



**The Corporation of the City of St. Catharines  
CITY COUNCIL AGENDA  
Regular, Monday, March 26, 2018  
Council Chambers, City Hall, 6:30 PM**

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

Page

**1. Mayor's Report**

**2. Adoption of the Agendas**

**3. Adoption of the Minutes**

3.1 Budget Standing Committee, [Minutes of February 21, 2018](#)

**4. Declarations of Interest**

**5. Public Meetings Pursuant to Planning Act**

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5.1 Planning Act Public Meeting - Information Report  
Application for Draft Plan of Standard Condominium; 141 Louth Street;  
Owner: 1814116 Ontario Inc.; Agent: Quartek Group Inc.

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5.2 Planning Act Public Meeting - Information Report  
Application for Draft Plan of Subdivision; 41 Moffatt Street; Owner:  
1473941 Ontario Ltd.; Agent: Anthony Continelli

**6. Delegations**

**7. Presentations**

**8. Motions**

8.1 Refund of Niagara Peninsula Conservation Authority Overpayment  
*Councillor Garcia will present the following motion:*

WHEREAS as the result of a legal ruling, the Niagara Peninsula Conservation Authority (NPCA) has refunded a \$1.6 million overpayment to its funding municipalities and, specifically, \$1.28 million to the Region of Niagara; and

WHEREAS the City of St. Catharines is the largest contributor of funds to the Region of Niagara and, consequently, the largest Niagara contributor to the NPCA; and

WHEREAS the City of St. Catharines is struggling to fund a massive infrastructure deficit while minimizing tax increases;

THEREFORE BE IT RESOLVED that Council requests that the Region of Niagara immediately refund to the City of St. Catharines its proportionate share of the \$1.28 million.

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



CITY OF  
ST. CATHARINES

## Corporate Report

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

**Date of Report:** March 8, 2018

**Date of Meeting:** March 26, 2018

**Report Number:** PBS-067-2018

**File:** 60.46.438

**Subject:** *Information Report for Public Meeting*  
Application for Draft Plan of Standard Condominium; 141 Louth Street;  
Owner: 1814116 Ontario Inc.; Agent: Quartek Group Inc.

## Recommendation

That Council receive this Information Report; and

That Council consider the Recommendation Report regarding application for Draft Plan of Standard Condominium at a meeting of Council on April 23, 2018, at least 14 days after the Public Meeting of March 26, 2018, pursuant to Section 51(20) of the Planning Act. FORTHWITH

## Summary

The purpose of this Information Report is to provide Council and the public with information concerning the application for Draft Plan of Standard Condominium at 141 Louth Street prior to the Public Meeting scheduled for March 26, 2018. This report provides an overview of the application, and a summary of applicable planning policies and circulation comments. An additional Recommendation Report containing planning analysis, addressing outstanding concerns from the Public Meeting, and providing a staff recommendation will be considered by Council at the meeting on April 23, 2018.

## Report

### Proposed Development

The Draft Plan of Standard Condominium application proposes to create 30 residential units, as well as a common element area for visitor parking, landscaping and servicing, as outlined in Appendix 1.

The development has one access from Louth Street. The applicant has requested Draft Plan of Standard Condominium Approval so that each of the 30 units can be sold individually. The development has been through the Site Plan Approval process and a Site Plan Agreement is being finalized. The Agreement will be registered on title of the lands.

## Location and Site Description

The subject lands are located on west side of Louth Street, north of Rykert Street in the City's West Planning District. A location map is attached as Appendix 2.

The subject property is 0.3084 hectares in size, with 27.7 metres of frontage along Louth Street.

Surrounding land uses include:

North:	Two-storey apartment building
South:	Commercial plaza, detached dwellings
East:	Detached Dwellings
West:	Westdale Public School

## Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. No objections to this application were received. Departmental interests and concerns have been addressed through the Site Plan Approval Process.

## Planning Context

### Provincial and Regional Policy Context

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

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

### Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) (Appendix 3). The lands are further designated as Medium Density Residential (Appendix 4) as per Schedule E7 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25

and 99 units per hectare. The proposed development has a density of 97 units per hectare.

The apartment building development proposed on the lands is a permitted use under the current designation and complies with the applicable land use policies. An Official Plan Amendment is not required.

### **Zoning By-law**

By-law 2013-283 zones the lands as Medium Density Residential (R3-141) (Appendix 5). The R3 zone permits a range of residential uses, including detached, semi-detached, quadruplex and townhouse units, apartment buildings, and private road developments comprising any of the preceding housing forms. Special Provision 141 permits site specific minimum rear and interior side yard setbacks, maximum height and minimum lot frontage for a four-storey apartment building.

The proposal is a permitted use under the property's existing R3-141 zoning. A Zoning By-law Amendment is not required.

### **Site Plan Control**

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

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

### **Draft Plan of Condominium**

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

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

Approval of the application for Draft Plan of Standard Condominium for 30 apartment dwelling units, plus common element areas, which include visitor parking, servicing, and landscaped areas, would make the condominium corporation responsible for the terms

and conditions of the registered site plan agreement. Staff will be commenting further in the Recommendation Report for Council's consideration on April 23, 2018.

