated.

## **Financial Implications**

Not applicable.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

The approval of this Zoning By-law amendment will serve to support the goals for economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

## **Conclusion**

In summary, this report provides the planning context and explains the application for Draft Plan of Standard Condominium for 16 Wood Street. The plan of condominium will



allow each of the proposed apartment dwelling units to be sold individually. A recommendation report will be considered by Council on March 5, 2018.

## **Notification**

It is in order to advise Al Heywood, the owner's agent, c/o Matthews, Cameron, Heywood Surveying Ltd., 1-5233 Stanley Avenue, Niagara Falls, ON L2E 7C2.

### **Prepared by:**

Charlotte McEwan  
Planner I

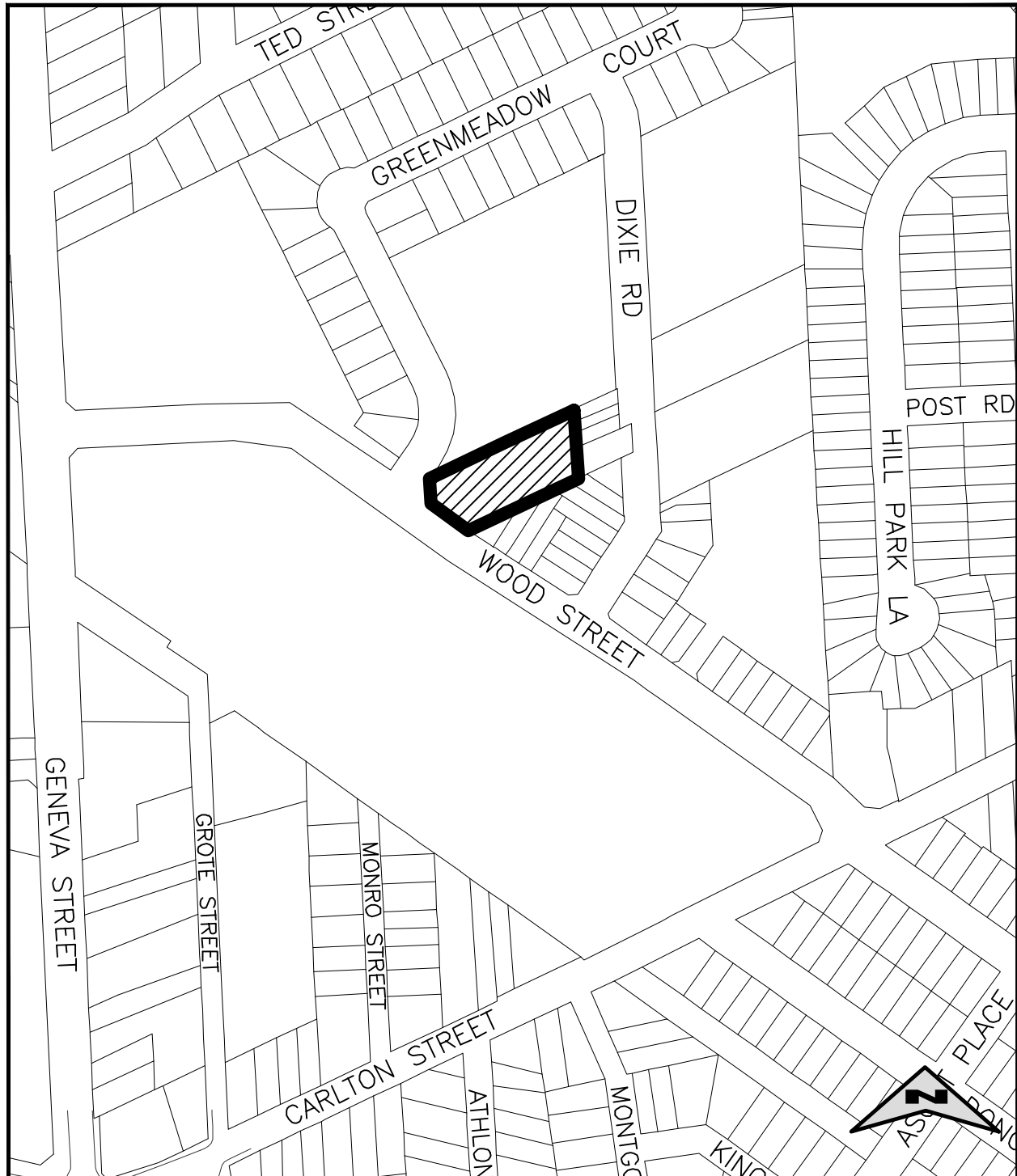
### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

