

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

1. 79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

A request for deferral was received by the Agent in order to amend the sketch as per NPCA's recommendation in order to be heard at the March 28th Hearing.

5. Adoption of the Minutes held January 31, 2018
6. Application:
 2. 10 Stanmary Drive, Consent Application, B-15/18SC – 60.84.2158
10 Stanmary Drive, Minor Variance Application, A-19/18 – 60.81.5306
8 Stanmary Drive, Minor Variance Application, A-20/18 – 60.81.5307
 3. 30 Rockcliffe Road, Consent Application, B-16/18SC – 60.84.2159
30 Rockcliffe Road, Consent Application, B-17/18SC – 60.84.2160
123A Glenwood Avenue, Minor Variance Application, A-21/18 – 60.81.5308
123B Glenwood Avenue, Minor Variance Application, A-22/18 – 60.81.5309
123C Glenwood Avenue, Minor Variance Application, A-23/18 – 60.81.5310
 4. 213 York Street, Minor Variance Application, A-24/18 – 60.81.5311
 5. 137 Westchester Crescent, Consent Application, B-18/18SC – 60.84.2161
7. New Business:
8. Date of next Hearing: March 28, 2018
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

**B-13/18SC (60.84.2156), B-14/18SC
(60.84.2157), A-17/18 (60.81.5304) &
A-18/18 (60.81.5305)**

79 & 81 Hillview Road

**DATE OF HEARING:
February 28, 2018**



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

February 13, 2018

Our File No.: PLCON201800116

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

**Subject: Applications for Consent and Minor Variance
(B-13/18, B-14/18, A-17/18 and A-18/18)**
PLAN 94 LOT 673 LOT674
81 Hillview Road St. Catharines ON L2S1S8

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

These applications have been made to facilitate the creation of new lots for the residential use of the semi-detached dwellings which are under construction on both lots. These applications will allow each unit to then be owned or sold as separate lots.

The subject lands back onto the Twelve Mile Creek Valley which in the past has exhibited areas of instability and erosion concerns. Authority objectives when reviewing applications and proposals on lots adjacent to steep slopes would pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems, and ensuring that the natural integrity of the valley slope is maintained over the long term. In accordance with our "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (**O. Reg. 155/06**), the Authority regulates all development within 15m of the top of the stable bank. Typically, the Authority requires a 7.5m setback from the top of bank for all new development. This setback can often be reduced through Slope Stability Studies. Any works (structural or regarding) that occur below the top of slope, on the valley wall is contrary to NPCA policies.

The NPCA typically does not permit lot lines to encroach within regulated features (i.e. below the top of slope, on a valley wall). We would suggest that the applications be revised to remove the lot line between Parts 1 and 2 from below the top of slope.

Work Permits from this office have been obtained for the construction of the two semi-detached dwellings on these lots. Through the Permit process, Slope Stability Studies were completed to the satisfaction of the NPCA. As such, the semi-detached dwellings on each lot comply with current NPCA policies. Any further works proposed adjacent to the ravine will require NPCA approvals and may be subject to a work permit issued by this agency.

Conclusion:

The NPCA suggests that the lot line between Parts 1 and 2 be revised to remove it from extending into the Twelve Mile Creek valley. The lands below the top of stable slope shall be placed in an appropriate zone category (if not already) to prohibit all future development or site alterations.

Lastly, the affected landowners should be made aware of the above and note that any future development on these parcels will be subject to NPCA approval prior to the issuance of a building permit.

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

Yours truly,

A handwritten signature in cursive script that reads "S. Mastroianni".

Sarah Mastroianni,
Watershed Planner

February 15, 2018

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

Attention: Elaine Munro

File# 60.84.2156, 60.81.5304, 60.84.2157, 60.81.5305

Re: 77, 79 and 81 Hillview Rd

In response to your correspondence date February 6, 2018, 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.
- 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.

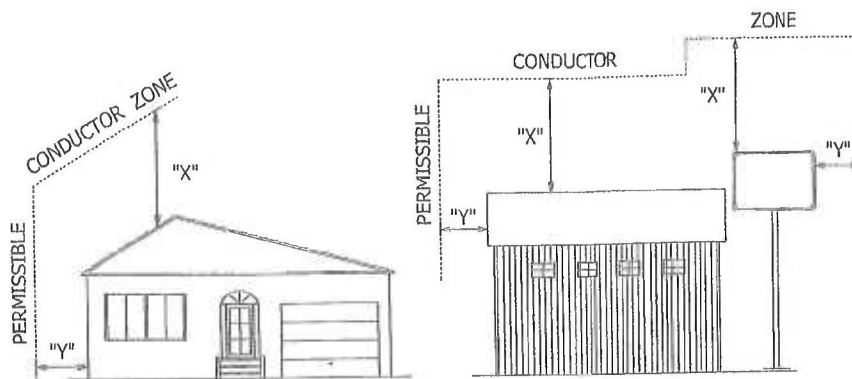
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, February 08, 2018 8:39 AM
To: Munro, Elaine
Subject: 905-18-088 - Application for Consent - B-13/18SC - 77 Hillview

Good morning Elaine,

Bell Canada has no concerns with St. Catharines consent application B-13/18SC.

Thank you,

Charleyne Hall
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2264
F: 705-722-2263
1-888-646-4817
charleyne.hall@bell.ca

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

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, February 08, 2018 8:38 AM
To: Munro, Elaine
Subject: 905-18-087 - Application for Consent - B-14/18SC - 81 Hillview

Good morning Elaine,

Bell Canada has no concerns with St. Catharines consent application B-14/18SC.

Thank you,

Charleyne Hall
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2264
F: 705-722-2263
1-888-646-4817
charleyne.hall@bell.ca

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 1 of 3)

Re: 79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156 Email 1
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

213 York Street, Minor Variance Application, A-24/18 – 60.81.5311 Email 1

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

Sent: Thursday, February 08, 2018 8:49 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Jensen, Kirstin <kjensen@stcatharines.ca>; Labelle, Shannon <slabelle@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 1 of 3)

Hi Elaine

Email 1 . There are no issues or concerns from Cogeco

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!

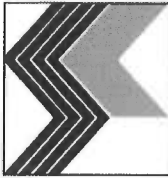
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Cogeco Câble Canada, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

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- [Contact us](#)

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



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 28, 2018 hearing - File No.: 300-036

B-13/18SC – 79 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-14/18SC – 81 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-15/18SC – 10 Stanmary Drive

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the south face of the existing semi-detached dwelling on Part 1.

- The existing shed crossing Parts 1 and 2 is to be removed. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.
- The portion of existing deck on Part 1 is to be removed. Note that a building permit is required for the modification of the existing deck complete with site plan showing conformance with required zoning setbacks. The work shall be completed to the satisfaction of the Chief Building Official.

B-16/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-17/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-18/18SC – 137 Westchester Crescent

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing single detached dwelling on Part 1.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

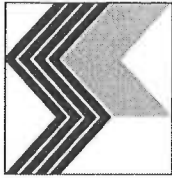
Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 28, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/18	77 Hillview Road	No Comment
A-18/18	81 Hillview Road	No Comment
A-19/18	10 Stanmary Drive	Be advised that a building permit is required for the modification of the existing deck crossing into Part 1.
A-20/18	8 Stanmary Drive	No Comment
A-21/18	123A Glenwood Ave	No Comment
A-22/18	123B Glenwood Ave	No Comment
A-23/18	123C Glenwood Ave	No Comment
A-24/18	213 York Street	No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\03 bcoa memo-mv-Feb12, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: February 9, 2018
Subject: Committee of Adjustment Hearing – February 28, 2018

1. **79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156**
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

Consent Application, B-14/18SC – 60.84.2157

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-13/18SC – 60.84.2156

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Staff offer no objections to the associated minor variance applications.

2. **10 Stanmary Drive, Consent Application, B-15/18SC – 60.84.2158**
10 Stanmary Drive, Minor Variance Application, A-19/18 – 60.81.5306
8 Stanmary Drive, Minor Variance Application, A-20/18 – 60.81.5307

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-13 & 14/18SC



January 29th, 2018

ENGINEERING FILE 300-36

Hearing Date: February 28th, 2018

Applicant: Bruno Bartel

Location: 77 & 81 Hillview Road

MUNICIPAL SERVICES

Hillview Road

Water:	150mm P.V.C.
Sanitary Sewer:	675mm Concrete +/-5.5m Depth
Storm Sewer:	None
Sidewalks:	None
Road Allowance Width:	+/-18.4m

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

It is noted that the Owner proposes to sever Part 2 and Part 3 on the submitted sketch creating a new lots known as 79 and 81 Hillview Road for the purposes of creating two semi-detached dwellings. Two remnant parcels, Part 1 and Part 4 would be retained for the continued use of the other halves of the semi-detached dwellings. The applications will allow each unit of the semi-detached dwellings to be sold separately.

Roads

Hillview Road is designated a Local Collector road as per the City's Official Plan with a desired right-of-way width of 20.12m. The existing right-of-way width is +/-18.4m. The Owner shall therefore dedicate a road widening across the frontage of this property of 0.85m. All cost of the dedication shall be assumed by the Owner.

Sidewalks

Sidewalks and curbs do not exist along this section of Hillview Road. However, sidewalks and curbs are planned at an unknown future date. In maintaining the City's requirement for sidewalks with respect to Council's policy for 'walkable communities', the Owner shall pay to the City the cash-in-lieu fee to construct a future 1.5m wide sidewalk across the frontage of the property, in accordance with the City's current Schedule of Rates & fees.

Engineering Services

Development servicing requirements (sewer laterals and water services) have already been addressed at the building permit application stage.

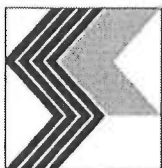
Development Engineering have no further comment and no objection to the approval of the above noted consent application subject to the following

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

- Dedicate to the City gratuitously, free and clear of any encumbrances and at the Owner's expense, a 0.85m road widening across the entire frontage of Parts 1 to 4 as Public Highway to be known as Hillview Road;
- Pay to the City the cash-in-lieu fee to construct a future 1.5m wide sidewalk across the entire frontage of the property in accordance with the City's Schedule of Rates & Fees in place at the time of clearing this condition.