## **Public Open House**

A public open house was hosted on February 6, 2018 by Planning and Building Services for the Site Plan application and Condominium application together. The agent for the application was in attendance. No members of the public attended, and no concerns have been raised.

## **Public Notice**

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

## **Financial Implications**

Not applicable.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

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

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

## **Conclusion**

In summary, this report provides the planning context and explains the application for Draft Plan of Standard Condominium for 141 Louth Street. The plan of condominium will allow each of the proposed apartment dwelling units to be sold individually. A Recommendation Report will be considered by Council on April 23, 2018.

## **Notification**

It is in order to advise Susan Smyth, 89-91 St. Paul Street, Suite 100, St. Catharines ON, L2R 3M3, the owner's agent.

### **Prepared by:**

Charlotte McEwan  
Planner I

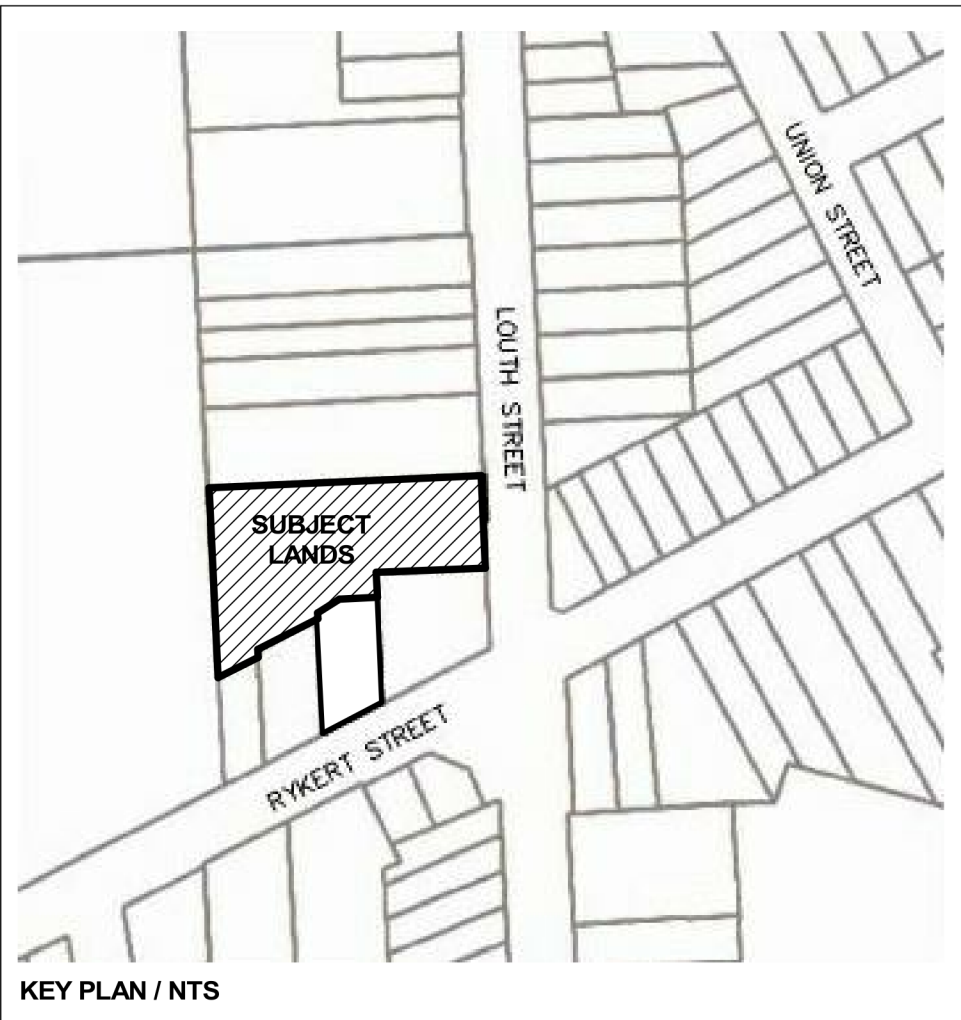
### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

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





LAND USE SCHEDULE

LOT/BLK DESCRIPTION	AREA(m <sup>2</sup> / ha)	PERCENT (%)
LOT TOTAL	3,073 / 0.307	100
BUILDING AREA (30 UNIT CONDOMINIUM)	1,375 / 0.14	45
PARKING LOT / DRIVEWAY (38 SPACES)	521 / 0.05	17
OPEN LANDSCAPE	1,177 / 0.12	38

METRIC NOTE

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

LEGAL DESCRIPTION

LOT 4, PART OF LOTS 2 & 3, REGISTERED PLAN NO. 262, PART OF LOT 21, CONCESSION 7, TOWNSHIP OF GRANTHAM

PLANNING ACT

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, OF ONTARIO RS0 1990

- a) SEE PLAN
- b) SEE PLAN
- c) SEE PLAN AND KEY PLAN
- d) LAND USE: RESIDENTIAL
- e) EXISTING USES OF ADJOINING: NORTH- RESIDENTIAL, SOUTH- COMMERCIAL AND RESIDENTIAL, WEST- INSTITUTIONAL, EAST- RESIDENTIAL
- f) SEE PLAN
- g) SEE PLAN
- h) SEE PLAN
- i) LOAMY TEXTURES OVER PEL SOILS
- j) SEE PLAN
- k) ALL MUNICIPAL SERVICES ARE AVAILABLE
- l) SEE PLAN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DECEMBER 6, 2017  
DATE

*William A. Mascoe*  
WILLIAM A. MASCOE  
ONTARIO LAND SURVEYOR  
KIRKUP + MASCOE + URE,  
SURVEYING LTD.