James N. Riddell, M.P.L., MCIP, RPP  
Director of Planning and Building Services

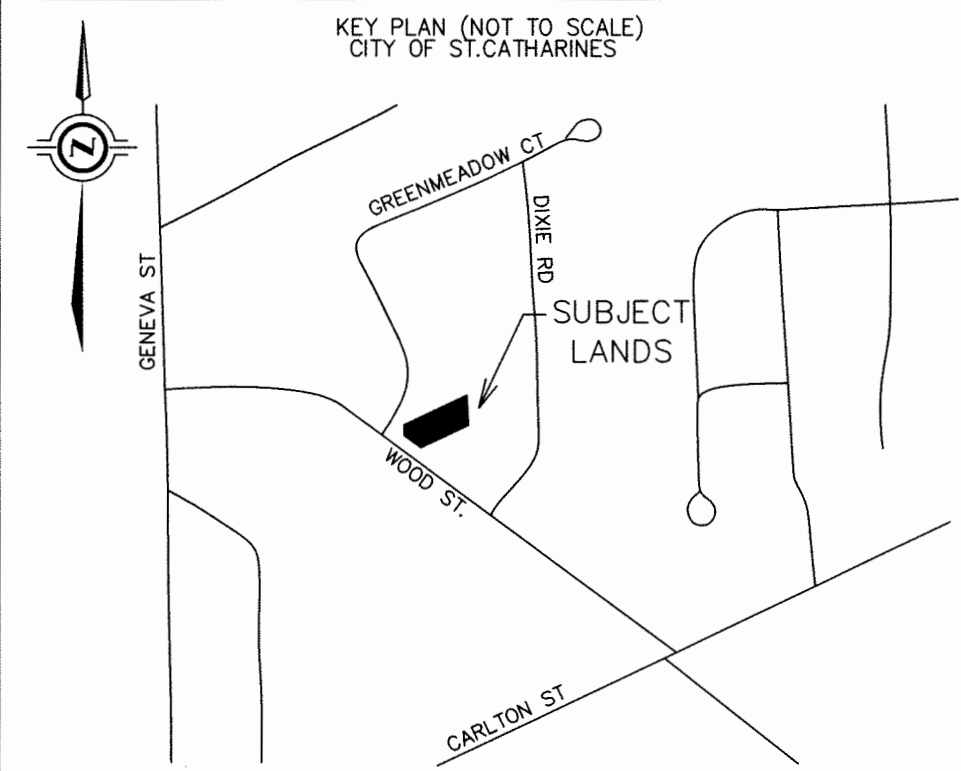