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



Memorandum

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

Cc: Judy Pihach, Manager of Planning Services
Charlotte McEwan, Planner I
Kirsten Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

From: Jim Denham P.Eng., Development Engineering Technologist

Date: February 9th, 2018

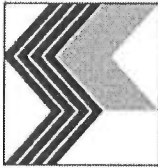
Hearing Date: February 28th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-17/18SC – 79 Hillview Road
A-18/18SC – 81 Hillview Road
A-19/18SC – 10 Stanmary Drive
A-20/18SC – 8 Stanmary Drive
A-21/18SC – 123A Glenwood Avenue
A-22/18SC – 123B Glenwood Avenue
A-23/18SC – 123C Glenwood Avenue
A-24/18SC – 213 York Street

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

Regards,

Jim Denham P.Eng.,
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 15, 2018

Subject: Committee of Adjustment
Public Hearings – February 28, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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-15/18SC (60.84.2158),
A-19/18 (60.81.5306) &
A-20/18 (60.81.5307)**

10 Stanmary Drive

**DATE OF HEARING:
February 28, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2018

Date of Hearing: February 28, 2018

Submission(s): B-15/18SC
A-19/18
A-20/18

File: 60.84.2158
60.81.5306
60.81.5307

Subject: 10 Stanmary Drive
8 Stanmary Drive

Recommendation

That Submission **B-15/18SC**, by Robert Lynn, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirement for the glazed openings and wall construction meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing semi-detached dwelling on Part 1;
2. The existing shed crossing Parts 1 and 2 is to be removed. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official;
3. The portion of existing deck on Part 1 is to be removed. Note that a building permit is required for the modification of the existing deck complete with site plan showing conformance with required zoning setbacks. The work shall be completed to the satisfaction of the Chief Building Official;
4. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees;
5. That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser;

6. Pay to the City the fee to locate and trace the existing water service and sewer laterals from the existing home to ensure they do not cross any future potential lot lines;
7. Pay for and relocate any existing sewer laterals or water services on both private property and within the right-of-way of Stanmary Drive, that are identified as crossing future property lines to be created as a result of this severance;
8. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Part 1), to ensure the plans submitted and approved for a building permit are generally in accordance with plans submitted with this application.
9. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.
10. That final approval for the necessary minor variance applications be received.

That Submission **A-19/18** by Robert Lynn, as outlined in the Notice of Hearing, be approved.

That Submission **A-20/18** by Robert Lynn, 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-15/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-19/18** and **A-20/18** 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.

Proposed Development

Application **B-15/18SC** is made for consent to sever 262.2m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 8 Stanmary Drive for the purpose of constructing a single detached dwelling. A 269.5m² remnant parcel with the existing half of a semi-detached dwelling (Part 2) would be retained for continued residential use.

Application **A-19/18** is made to vary Zoning By-law 2013-283 for a reduction of the minimum lot area per dwelling unit from 280m² to 269.5 m² and for a reduction of the southerly interior side yard setback for the existing deck for Part 2, in order to facilitate the concurrent consent application.

Application **A-20/18** is made to vary Zoning By-law 2013-283 for a reduction of the minimum lot area per dwelling unit from 280m² to 262.2m² for Part 1, in order to facilitate the concurrent consent application.

Location and Site Description

The subject property is located on the east side of Stanmary Drive, north of Carlton Street. It is surrounded by semi-detached dwellings in all directions, as well as detached dwellings to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP), and further designated Low Density Residential as per Schedule E3 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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Design Review Panel (DRP)

On May 8, 2017, Council directed the establishment of the Design Review Panel (DRP) to provide design advice on residential infill development proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that the City routinely require Development Agreements to be registered on title as a condition of consent applications to address conditions for future development design. Staff, in considering the feedback received from the DRP, may see fit to apply such conditions to a consent in order to implement the recommendations received.

The subject application included architectural plans that were submitted to the DRP for review at the meeting of January 2nd, 2018. The DRP had no concerns with the proposal to sever the side yard of the existing semi-detached home to create a new lot for the purposes of constructing a 1½ storey house that would have frontage on Stanmary Drive. The DRP considered the design appropriate, and had no issues with the request to reduce the lot area of Parts 1 and 2, or to reduce the southerly interior side yard for the existing deck on Part 2. The DRP endorses the proposed creation of the new lot that fronts onto Stanmary Drive, as proposed by the plans submitted to the DRP.

Staff are in agreement with the comments provided by the DRP. In consideration of Council's direction to routinely require a Development Agreement as a condition of approval for new lots, staff recommend a Development Agreement be entered into as a condition of approval. The Development Agreement, to be registered on title, will ensure that the plans submitted with this application are generally in accordance with the plans submitted and approved for a building permit.

The Committee should be aware that they have the authority under the Planning Act to waive fees where it would be unreasonable to charge the standard fee. A Development Agreement as a condition of consent, to ensure the new lot develops generally in accordance with the architectural plans submitted with the application, and in accordance with the recommendations of the DRP, provides the applicable law necessary to bind the architectural plans submitted with this application to the issuance of a building permit. The Development Agreement fee, as approved in the Tariff of Fees approved by Council for 2018, a fee of \$2,457.85, is considered unreasonable and excessive in this context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of this application.

Consent Application B-15/18SC

Application **B-15/18SC** is made for consent to sever 262.2m² of land (Part 1) for the creation of a new lot to be known as 8 Stanmary Drive for the purpose of constructing a single detached dwelling. A 269.5m² remnant parcel with the existing half of a semi-detached dwelling (Part 2) would be retained for continued residential use.

Part F, Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

The consent would allow the construction of a new single detached dwelling. The proposal is in keeping with the established character of the surrounding neighbourhood. The existing lot is much larger than the average lot size of the area and the severance will create a parcel that is more comparable in size to surrounding properties.

The proposed lot represents infill in an area that is substantially developed. Although the majority of surrounding properties are semi-detached dwellings, the proposed single family dwelling is appropriate for the development of the subject property, as a number of dwellings to the south are also single family homes. The proposed dwelling is also similar to the established setbacks of the streetscape.

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

Variance Applications A-19/18 & A-20/18

Application **A-19/18** requests a reduction to the minimum lot area per dwelling unit from 280m² to 269.5 m² and a reduction of the southerly interior side yard setback for the existing deck on Part 2. Application **A-20/18** requests a reduction of the minimum lot area per dwelling unit from 280m² to 262.2m² for Part 1. The variances are necessary to facilitate the concurrent consent application.

The parcels are slightly smaller than the average lot size in the area. However, the proposal demonstrates development that is compatible with the existing streetscape in terms of spacing and building setback. The new lot is considered appropriate for the use proposed, and no adverse impacts are expected as a result of the applications. Staff are satisfied that the reduced lot areas for both lots will not negatively impact the neighbourhood or established streetscape, and the new lot size is appropriate for the proposed dwelling.


The variance requested to reduce the southerly interior side yard setback is considered minor in nature, as it will not significantly impact the subject or surrounding properties. The intent of an interior side yard setback is, in part, to ensure adequate access is available to the rear yard area, and that there is sufficient spacing between buildings. The deck essentially functions as amenity space for the existing dwelling and therefore will still allow a measure of access to be achieved. Given the provision of amenity space and the deck being a landscape feature, staff are satisfied that the variance is in keeping with the general intent and purpose of the Official Plan. Staff are supportive of the proposed variance.

Conclusion

Staff are satisfied that the consent requested through application **B-15/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is satisfied that the variances **A-19/18** and **A-20/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

A Development Agreement is necessary to implement the recommendations of the Design Review Panel.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:

A handwritten signature in black ink, appearing to read "K Jensen", written over a horizontal line.

Kirstin Jensen
Planner I

Approved by:

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

Judy Pihach, MCIP, RPP
Manager of Planning Services

February 13, 2018

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

Attention: Elaine Munro

File# 60.81.5307, 60.84.2158, 60.81.5306

Re: 8 & 10 Stanmary Dr

In response to your correspondence date February 6, 2018, 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.
- 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 Corporation

PO Box 2249 Station LCD 1, Hamilton, ON L8N 3E4
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

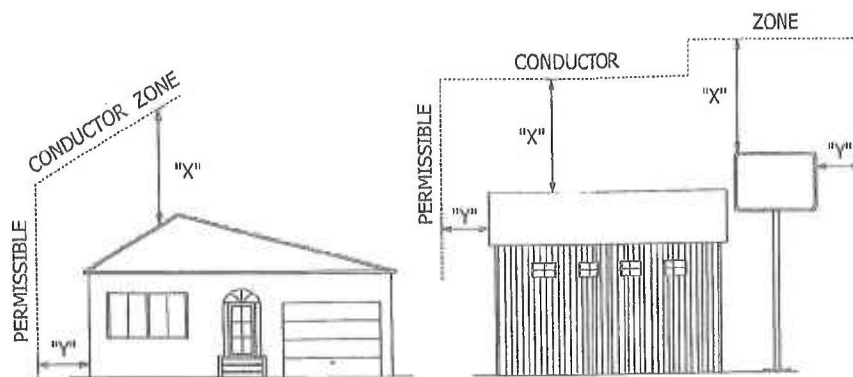
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark 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 *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS
NOT TO SCALE

DRAWING #
3-105

SHEET#	REVISION#
1	0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 3 of 3)

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

Sent: Thursday, February 08, 2018 8:53 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Jensen, Kirstin <kjensen@stcatharines.ca>; Labelle, Shannon <slabelle@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 3 of 3)

Hi Elaine

Email 2 . There are no issues or concerns from Cogeco.

Have a great weekend

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

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Ce courriel provient de Doug.Crown@cogeco.com . 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 Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 28, 2018 hearing - File No.: 300-036

B-13/18SC – 79 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-14/18SC – 81 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-15/18SC – 10 Stanmary Drive

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the south face of the existing semi-detached dwelling on Part 1.

- The existing shed crossing Parts 1 and 2 is to be removed. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.
- The portion of existing deck on Part 1 is to be removed. Note that a building permit is required for the modification of the existing deck complete with site plan showing conformance with required zoning setbacks. The work shall be completed to the satisfaction of the Chief Building Official.

B-16/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-17/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-18/18SC – 137 Westchester Crescent

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing single detached dwelling on Part 1.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

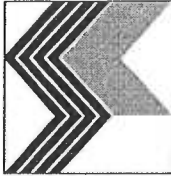
Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 28, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/18	77 Hillview Road	No Comment
A-18/18	81 Hillview Road	No Comment
A-19/18	10 Stanmary Drive	Be advised that a building permit is required for the modification of the existing deck crossing into Part 1.
A-20/18	8 Stanmary Drive	No Comment
A-21/18	123A Glenwood Ave	No Comment
A-22/18	123B Glenwood Ave	No Comment
A-23/18	123C Glenwood Ave	No Comment
A-24/18	213 York Street	No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\03 bcoa memo-mv-Feb12, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: February 9, 2018
Subject: Committee of Adjustment Hearing – February 28, 2018

1. **79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156**
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

Consent Application, B-14/18SC – 60.84.2157

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-13/18SC – 60.84.2156

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Staff offer no objections to the associated minor variance applications.

2. **10 Stanmary Drive, Consent Application, B-15/18SC – 60.84.2158**
10 Stanmary Drive, Minor Variance Application, A-19/18 – 60.81.5306
8 Stanmary Drive, Minor Variance Application, A-20/18 – 60.81.5307

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

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

Staff offer no objections to the associated minor variance applications.

3. **30 Rockcliffe Road, Consent Application, B-16/18SC – 60.84.2159**
30 Rockcliffe Road, Consent Application, B-17/18SC – 60.84.2160
123A Glenwood Avenue, Minor Variance Application, A-21/18 – 60.81.5308
123B Glenwood Avenue, Minor Variance Application, A-22/18 – 60.81.5309
123C Glenwood Avenue, Minor Variance Application, A-23/18 – 60.81.5310

Please be advised that we have reviewed the above-noted applications and offer the following comments. Over the course of the demolition of the previous dwelling and construction of the current dwellings, substantial damage was done to a large publicly owned boulevard tree. The Landon Plantree has a 78.5 inch circumference and was in generally good condition. Due to the cutting, large limbs that were removed will not heal over properly. The full extent of damage is likely to be seen in the spring. In order to compensate for damage to the municipal boulevard tree and ensure the preservation of the City's tree canopy, staff recommend that replacement be provided at a 2:1 replacement value. As such staff recommend that the applicant be responsible for the payment of two additional boulevard trees in addition to standard new lot requirements.

Staff request the following be included as a conditions of severance:

Consent Application B-16/18SC – 60.84.2159

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

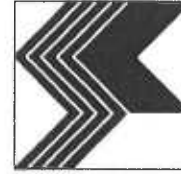
Consent Application, B-17/18SC – 60.84.2160

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

That the applicant submit an additional payment of \$902.80 for deposit in the general tree planting reserve fund as replacement for damage to the existing tree.

Staff offer no objections to the associated minor variance applications.

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-15/18SC**



January 22nd, 2018

ENGINEERING FILE 300-36

Hearing Date: January 28th, 2018

Applicant: Robert Lynn

Location: 10 Stanmary Drive

MUNICIPAL SERVICES

Stanmary Drive

Water: 200mm C.I.
Sanitary Sewer: 200mm (material unknown)
+/-2.7m Depth
Storm Sewer: 300mm
Sidewalks: None
Road Allowance Width: +/-20.12m

**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 8 Stanmary Drive for the purpose of constructing a single detached dwelling. A remnant parcel of land would be retained (Part 2) for continued residential dwelling use.

Roads

Stanmary Drive is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m. Its current width along the Applicant frontage is deficient at 20.12. Although the City would ultimately require a +/-20.12m right-of-way therefore a widening is not required.

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there is an adequate storm sewer outlet available, sump pump flows shall be discharged to the Stanmary Drive storm sewer via a new storm sewer laterals.

The Owner shall pay to have both a new sanitary sewer lateral and a new storm lateral installed by City Crews from the municipal sewers on

Stanmary Drive to the front property line. The fees charged shall be in accordance with the City's Schedule of Rates & Fees in place at the time and shall be paid at the Building Permit application stage.

The Owner shall pay to have a new water service installed by City Crews from the municipal watermain on Stanmary Drive to the front property line. The fee charged shall be in accordance with the City's Schedule of Rates & Fees in place at the time and shall be paid at the Building Permit application stage.

The Owner pay a fee to have City Crews locate and trace the existing water service and sewer laterals from the existing semi-detached home at 10 Stanmary Drive to ensure they do not cross future property lines to be created as a result of this severance. The fee charged shall be in accordance with the City's current Schedule of Rates & Fees and payment shall be made as a condition of severance.

Any sewer laterals or water services that are identified to outlet across future property lines shall be addressed via termination and relocation to ensure separate independent services exist for each property. Any relocation works shall be carried out prior to finalization of the severance. Such work within the Stanmary Drive right-of-way shall be carried out by City Crews at the Owner's expense. If additional works to relocate the sewer laterals or water services are required on private property those works shall be completed by the Owner through a Plumbing Only Permit application, also at the Owner's expense.

Condition(s):

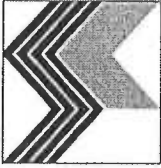
Prior to the severance finalization the Owner shall;

- Pay the City the fee to locate and trace the existing water service and sewer laterals from the existing home to ensure they do not cross any future potential lot lines; and
- Pay for and relocate any existing sewer laterals or water services on both private property and within the right-of-way of Stanmary Drive, that are identified as crossing future property lines to be created as a result of this severance.



Prepared By:

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

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

Cc: Judy Pihach, Manager of Planning Services
Charlotte McEwan, Planner I
Kirsten Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

From: Jim Denham P.Eng., Development Engineering Technologist

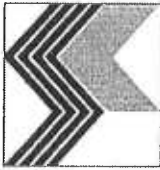
Date: February 9th, 2018
Hearing Date: February 28th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-17/18SC – 79 Hillview Road
A-18/18SC – 81 Hillview Road
A-19/18SC – 10 Stanmary Drive
A-20/18SC – 8 Stanmary Drive
A-21/18SC – 123A Glenwood Avenue
A-22/18SC – 123B Glenwood Avenue
A-23/18SC – 123C Glenwood Avenue
A-24/18SC – 213 York Street

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

Regards,

Jim Denham P.Eng.,
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 15, 2018

Subject: Committee of Adjustment
Public Hearings – February 28, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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-16/18SC (60.84.2159), B-17/18SC
(60.84.2160), A-21/18 (60.81.5308),
A-22/18 (60.81.5309) &
A-23/18 (60.81.5310)**

30 Rockcliffe Road

**DATE OF HEARING:
February 28, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2018

Date of Hearing: February 28, 2018

Submission(s): B-16/18SC
B-17/18SC
A-21/18
A-22/18
A-23/18

File: 60.84.2159
60.84.2160
60.81.5308
60.81.5309
60.81.5310

Subject: 30 Rockcliffe Road
123A Glenwood Avenue
123B Glenwood Avenue
123C Glenwood Avenue

Recommendation

That Submission **B-16/18SC** and **B-17/18SC** by Pym and Cooper Custom Homes Inc. as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant submit a payment of \$902.80 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees; and
2. That the applicant submit an additional payment of \$902.80 for deposit in the general tree planting reserve fund as replacement for damage to the existing tree; and
3. Pay to the City the cash-in-lieu fee to construct a future 1.5 metre wide sidewalk across the entire frontage of the property in accordance with the City's Schedule of Rates & Fees in place at the time of clearing this condition.

That Submission **A-21/18**, by Pym and Cooper Custom Homes Inc., as outlined in the Notice of Hearing, be approved.

That Submission **A-22/18**, by Pym and Cooper Custom Homes Inc., as outlined in the Notice of Hearing, be approved.

That Submission **A-23/18**, by Pym and Cooper Custom Homes Inc., 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 applications **B-16/18SC** and **B-17/18SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under section 45 (1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-21/18**, **A-22/18** and **A-23/18** 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, provided the conditions are approved.

Proposed Development

Application **B-16/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 262m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 123B Glenwood Avenue. A 336m² remnant parcel (Part 1) would be retained for residential use. The application would allow each unit of the proposed three (3) unit townhouse to be owned and/or sold separately.

Application **B-17/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 292m² of land (Part 3 on the submitted sketch) creating a new lot to be known as 123C Glenwood Avenue. A 598m² remnant parcel (Parts 1 & 2) would be retained for residential use. The application would allow each unit of the proposed three (3) unit townhouse to be owned and/or sold separately.

Application **A-21/18** is made to vary Zoning By-law 2013-283 for a reduction of the minimum rear yard setback from 6 metres to 5 metres for Part 1 in order to facilitate the concurrent consent applications.

Application **A-22/18** is made to vary Zoning By-law 2013-283 for a reduction of the minimum rear yard setback from 6 metres to 5 metres and to reduce the minimum lot area per dwelling unit from 280m² to 262m² for Part 2. The variances will facilitate the concurrent consent applications.

Application **A-23/18** is made to vary Zoning By-law 2013-283 for a reduction of the minimum rear yard setback from 6 metres to 5 metres for Part 3 in order to facilitate the concurrent consent applications.

Location and Site Description

The subject property is located on the southeast corner of Rockcliffe Road and Glenwood Avenue. It 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 E8 of the GCP. The Low Density residential 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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Consent Applications B-16/18SC and B-17/18SC

Applications **B-16/18SC** and **B-17/18SC** are made for consent to sever the subject lands (Parts 2 and 3) for the creation of two new lots to be known as 123B and 123C Glenwood Avenue. A 336m² remnant parcel (Part 1) be retained for residential use, to be known as 123A Glenwood Avenue. The applications would allow each unit of the three (3) unit townhouse dwelling to be owned and/or sold separately. The current lot area is 890m² in size. The proposed consents would create three lots with areas of 336m² (Part 1), 262m² (Part 2), and 292m² (Part 3). Building permits have been issued and the dwellings under construction.