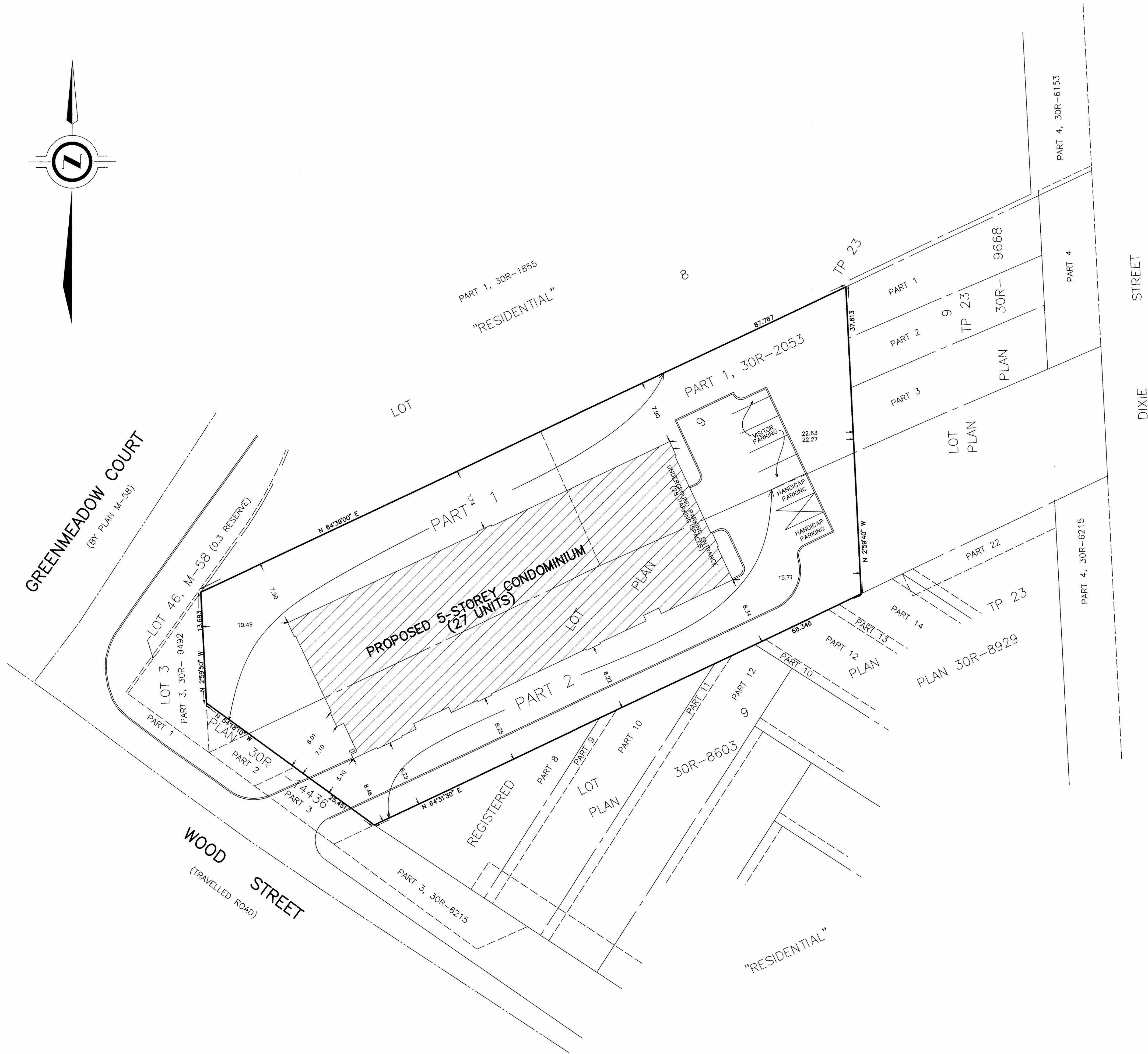
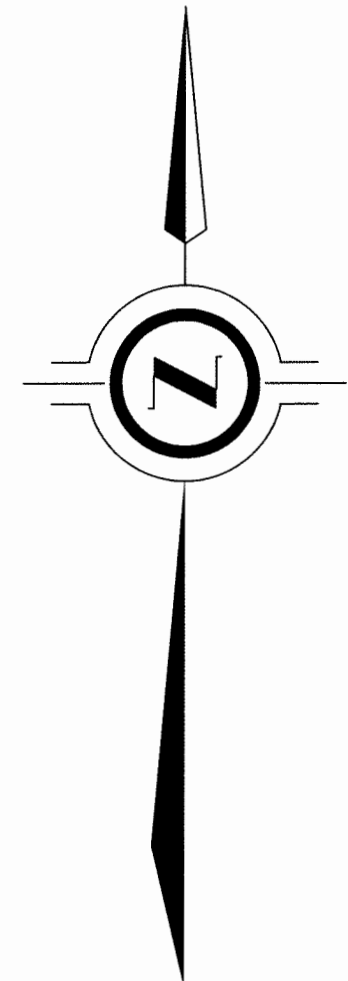
# Location Map