The Committee should be aware that this application predates the direction by Council on Feb 12 2018 directing that lots for individual townhouse units be created prior to the issuance of a building permit.

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. Part F, Section 16.11.3 states that requests to sever individual parcels of land will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

The lots are suitable for the purpose for which they are being proposed, as they will each contain one unit of the townhouse dwelling that is currently under construction on the property. Aside from a request to lessen the rear yards of all units by 1 metre and the centre property being slightly undersized in area, all other applicable zoning provisions are met. The proposed severances will allow the existing units under construction to be owned and sold separately. There is no added impact imposed on the surrounding area by the creation of the proposed lots. The resulting density of the development is 33.75 units per hectare which is generally in keeping with the intent of the Official Plan.

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

The City's Project and Development Planner has noted that over the course of the demolition of the previous dwelling and construction of the current dwellings, substantial damage was done to a large publicly owned boulevard tree. The Landon Plantree has a 78.5 inch circumference and was in generally good condition, however due to the cutting of large limbs that were removed, the tree will not heal properly. The full extent of the damage is likely to be seen in the spring. Therefore, in order to compensate for the damage to the municipal boulevard tree and ensure the preservation of the City's tree canopy, staff have recommended that replacement be provided at a 2:1 replacement value. It is recommended that the applicant be responsible for the payment of two additional boulevard trees in addition to standard new lot requirements, which is reflected in the recommended conditions of the consent.

Variance Application A-21/18

Applications **A-21/18** (Part 1), **A-22/18** (Part 2), and **A-23/18** (Part 3) request a reduction of the minimum rear yard setback from 6 metres to 5 metres for Parts 1, 2 and 3. A reduction is also requested to the minimum lot area per dwelling unit from 280m² to 262m² for Part 2. The requests are to facilitate the concurrent consent application **B-17/18SC**.

The variances requested to reduce the rear yard setbacks are considered minor in nature, as they will not significantly impact the subject or surrounding properties. The 5 metre setback represents the setback from the proposed lot line to the existing residential dwelling. The purpose of a minimum rear yard setback is, in part, to ensure adequate amenity space is provided onsite, and that there is sufficient spacing between buildings. The reduction of the rear yard by 1 m for each lot will not substantially limit the amount of amenity space available for the dwellings. The rear yard amenity space will serve the dwelling effectively.

A variance for the original lot was previously granted in 2017 for a reduction to the minimum rear yard setback from 6 metres to 1.2 metres, conditional upon the required interior side yard setback being a minimum of 5 metres along the easterly lot line of the existing lot. The proposal at that time was for the 3-unit townhouse development that now is under construction. The original lot had frontage on Rockcliffe Road. At that time, what was considered the rear yard for that application now functions as the interior side yard for the current proposal, and vice versa. As such, the current request to reduce the rear yard setback for each lot is a reflection of the condition of the previous variance which required the provision of a 5 metre interior side yard setback along the same easterly lot line.

The requested variance to reduce the lot area per dwelling unit from 280m² to 262m² for Part 2 is considered minor in nature, as it will not significantly impact the subject or surrounding properties. The proposed lot meets all the other requirements of the Zoning By-law with the exception of the rear yard setback.

Given the provision of adequate amenity space on each lot, and the intent of the previous variance application, staff are satisfied that the requested variances are in keeping with

the general intent and purpose of the Official Plan. Staff are supportive of the proposed variances.

Conclusion

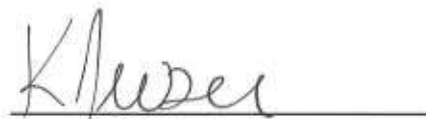
Staff are satisfied that the consent requested through applications **B-16/18SC** and **B-17/18SC** are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is satisfied that the variances **A-21/18**, **A-22/18** and **A-23/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consents and variances be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

February 13, 2018

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

Attention: Elaine Munro

File# 60.84.2159, 60.84.2160

Re: 30 Rockcliffe Rd

In response to your correspondence date February 6, 2018, 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.
- 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.

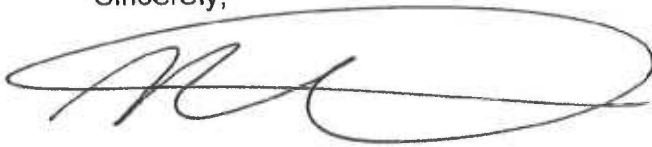
We would also like to stipulate the following:

- 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.

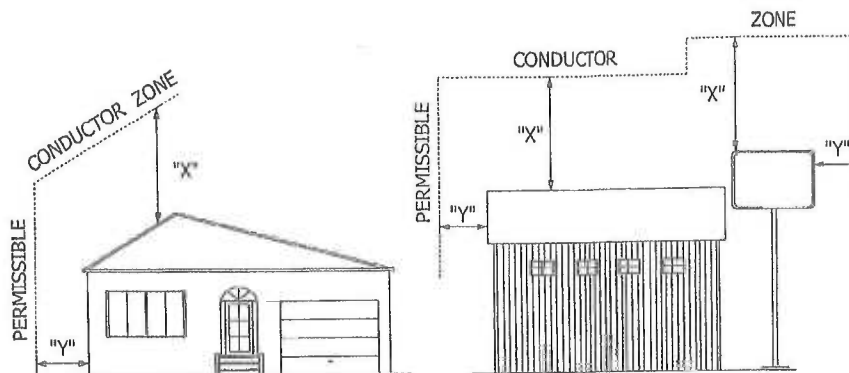
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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 Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Mark Jakubowski', written over a large, light-colored 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#	REVISION#
1	0

February 13, 2018

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

Attention: Elaine Munro

File# 60.81.5308, 60.81.5309, 60.81.5310

Re: 123A-C Glenwood Ave

In response to your correspondence date February 6, 2018, 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.
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- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

We would also like to stipulate the following:

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

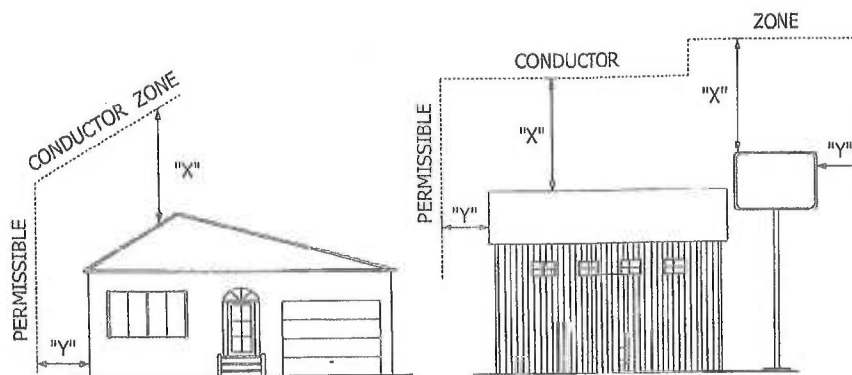
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 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

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Mark Jakubowski
Supervisor, Design, Customer Capital



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SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
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horizon
UTILITIES Looking beyond...

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

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #
3-105

SHEET #	REVISION #
1	0

Bell Canada
Right of Way
Floor 2, 140 Bayfield Street
Barrie, Ontario
L4M 3B1

Tel: 705-722-2264
Fax: 705-722-2263
E-mail: charleyne.hall@bell.ca



February 12, 2018

St. Catharines
Committee of Adjustment
PO Box 3012
St. Catharines, Ontario
L2R 7C2

E-mail Only: Elaine Munro emunro@stcatharines.ca, Charlotte McEwan cmcewan@stcatharines.ca, Kristin Jensen kjensen@stcatharines.ca, Wilkirk Banda wbanda@stcatharines.ca, Shannon Labelle slabelle@stcatharines.ca

Subject: Applications for Consent B-16/18SC & B-17/18SC
30 Rockcliffe Road
St. Catharines
Bell File: 905-18-082

We acknowledge receipt and thank you for your correspondence dated February 6, 2018.

Subsequent to review by our local engineering department, Bell Canada has identified that we require protection for existing buried facilities.

On the attached sketch, the red line identifies the approximate location of our buried facilities. Bell Canada requests a 3m wide strip to measure 1.5m on either side of the buried installation to extend from the buried cable to a minimum of 1m past the existing pedestal installation, as reasonably permitted. In regards to the buried plant, it will be necessary for a surveyor to arrange for a cable locate to identify its location.

Since the easement is required in order to protect the integrity of the existing facilities and preserve service, all cost associated with the transaction is the responsibility of the owner.

We hope this proposal meets with your approval and request a copy of the Committee of Adjustments decision. We look forward to the owner's solicitor contacting us.

If you have any questions or concerns, please feel free to contact me.

Yours truly,

A handwritten signature in blue ink that reads "Charleyne Hall".