 Subject Lands

16 Wood Street

File: 60.46.434



#### ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT AND UNDER SECTION 9 OF THE CONDOMINIUM ACT 1998

- (A)-AS SHOWN ON DRAFT PLAN
- (B)-AS SHOWN ON DRAFT PLAN
- (C)-AS SHOWN ON DRAFT AND KEY PLANS
- (D)-THIS IS A PROPOSED RESIDENTIAL DEVELOPMENT OF 27 UNITS
- (E)-AS SHOWN ON DRAFT PLAN
- (F)-AS SHOWN ON DRAFT PLAN
- (G)-AS SHOWN ON DRAFT PLAN
- (H)-MUNICIPAL
- (I)-SANDY LOAM
- (J)-LAND IS GENERALLY FLAT
- (K)-ALL MUNICIPAL SERVICES AVAILABLE
- (L)-NONE

#### LAND USE ANALYSIS

LOT AREA	2821 sq.m
BUILDING AREA	953 sq.m
BUILDING COVERAGE	33.8%
NUMBER OF UNITS	27
PARKING	28 UNDERGROUND SPACES 2 ACCESSIBLE SPACES 4 VISITOR SPACES 34 TOTAL SPACES (2.6x5.2 Typical)

— DENOTES BOUNDARY OF CONDOMINIUM