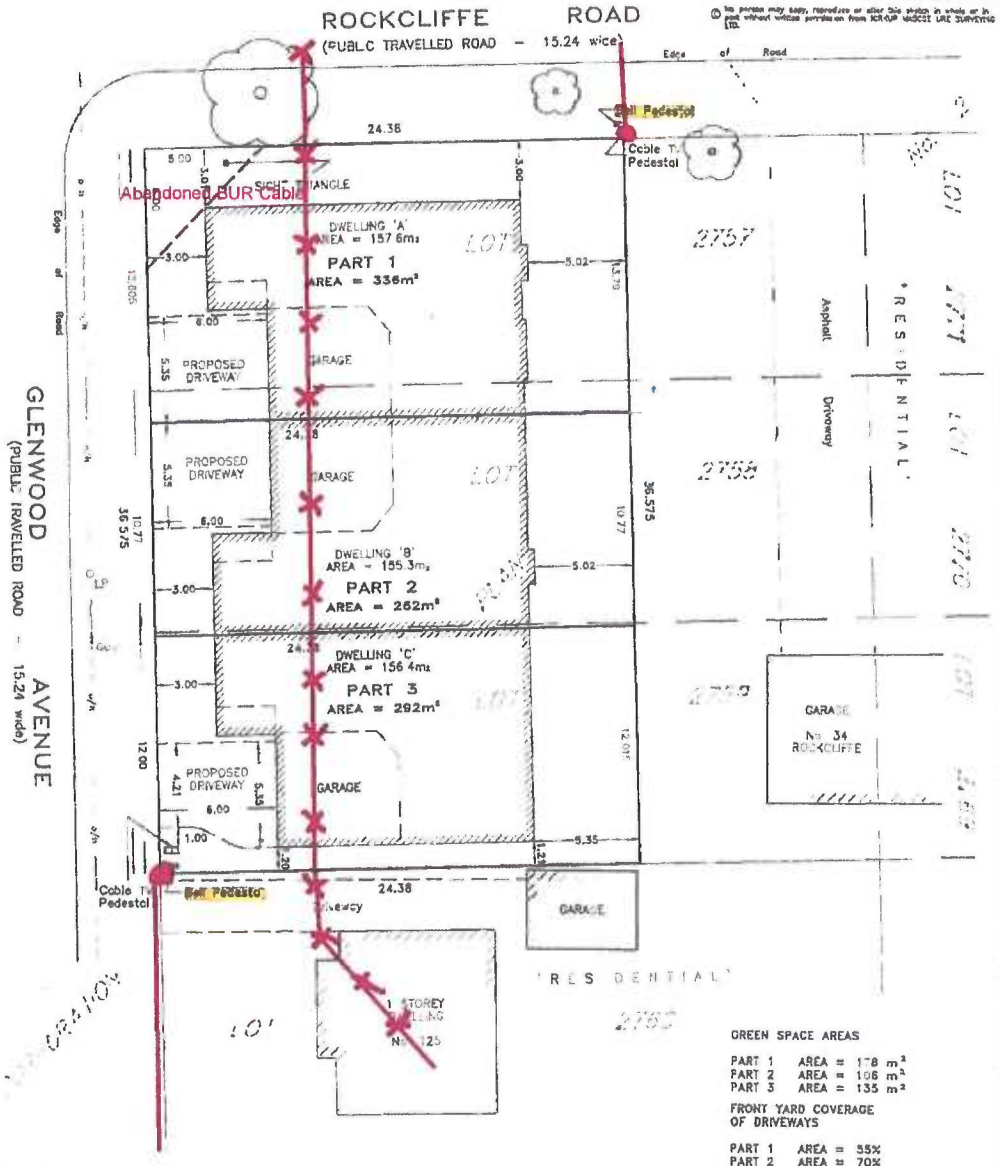
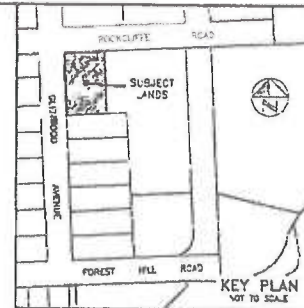
Charleyne Hall
Right of Way Associate



SKETCH TO SHOW
PART OF LOTS 2757, 2758 AND 2759
CORPORATION PLAN No. 2
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200
 0 5 10 20 metres

KIRKUP MASCOE URE SURVEYING LTD.
 ONTARIO LAND SURVEYORS



NOTE

THIS SKETCH IS INTENDED FOR USE OF THE
 COMMITTEE OF ADJUSTMENT ONLY MEASUREMENTS
 MAY VARY UPON FIELD SURVEY

METRIC NOTE

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

DECEMBER 19, 2017 *William A. Mascoe*
 DATE WILLIAM A. MASCOE
 ONTARIO LAND SURVEYOR

KIRKUP MASCOE URE
SURVEYING LTD

49 EASTCHESTER AVENUE, ST. CATHARINES, ONTARIO L2P 1Y1
 TEL: (905) 685-2931, FAX: (905) 685-2932
 E-MAIL: info@kmsurveyors.com

JOB No. 17-0081

FILE: 17-0081-1.dwg

905-18-082

Munro, Elaine

Subject: RE: Any concerns with Email 3? FW: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 3 of 3)

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

Sent: Monday, February 12, 2018 1:22 PM

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

Subject: RE: Any concerns with Email 3? FW: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 3 of 3)

Hi Elaine

There are no issues or concerns from Cogeco.

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



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 28, 2018 hearing - File No.: 300-036

B-13/18SC – 79 Hillview Road

Comment:
- No Comment

Condition:
- No Comment

B-14/18SC – 81 Hillview Road

Comment:
- No Comment

Condition:
- No Comment

B-15/18SC – 10 Stanmary Drive

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

Condition:
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the south face of the existing semi-detached dwelling on Part 1.

- The existing shed crossing Parts 1 and 2 is to be removed. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.
- The portion of existing deck on Part 1 is to be removed. Note that a building permit is required for the modification of the existing deck complete with site plan showing conformance with required zoning setbacks. The work shall be completed to the satisfaction of the Chief Building Official.

B-16/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-17/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-18/18SC – 137 Westchester Crescent

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing single detached dwelling on Part 1.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

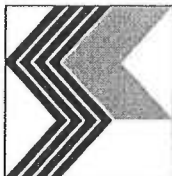
Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 28, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-17/18	77 Hillview Road	No Comment
A-18/18	81 Hillview Road	No Comment
A-19/18	10 Stanmary Drive	Be advised that a building permit is required for the modification of the existing deck crossing into Part 1.
A-20/18	8 Stanmary Drive	No Comment
A-21/18	123A Glenwood Ave	No Comment
A-22/18	123B Glenwood Ave	No Comment
A-23/18	123C Glenwood Ave	No Comment
A-24/18	213 York Street	No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\03 bcoa memo-mv-Feb12, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: February 9, 2018
Subject: Committee of Adjustment Hearing – February 28, 2018

1. **79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156**
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

Consent Application, B-14/18SC – 60.84.2157

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-13/18SC – 60.84.2156

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Staff offer no objections to the associated minor variance applications.

2. **10 Stanmary Drive, Consent Application, B-15/18SC – 60.84.2158**
10 Stanmary Drive, Minor Variance Application, A-19/18 – 60.81.5306
8 Stanmary Drive, Minor Variance Application, A-20/18 – 60.81.5307

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

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

Staff offer no objections to the associated minor variance applications.

3. **30 Rockcliffe Road, Consent Application, B-16/18SC – 60.84.2159**
30 Rockcliffe Road, Consent Application, B-17/18SC – 60.84.2160
123A Glenwood Avenue, Minor Variance Application, A-21/18 – 60.81.5308
123B Glenwood Avenue, Minor Variance Application, A-22/18 – 60.81.5309
123C Glenwood Avenue, Minor Variance Application, A-23/18 – 60.81.5310

Please be advised that we have reviewed the above-noted applications and offer the following comments. Over the course of the demolition of the previous dwelling and construction of the current dwellings, substantial damage was done to a large publicly owned boulevard tree. The Landon Plantree has a 78.5 inch circumference and was in generally good condition. Due to the cutting, large limbs that were removed will not heal over properly. The full extent of damage is likely to be seen in the spring. In order to compensate for damage to the municipal boulevard tree and ensure the preservation of the City's tree canopy, staff recommend that replacement be provided at a 2:1 replacement value. As such staff recommend that the applicant be responsible for the payment of two additional boulevard trees in addition to standard new lot requirements.

Staff request the following be included as a conditions of severance:

Consent Application B-16/18SC – 60.84.2159

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-17/18SC – 60.84.2160

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

That the applicant submit an additional payment of \$902.80 for deposit in the general tree planting reserve fund as replacement for damage to the existing tree.

Staff offer no objections to the associated minor variance applications.

4. 213 York Street, Minor Variance Application, A-24/18 – 60.81.5311

The increased driveway width will result in a loss of greenspace in the front yard of the property. The Garden City Plan emphasizes the importance of greening opportunities and context sensitive design. As proposed, the loss of greenspace would not be consistent with the surrounding context. PRCS staff are not supportive of the application as proposed but would not object to reduction in parking which maintained the permitted driveway width.

5. 137 Westchester Crescent, Consent Application, B-18/18SC – 60.84.2161

Please be advised that we have reviewed the above-noted application and offer the following comments.

There is a hedgerow and several boulevard trees on city property along the Blain Crescent frontage. Removal of these features will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of these trees, in addition to the boulevard requirements noted below.

PRCS requests that the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

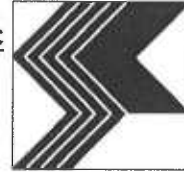
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If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 3145.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-16 & 17/18SC



February 7th, 2018

ENGINEERING FILE 300-36

Hearing Date: February 28th, 2018

Applicant: Pym and Cooper Custom Homes Inc.

Location: 30 Rockcliffe Road

MUNICIPAL SERVICES

	Glenwood Avenue	Rockcliffe Road
Water:	150mm C.I.	150mm P.V.C.
Sanitary Sewer:	375mm Clay +/- 2.6m Depth	None
Storm Sewer:	None	None
Sidewalks:	Yes	No
Road Allowance Width:	+/-15.2m	+/-15.2m

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

It is noted that the Owner proposes to sever Part 2 and Part 3 on the submitted sketch creating 2 new lots known as 123B and 123C Glenwood Avenue for the purposes of creating 2 Street Townhouse dwellings. One remnant parcels, Part 1 would be retained for the continued use of a Street Townhouse dwelling. The applications will enable each unit of the Street Townhouse dwellings to be sold separately. It is noted that the townhouses are already under construction through an approved building permit.

Roads

Both Rockcliffe Road and Glenwood Avenue are designated as Local Roads in the City's Official Plan. As such they have a desired right of-way width of 20m. The existing right-of-way widths are +/-15m and therefore deficient.

The City's Transportation and Environmental Services Department are actively planning roadway, sidewalk and underground municipal services improvements in this area of the City. Ideally these works would be done to recognize the City's initiative to have "Complete Streets and Walkable Communities" and to accommodate "Accessibility Needs". Road widenings would help to achieve these initiatives and at the same time provide sufficient room in the boulevards to permit utilities and trees.

Under current policies the City was obligated to issue the building permit for the Street Townhouses. The location of the Street Townhouses as constructed now makes it impossible to reasonably request the road widenings as the approved setbacks would no longer be in compliance. In particular, to request a road widening on Glenwood Avenue would result in driveway lengths being too short to park a vehicle without the vehicle being at least in part on the City owned right-of-way. Therefore the City will not

be requesting a road widenings for these Consents.