#### METRIC NOTE

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

**FAIRVIEW CONDOMINIUMS**  
BEING A DRAFT PLAN OF STANDARD CONDOMINIUM OF  
**PART OF LOT 9,  
PLAN TP 23**  
CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA  
SCALE 1 : 250  
MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE  
SURVEYING LTD.

#### OWNER'S CERTIFICATE

I HEREBY AUTHORIZE MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD. TO SUBMIT THIS PLAN TO THE CITY OF ST. CATHARINES FOR THEIR APPROVAL.

October 16, 2017  
DATE  
MIKE COLANERI  
PRESIDENT  
(I HAVE THE AUTHORITY TO BIND THE CORPORATION)  
NIAGARA INNOVATIVE LIVING INC.

#### SURVEYOR'S CERTIFICATE

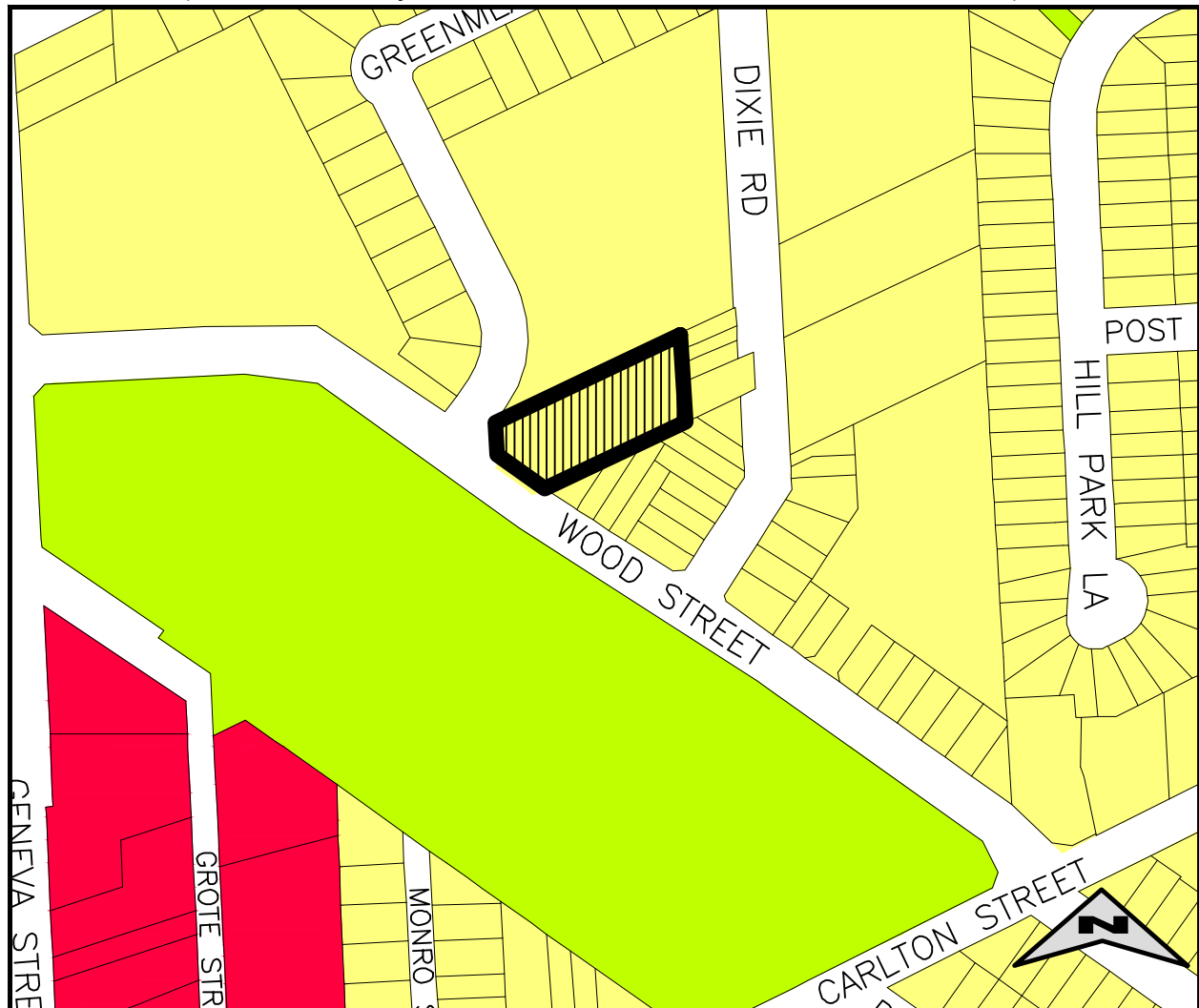
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

October 16, 2017  
DATE  
ALLAN J. HEYWOOD  
ONTARIO LAND SURVEYOR

**MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LIMITED**  
A wholly owned subsidiary of J.D. Barnes Limited  
5233 STANLEY AVENUE, UNIT 1, NIAGARA FALLS, ON L2E 7C2  
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com  
DRAWN BY: JH CHECKED BY: AJH REFERENCE NO.: 15-16-458-00  
FILE: G:\15-16-458\00\Drawing\15-16-458-DRAFTPLAN.dgn DATED: OCT 16, 2017  
PLOTTED: 10/16/17

## Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands  
16 Wood Street

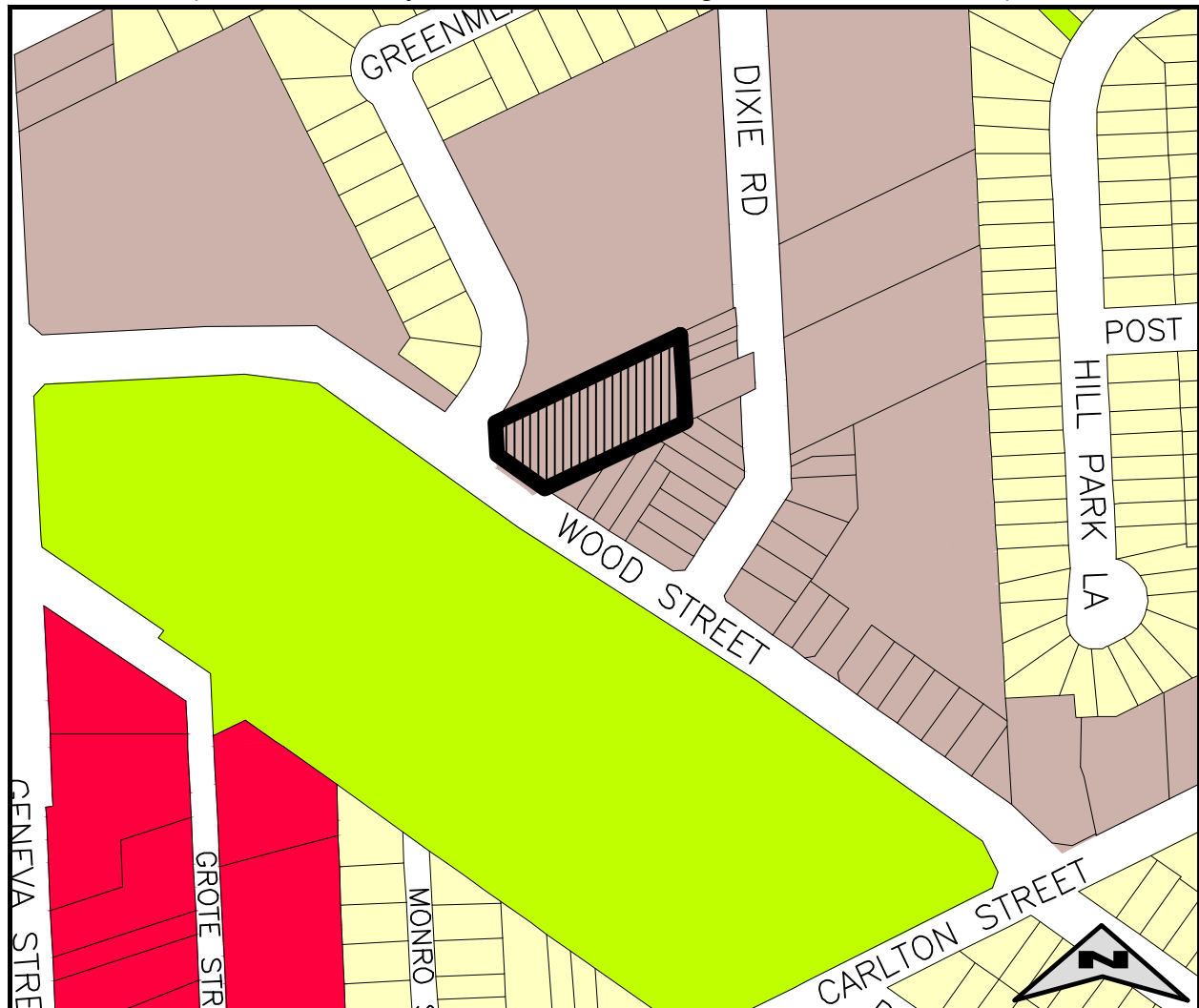
### Land Use Designations


- Neighbourhood Residential
- Commercial
- Parkland & Open Space

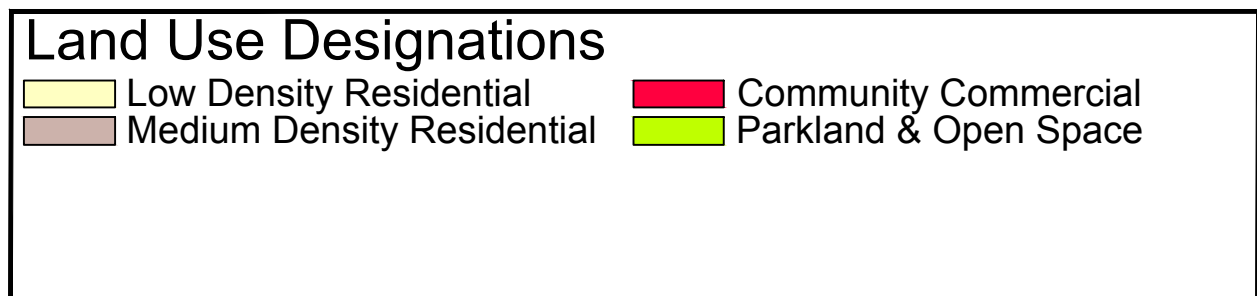
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## Existing Land Use Designation

(The Garden City Plan - North Planning District, Schedule E3)