Sidewalks

Sidewalks and curbs exist along this section of Glenwood Avenue. However, while curbs exist on Rockcliffe Road at this location sidewalks do not. Sidewalks do exist further west. In maintaining the City's requirement for sidewalks with respect to Council's policy for "Complete Streets and Walkable Communities", the Owner shall pay to the City the cash-in-lieu fee to construct a future 1.5m wide sidewalk across the frontage of the property, in accordance with the City's current Schedule of Rates & fees.

Engineering Services

Development servicing requirements (sewer laterals and water services) have already been addressed at the building permit application stage.

Development Engineering have no further comments and no objection to the approval of the above noted consent application subject to the following

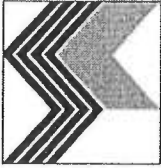
Condition(s): Prior to consent the Applicant shall;

- Pay to the City the cash-in-lieu fee to construct a future 1.5m wide sidewalk across the entire frontage of the property in accordance with the City's Schedule of Rates & Fees in place at the time of clearing this condition.



Prepared By: _____
James R. Denham, P.Eng.
Development Engineering Technologist

JRD



Memorandum

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

Cc: Judy Pihach, Manager of Planning Services
Charlotte McEwan, Planner I
Kirsten Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

From: Jim Denham P.Eng., Development Engineering Technologist

Date: February 9th, 2018
Hearing Date: February 28th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-17/18SC – 79 Hillview Road
A-18/18SC – 81 Hillview Road
A-19/18SC – 10 Stanmary Drive
A-20/18SC – 8 Stanmary Drive
A-21/18SC – 123A Glenwood Avenue
A-22/18SC – 123B Glenwood Avenue
A-23/18SC – 123C Glenwood Avenue
A-24/18SC – 213 York Street

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

Regards,

Jim Denham P.Eng.,
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 15, 2018

Subject: Committee of Adjustment
Public Hearings – February 28, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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-24/18 (60.81.5311)

213 York Street

**DATE OF HEARING:
February 28, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2018

Date of Hearing: February 28, 2018

Submission(s): A-24/18

File: 60.81.5311

Subject: 213 York Street

Recommendation

That Submission **A-24/18**, Dorita Chapel, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under section 45 (1) of the Planning Act, staff is of the opinion that the variance requested through application **A-24/18** 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.

Proposed Development

Application **A-24/18** is made to vary the Zoning By-law 2013-283 for a reduction of the minimum required parking spaces from 3 spaces to 2 spaces in order to accommodate the conversion of the existing duplex to a triplex.

Location and Site Description

The subject property is located on the west side of York Street, north of Perry Street and is surrounded by detached dwellings in all directions

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E4 of the GCP. The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex 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 (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments.

Variance Application A-24/18

Application **A-24/18** requests a reduction of the minimum number of parking spaces from 3 to 2 in order to accommodate the conversion of the existing building into a triplex.

The existing site can accommodate 2 parking spaces, which does not conform to the minimum requirement of 3 for a triplex. While the building is legally recognized as having only two units, it has operated as an illegal fourplex for some time. The existing parking appears to have adequately serviced the building. There have been no complaints with regard to parking at this address during the time it had four units.

Part C, Section 5.4.2 of the GCP states that the City may consider the reduction or the elimination of vehicular parking requirements where transit is readily available or where transit facilities are provided. There are 6 transit stops within 400m (5 minute walk) of the property which provide access to 4 bus routes. On street parking is also available along one side of York Street. Given the availability of transit and on street parking and the history of use of the building as a fourplex, staff are satisfied that the 2 parking spaces provided will be sufficient to support the establishment of a third unit on this site. No other variances are required to permit the triplex.

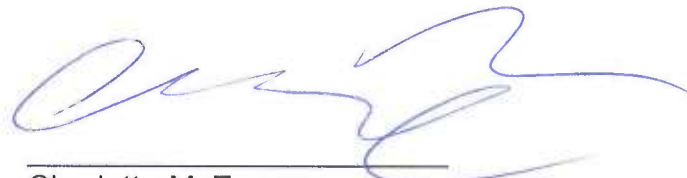
Conclusion

Staff are satisfied that the variance requested through Submission **A-24/18** is in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Charlotte McEwan
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

February 13, 2018

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

Attention: Elaine Munro

File# 60.81.5311

Re: 213 York St

In response to your correspondence date February 6, 2018, 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.

Alectra Utilities Corporation

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

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

alectrautilities.com

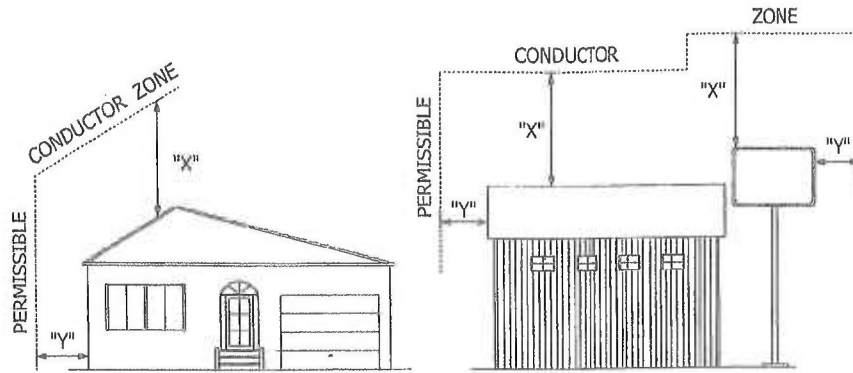
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, appearing to read '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:

DRAWING #
3-105

DRAWINGS
NOT TO SCALE

SHEET#	REVISION#
1	0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 1 of 3)

Re: 79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156 Email 1
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

213 York Street, Minor Variance Application, A-24/18 – 60.81.5311 Email 1

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

Sent: Thursday, February 08, 2018 8:49 AM

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

Cc: McEwan, Charlotte <cmcewan@stcatharines.ca>; Jensen, Kirstin <kjensen@stcatharines.ca>; Labelle, Shannon <slabelle@stcatharines.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines (Email 1 of 3)

Hi Elaine

Email 1 . There are no issues or concerns from Cogeco

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



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

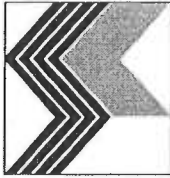
Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 28, 2018 hearing- File No.: 300-010

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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2018\03 bcoa memo-mv-Feb12, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: February 9, 2018
Subject: Committee of Adjustment Hearing – February 28, 2018

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123B Glenwood Avenue, Minor Variance Application, A-22/18 – 60.81.5309
123C Glenwood Avenue, Minor Variance Application, A-23/18 – 60.81.5310

Please be advised that we have reviewed the above-noted applications and offer the following comments. Over the course of the demolition of the previous dwelling and construction of the current dwellings, substantial damage was done to a large publicly owned boulevard tree. The Landon Plantree has a 78.5 inch circumference and was in generally good condition. Due to the cutting, large limbs that were removed will not heal over properly. The full extent of damage is likely to be seen in the spring. In order to compensate for damage to the municipal boulevard tree and ensure the preservation of the City's tree canopy, staff recommend that replacement be provided at a 2:1 replacement value. As such staff recommend that the applicant be responsible for the payment of two additional boulevard trees in addition to standard new lot requirements.

Staff request the following be included as a conditions of severance:

Consent Application B-16/18SC – 60.84.2159

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-17/18SC – 60.84.2160

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

That the applicant submit an additional payment of \$902.80 for deposit in the general tree planning reserve fun as replacement for damage to the existing tree.

Staff offer no objections to the associated minor variance applications.

4. 213 York Street, Minor Variance Application, A-24/18 – 60.81.5311

The increased driveway width will result in a loss of greenspace in the front yard of the property. The Garden City Plan emphasizes the importance of greening opportunities and context sensitive design. As proposed, the loss of greenspace would not be consistent with the surrounding context. PRCS staff are not supportive of the application as proposed but would not object to reduction in parking which maintained the permitted driveway width.

5. 137 Westchester Crescent, Consent Application, B-18/18SC – 60.84.2161

Please be advised that we have reviewed the above-noted application and offer the following comments.

There is a hedgerow and several boulevard trees on city property along the Blain Crescent frontage. Removal of these features will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of these trees, in addition to the boulevard requirements noted below.

PRCS requests that the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

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

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning Services
Charlotte McEwan, Planner I
Kirsten Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

From: Jim Denham P.Eng., Development Engineering Technologist

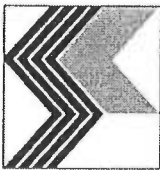
Date: February 9th, 2018
Hearing Date: February 28th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-17/18SC – 79 Hillview Road
A-18/18SC – 81 Hillview Road
A-19/18SC – 10 Stanmary Drive
A-20/18SC – 8 Stanmary Drive
A-21/18SC – 123A Glenwood Avenue
A-22/18SC – 123B Glenwood Avenue
A-23/18SC – 123C Glenwood Avenue
A-24/18SC – 213 York Street

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

Regards,

Jim Denham P.Eng.,
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 15, 2018

Subject: Committee of Adjustment
Public Hearings – February 28, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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-18/18SC (60.84.2161)

137 Westchester Crescent

DATE OF HEARING:
February 28, 2018

Munro, Elaine

Subject: RE: 137 Westchester Crescent, St. Catharines - Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]
Sent: Wednesday, February 21, 2018 11:15 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Polus, Asia (MTO) <Asia.Polus@ontario.ca>
Subject: 137 Westchester Crescent, St. Catharines - Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines

Dear Elaine,

Further to your circulation concerning the Notice of Hearing and a Concept Plan and in accordance with the requirements under the Public Transportation and Highway Improvement Act, the Ministry offers the following preliminary comments:

- ☐ MTO has no objections against the severance application and proposed development.
- ☐ The subject land is located within the Ministry's permit control area and the future development requires ministry review and approval.
- ☐ The owner/proponent must be advised that no work regarding the proposal can take place without the issuance of the ministry permit. Please note that MTO permit is also required for the site servicing and grading work.

Below are the items that may be requested following the preliminary review:

- ☐ A full scale (1:500) **Site Plan (SP)**.
- ☐ A **storm-water management report** indicating the intended treatment of the calculated runoff and the impacts of drainage on the Hwy 406 right-of-way. Grading and Site Services Plans are required.

General information regarding MTO Permits:

- ☐ An MTO Building and Land Use Permit is required prior to any construction.
- ☐ Only once the applicant has received Site Plan approval can they apply for applicable MTO Permits.
- ☐ All signs related to the development that are visible from the Hwy 406 and its ramps will require MTO permit(s).
- ☐ Applicant must apply online through the link below once clearance letter is issued:
- ☐ <https://www.hcms.mto.gov.on.ca/>

Please do not hesitate to contact me if you require assistance.

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2018

Date of Hearing: February 28, 2018

Submission(s): B-18/18SC

File: 60.84.2161

Subject: 137 Westchester Crescent

Recommendation

That Submission **B-18/18SC**, Bernhard Mattern and Karl Regier, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirement for the glazed openings and wall construction meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing single detached dwelling on Part 1;
2. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees;
3. That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given' and that the appraisal be completed by a qualified appraiser;
4. That a road widening of 0.86 metres along the frontage of Beard Place be dedicated as Public Highway to be known as Beard Place. The dedication shall be granted to the Corporation of The City of St. Catharines gratuitously and free and clear of any encumbrances;
5. That a road widening of 2.51 metres along the frontage of Blain Place be dedicated as Public Highway to be known as Blain Place. The dedication shall be granted to the Corporation of The City of St. Catharines gratuitously and free and clear of any encumbrances;
6. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Part 2), to address the following conditions:

- i. That the semi-detached dwelling be no greater than 2-storeys in height, to a maximum building height of 9.0 metres;
 - ii. That garages not project beyond the front façade of each of the semi-detached dwelling units; and,
 - iii. That the twinning of the driveways only be permitted if necessary to retain the existing tree along the Beard Place frontage; and,
7. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.

Summary

Having regard for the matters under section 51 (24) of the Planning Act, staff is satisfied that application **B-18/18SC** 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-18/18SC** is for consent to a partial discharge of mortgage and for consent to sever 400m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 4 Beard Place for the purpose of constructing a semi-detached dwelling. A 795.8m² remnant parcel with the existing triplex dwelling (Part 1) would be retained for continued residential use.

Location and Site Description

The subject property is located at the northeast corner of Westchester Crescent and Blain Place, and the southeast corner of Blain Place and Beard Place. The property is adjacent to two four-storey apartment buildings to the east, and surrounded by a mix of detached and semi-detached dwellings to the north, south and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP), 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 Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, private road developments, apartment buildings, and long-term care facilities.

Design Review Panel (DRP)

On May 8, 2017, Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that the City routinely require Development Agreements to be registered on title as a condition of consent applications to address conditions for future development design. Staff, in considering the feedback received from the DRP, may see fit to apply such conditions to a consent in order to implement the recommendations received.

The subject application was submitted to the DRP for review at the meeting of January 2nd, 2018. The DRP considered a proposal to sever the side yard of 137 Westchester Avenue to create two new semi-detached lots that would have frontage on both Beard Place and Westchester Avenue. The triplex dwelling would be retained.

The panel raised concerns that the proposed severance represented an underuse of the site. The DRP recommended that the new lot be re-oriented towards Blain Place or reduced in depth and moved closer to the street in order to retain additional development potential and to avoid back-lotting onto Westchester.

The panel also suggested that the rooflines of the new dwellings should be simplified and that the side walls should include window openings. The DRP also identified that the neighbouring parking lot and dumpster to the east may create a compatibility conflict for the new dwellings.

The DRP moved not to endorse the proposal in its submitted form. Rather, it was recommended that the new dwellings should be moved closer to Beard Place with minimized rear yards so that surplus lands can be retained with the existing triplex for future development. The DRP identified that a preferred alternative would be a reconfiguration of the new lots to front onto Blain Place, in order to accommodate wider proposed dwellings and improved lot configuration for the retained lands. However, it was acknowledged that there may be servicing constraints with this approach.

The submitted application reflects the recommendations of the DRP to move the dwellings closer to Beard Place as well as to minimize the rear yard setback so that surplus lands could be retained at the rear of the new dwellings. Due to servicing constraints, it was not feasible for the applicant to reconfigure the proposal to have the lots fronting onto Blain Place. In consideration of Council's direction to routinely require Development Agreements as a condition of approval, it is staff's opinion that such an agreement is necessary to ensure the future severance of the semi-detached dwelling lots prior to issuance of a building permit. Should the application be approved, a

Development Agreement should be registered on title in order to address conditions for future development design of the site and this will ensure plans submitted at the building stage are in accordance with the architectural details and building elevations supported by the DRP.

The Committee should be aware that they have the authority under the Planning Act to waive fees where it would be unreasonable to charge the standard fee. A Development Agreement as a condition of consent, to ensure the new lot develops generally in accordance with the architectural plans submitted with the application, and in accordance with the recommendations of the DRP, provides the applicable law necessary to bind the architectural plans submitted with this application to the issuance of a building permit. The Development Agreement fee, as approved in the Tariff of Fees approved by Council for 2018, a fee of \$2,457.85, is considered unreasonable and excessive in this context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of this application.

Consent Application B-18/18SC

Application **B-18/18SC** is made for consent to sever 400m² of land (Part 2) to create a new lot to be known as 4 Beard Place for the future construction of a semi-detached dwelling. A 795.8m² remnant parcel with the existing triplex dwelling (Part 1) would be retained for continued residential use.

Part F, Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed in terms of optimum development of the surrounding area.

The proposed lot represents infill in an area that is substantially developed. Feedback from the DRP relating to the front yard depth and rear yard setback was taken into account for the submission of this proposal, and the submitted sketch incorporates this advice. The applicant has implemented the DRP's suggestion to preserve the development potential of the remnant lot by moving the proposed dwellings on Beard Place closer to the front lot line. In addition, the rear yard area has been significantly reduced from the original submitted proposal in which a rear yard depth of 16.74 metres was provided, whereas the current proposal provides a rear yard depth of 6.69 metres, which is still above the minimum required rear yard depth. As such, staff are satisfied that the lot configuration and orientation of the proposed semi-detached dwelling towards Beard Place is suitable for the development of the property.

The DRP's recommendation that the proposal be reconfigured so that the new lots would be oriented towards Blain Place has not been reflected in the application. The intent of this advice was to accommodate wider dwellings and to increase development potential of the remnant parcel in the future. However, due to significant servicing constraints that would be encountered if the dwellings were to front onto Blain Place, the applicant was unable to incorporate this advice into their application.

The lots are of similar size and width as the adjacent lots to the north, south and west, and are in keeping with the established character of the streetscape. The proposal is considered appropriate for the use proposed, and no adverse impacts on the surrounding area are anticipated as a result of the application. Both the new and remnant parcels conform to the provisions of the Zoning By-law.

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


The City's Development Engineering Section noted that Beard Place 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 is deficient at +/- 18.4 m and would require a minimum road widening of 0.86m along the entire Beard Place frontage of the Owner's lands (Parts 1 and 2), dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Beard Place. Development Engineering has also noted that Blain Place is also 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 is deficient at +/- 15.1 m and would require a minimum road widening of 2.51m along the entire Blain Place frontage of the Owner's lands (Part 1), dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Blain Place.

Conclusion


Staff are satisfied that the consent requested through application **B-18/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application.

A Development Agreement is necessary to implement the recommendations of the Design Review Panel.

Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Vetrone, Carmen <carmen.vetrone@niagararegion.ca>
Sent: Wednesday, February 14, 2018 1:28 PM
To: Munro, Elaine
Cc: McEwan, Charlotte; Banda, Wilrik; Jensen, Kirstin; Labelle, Shannon; Dunsmore, Susan; Earl, Lindsay
Subject: Regional Comments for 137 Westchester Crescent

Consent B-18/18SC

Applicant: Bernhard Mattern and Karl Regier

Re: To sever 400 sq. m. (Part 2) to be known as 4 Beard Place for a semi-detached dwelling unit

Regional Niagara Development Services has reviewed the proposed consent application and provide the following comments:

1) Regional Road

The subject property has frontage along Regional Road 91 (Westchester Crescent). However, Regional staff note that the intended new residential parcel will have frontage along a local road and no rear yard will be situated along the Regional road. Therefore, there is no impact upon the Regional road.

The applicant is advised, however, that any future planning application for the retained remnant parcel (Part 1) will require Regional review at that time.

In conclusion, Regional staff offers no objection to the consent application. If there are any questions on the above, please feel free to contact myself or Lindsay Earl, MCIP, RPP, Senior Planner, extension 3387. Please send notice of the Committee's decision on this application.

Carmen Vetrone, C.Tech.

Development Approvals Technician
Niagara Region Planning and Development Services Department
(905) 980-6000 ext 3268

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February 13, 2018

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

Attention: Elaine Munro

File# 60.84.2161

Re: 137 Westchester Cres

In response to your correspondence date February 6, 2018, 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.

Alectra Utilities Corporation

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

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

alectrautilities.com

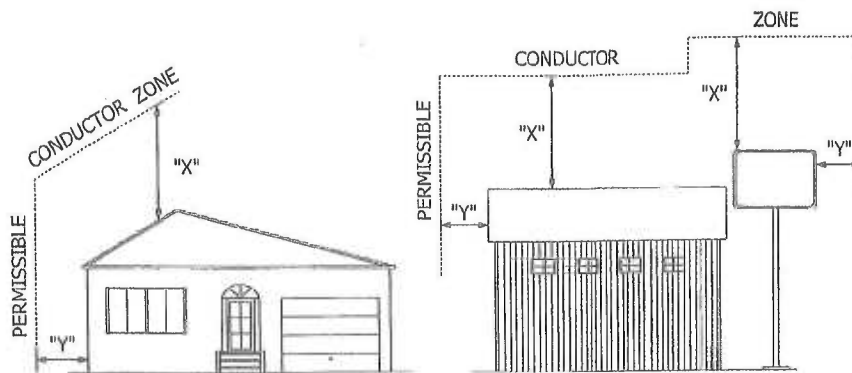
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Will Johnson 905-522-6611 ext: 4714 in our Engineering Design Department.