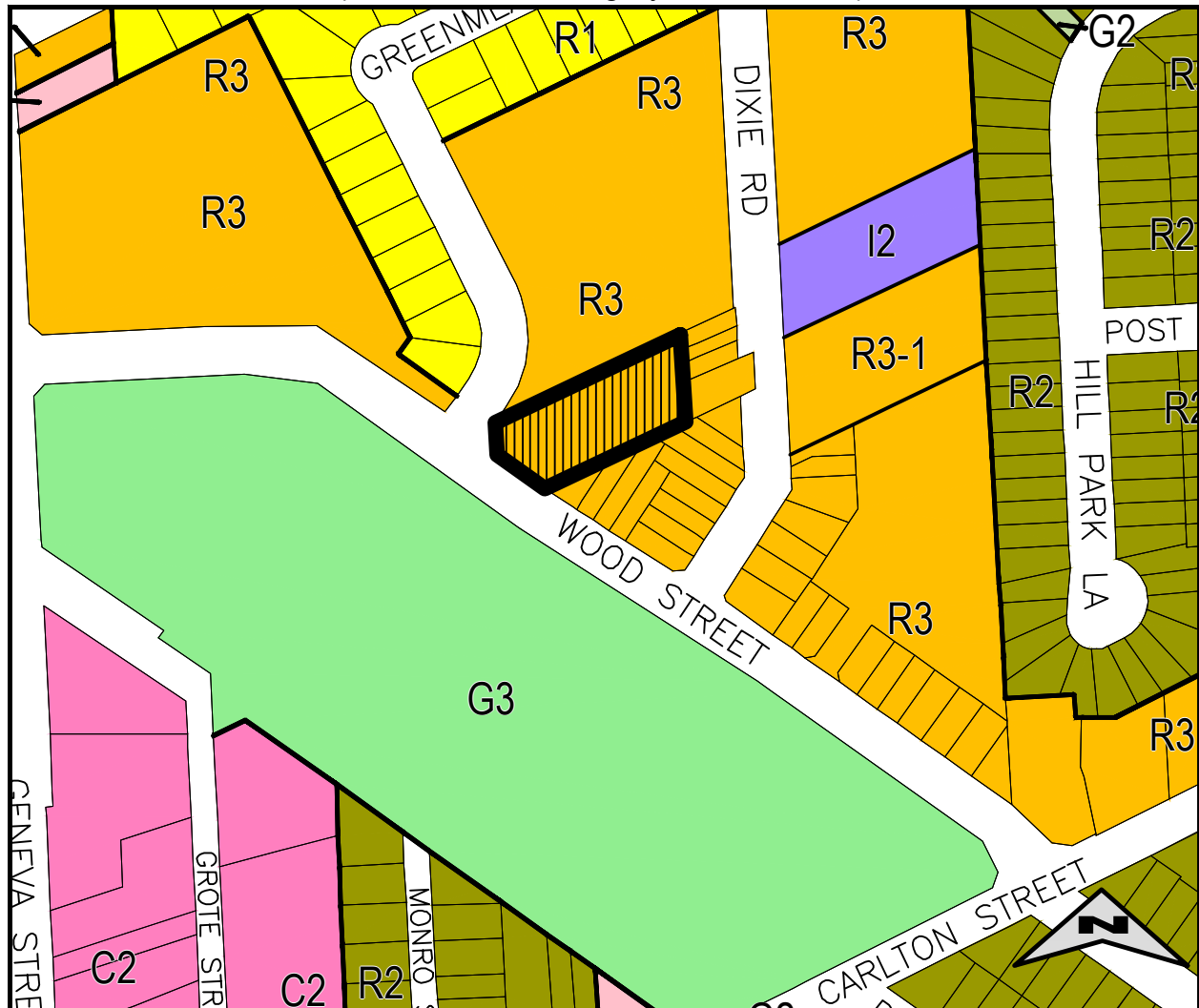
 Subject Lands  
16 Wood Street



File: 60.46.434

## Existing Zoning

(Schedule A - Zoning By-law 2013-283)



**Subject Lands**

**16 Wood Street**

### Zones

- R1** Low Density Residential  
- Suburban Neighbourhood
- R2** Low Density Residential  
- Traditional Neighbourhood
- R3** Medium Density Residential
- C1** Local Convenience Commercial

- C2** Community Commercial
- G2** Minor Green Space
- G3** Major Green Space
- I2** Community Institutional

File: 60.46.434

## **By-laws to be considered Monday, February 12, 2018**

- (a) A By-law to amend By-law No. 2016-127 entitled “A By-law to appoint Municipal Law Enforcement Officers (Animal Control Officers). (One reading – with respect to change in personnel. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-law No. 2002-81 entitled “A By-law to appoint certain employees of the Canadian Corps of Commissionaires (Hamilton) as municipal law enforcement officers.” (One reading - with respect to change in personnel. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to assume and declare certain lands to be a highway and to be known as Vansickle Road North. (One reading – with respect to 1042A Vansickle Road North – Mondavi Estates Subdivision, Block 19, Plan 30M-409. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to authorize a Transfer Payment Agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario.(One reading - with respect to Ontario Municipal Commuter Cycling (OMCC) Program. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to authorize a Memorandum of Understanding with Laker Baseball Properties Inc. and to repeal By-law No. 2017-367. (One reading - with respect to establishment of a Summer Collegiate Wood Bat Baseball League team at George Taylor Field. General Committee, December 11, 2017, Item No. 3.1.)
- (f) A By-law to authorize an Amending Agreement with Honk Mobile Inc. (One reading – with respect to the Pay by Mobile Device Municipal Parking System. To be considered by General Committee, February 12, 2018.)
- (g) A By-law to confirm the proceedings of council at its meeting held on the 12<sup>th</sup> day of February, 2018. (One reading - with respect to confirming the proceedings of the meeting held on February 12, 2018.)