Sincerely,

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:

DRAWING #
3-105

DRAWINGS NOT TO SCALE

SHEET #	REVISION #
1	0

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Monday, February 12, 2018 8:19 AM
To: Munro, Elaine
Subject: 905-18-085 - Consent Application - 137 Westchester Crescent - B-18/18SC

Good morning Elaine,

Bell Canada has no concerns with application B-18/18SC.

Thank you,

Charleyne Hall
External Liaison
Bell Canada Right of Way



140 Bayfield St. FL 2
Barrie, ON, L4M 3B1
P: 705-722-2264
F: 705-722-2263
1-888-646-4817
charleyne.hall@bell.ca

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

Munro, Elaine

From: Boucetta, Alexandra (MTO) <Alexandra.Boucetta@ontario.ca>
Sent: Monday, February 12, 2018 1:52 PM
To: Munro, Elaine
Subject: RE: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines

Dear Elaine,

The following property is outside permit control area and an MTO permit is not required.

213 York Street, St. Catharines, ON, Canada

The property below is located within permit control area and I will follow up with the requirements details. The planner is away this week. May I ask to extend the review until February 23, 2018?

137 Westchester Crescent, St. Catharines, ON, Canada

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: February 6, 2018 2:52 PM
To: Boucetta, Alexandra (MTO)
Cc: McEwan, Charlotte; Jensen, Kirstin; Labelle, Shannon; Banda, Wilrik
Subject: Committee of Adjustment Notices and Applications for the February 28/18 CofA Hearing, City of St. Catharines

Good Afternoon Alexandra:

Attached please find the Notices, Applications & Sketches for 213 York Street & 137 Westchester Crescent that will be heard at the February 28, 2018 Committee of Adjustment Hearing for the City of St. Catharines.

It would be greatly appreciated if you could please forward your comments to Charlotte McEwan, Kirstin Jensen, Shannon Labelle, Wil Banda & myself by **Wednesday, February 14, 2018**.

1. 213 York Street, Minor Variance Application, A-24/18 – 60.81.5311
2. 137 Westchester Crescent, Consent Application, B-18/18SC – 60.84.2161

Thanks, Elaine

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



Memorandum

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

Cc: B. Thiessen, Charlotte McEwan, Kristen Jensen, Shannon Labelle,
Wil Banda, Judy Pihach.
Planning and Building Services

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

Date: February 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 28, 2018 hearing - File No.: 300-036

B-13/18SC – 79 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-14/18SC – 81 Hillview Road

Comment:

- No Comment

Condition:

- No Comment

B-15/18SC – 10 Stanmary Drive

Comment:

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

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the south face of the existing semi-detached dwelling on Part 1.

- The existing shed crossing Parts 1 and 2 is to be removed. Note that each structure greater than 10 square metres in building area will require a demolition permit and the work shall be completed to the satisfaction of the Chief Building Official.
- The portion of existing deck on Part 1 is to be removed. Note that a building permit is required for the modification of the existing deck complete with site plan showing conformance with required zoning setbacks. The work shall be completed to the satisfaction of the Chief Building Official.

B-16/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

B-17/18SC – 30 Rockcliffe Road

Comment:

- No Comment

Condition:

- No Comment

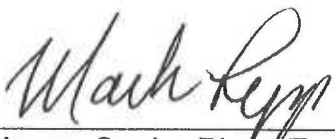
B-18/18SC – 137 Westchester Crescent

Comment:

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

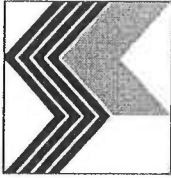
Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meet the requirements of subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing single detached dwelling on Part 1.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: February 9, 2018
Subject: Committee of Adjustment Hearing – February 28, 2018

1. **79 Hillview Road, Consent Application, B-13/18SC – 60.84.2156**
81 Hillview Road, Consent Application, B-14/18SC – 60.84.2157
77 Hillview Road, Minor Variance Application, A-17/18 – 60.81.5304
81 Hillview Road, Minor Variance Application, A-18/18 – 60.81.5305

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

Consent Application, B-14/18SC – 60.84.2157

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-13/18SC – 60.84.2156

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Staff offer no objections to the associated minor variance applications.

2. **10 Stanmary Drive, Consent Application, B-15/18SC – 60.84.2158**
10 Stanmary Drive, Minor Variance Application, A-19/18 – 60.81.5306
8 Stanmary Drive, Minor Variance Application, A-20/18 – 60.81.5307

Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

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

Staff offer no objections to the associated minor variance applications.

3. **30 Rockcliffe Road, Consent Application, B-16/18SC – 60.84.2159**
30 Rockcliffe Road, Consent Application, B-17/18SC – 60.84.2160
123A Glenwood Avenue, Minor Variance Application, A-21/18 – 60.81.5308
123B Glenwood Avenue, Minor Variance Application, A-22/18 – 60.81.5309
123C Glenwood Avenue, Minor Variance Application, A-23/18 – 60.81.5310

Please be advised that we have reviewed the above-noted applications and offer the following comments. Over the course of the demolition of the previous dwelling and construction of the current dwellings, substantial damage was done to a large publicly owned boulevard tree. The Landon Plantree has a 78.5 inch circumference and was in generally good condition. Due to the cutting, large limbs that were removed will not heal over properly. The full extent of damage is likely to be seen in the spring. In order to compensate for damage to the municipal boulevard tree and ensure the preservation of the City's tree canopy, staff recommend that replacement be provided at a 2:1 replacement value. As such staff recommend that the applicant be responsible for the payment of two additional boulevard trees in addition to standard new lot requirements.

Staff request the following be included as a conditions of severance:

Consent Application B-16/18SC – 60.84.2159

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

Consent Application, B-17/18SC – 60.84.2160

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

That the applicant submit an additional payment of \$902.80 for deposit in the general tree planting reserve fund as replacement for damage to the existing tree.

Staff offer no objections to the associated minor variance applications.

4. 213 York Street, Minor Variance Application, A-24/18 – 60.81.5311

The increased driveway width will result in a loss of greenspace in the front yard of the property. The Garden City Plan emphasizes the importance of greening opportunities and context sensitive design. As proposed, the loss of greenspace would not be consistent with the surrounding context. PRCS staff are not supportive of the application as proposed but would not object to reduction in parking which maintained the permitted driveway width.

5. 137 Westchester Crescent, Consent Application, B-18/18SC – 60.84.2161

Please be advised that we have reviewed the above-noted application and offer the following comments.

There is a hedgerow and several boulevard trees on city property along the Blain Crescent frontage. Removal of these features will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of these trees, in addition to the boulevard requirements noted below.

PRCS requests that the following be included as a conditions of severance:

That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

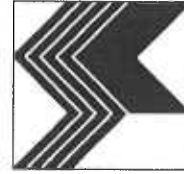
If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance:

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-18-18SC



February 5th, 2018

ENGINEERING FILE 300-36

Hearing Date: February 28th, 2018

Applicant: Karl Eckhard

Location: 137 Westchester Crescent

<u>MUNICIPAL SERVICES</u>	<u>Blain Place</u>	<u>Beard Place</u>	<u>Westchester Cres</u>
Water:	200mm C.I.	150mm PVC	150mm C.I.
Sanitary Sewer:	None	250mm Concrete +/- 2.7m Deep	250mm +/- 3m Deep
Storm Sewer:	450mm +/- 2m Deep	None	675mm +/- 3m Deep
Sidewalks:	Yes	Yes	Yes
Road Allowance Width:	+/-15.1m	+/-18.4m	+/-23.6m

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

Comment(s): It is noted that the Applicant proposes to sever Parts 2 creating a new lot to be known municipally as 4 Beard Place for the purposes of constructing a semi-detached dwelling. Parts 1 known as 11 Blain Place would be retained for continued use as a residential triplex.

City Services

It is noted that Beard Place is designated as a Local road in the City's Official Plan. The desired right-of-way width is 20.12m. The current width of +/- 18.4m along the frontage of the Owner's lands is undersized. If this consent is approved, the City requires a road widening of 0.86m along the entire Beard Place frontage of the Owner's lands (Part 1 and Part 2). The widening shall be dedicated gratuitously, free and clear of any encumbrances to the Corporation of the City of St. Catharines as Public Highway to be known as Beard Place.

It is noted that Blain Place is also designated as a Local road in the City's Official Plan. The desired right-of-way width is 20.12m. The current width of +/- 15.1m along the frontage of the Owner's lands is undersized. If this consent is approved, the City requires a road widening of 2.51m along the entire Blain Place frontage of the Owner's lands (Part 1). The widening shall be dedicated gratuitously, free and clear of any encumbrances to the Corporation of The City of St. Catharines as Public Highway to be known as Blain Place.

Westchester Crescent is designated a Regional Arterial per the City's Official Plan. The desired right-of-way width of 26.21m. Its current width along the Applicant frontage is +/-26.3m. Since Martindale Road is under Regional jurisdiction, widening requirements shall be at their discretion.

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. There are no existing storm sewers available along the frontage of Beard Place at this time, therefore weeping tile foundation drainage of the proposed semi-detached units shall be discharged to grade at the front yards of the proposed lot via sump pumps.

Condition(s): If the consent is granted the City requests the following conditions be imposed;

- That a road widening of 0.86m along the frontage of Beard Place be dedicated as Public Highway to be known as Beard Place. The dedication shall be granted to the Corporation of The City of St. Catharines gratuitously and free and clear of any encumbrances.
- That a road widening of 2.51m along the frontage of Blain Place be dedicated as Public Highway to be known as Blain Place. The dedication shall be granted to the Corporation of The City of St. Catharines gratuitously and free and clear of any encumbrances.



Prepared By:

Jim Denham, P.Eng.
Development Engineering Technologist

JD



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 15, 2018

Subject: Committee of Adjustment
Public Hearings – February 28, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/