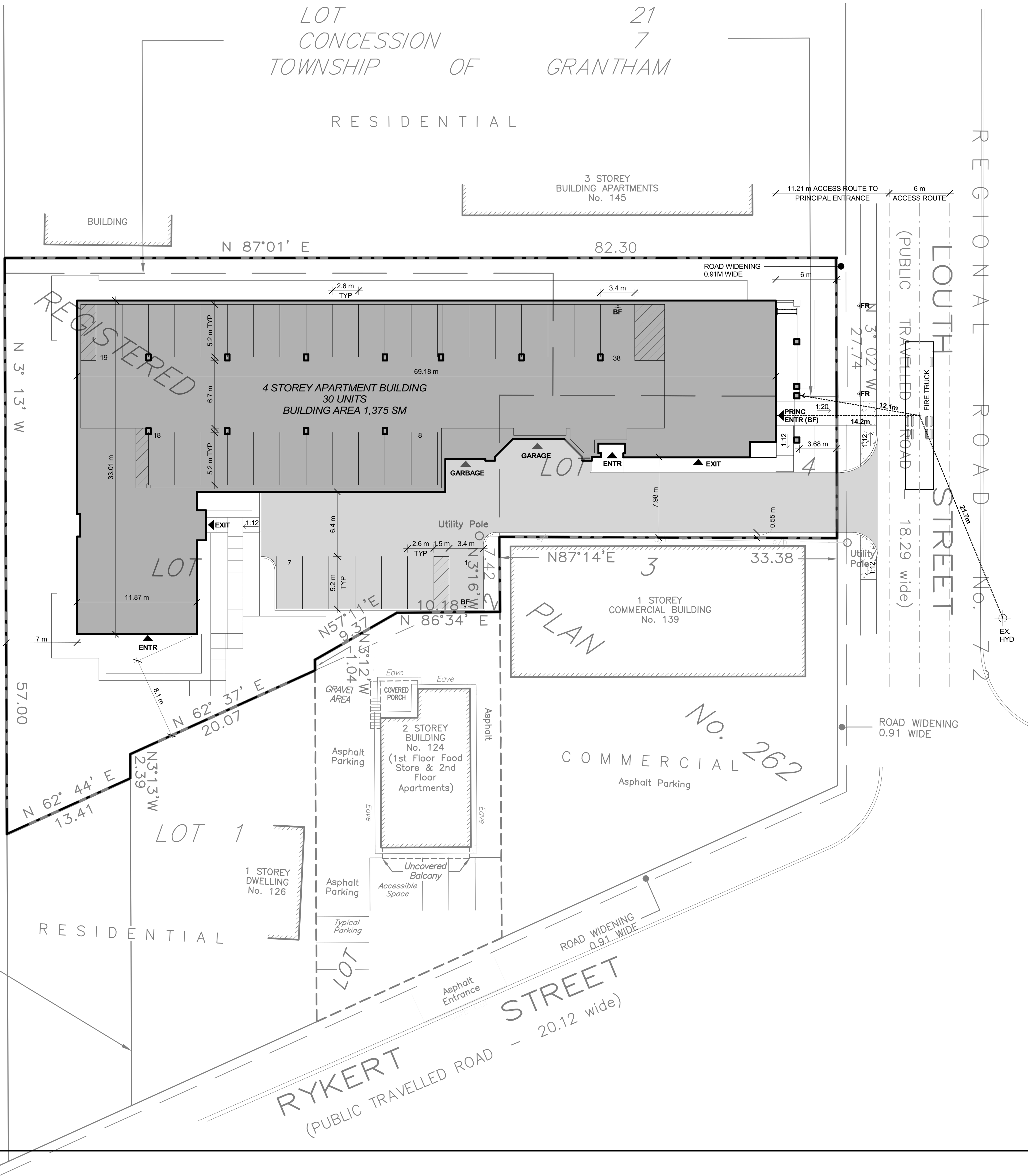
OWNER'S CERTIFICATE

I HEREBY AUTHORIZE QUARTEK GROUP INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF CONDOMINIUM TO THE CITY OF ST. CATHARINES FOR APPROVAL.

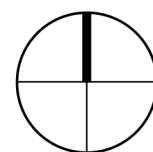
16 NOV 2017  
DATE

*Mark Mirabella*  
MARK MIRABELLA

LOT 21  
CONCESSION 7  
TOWNSHIP OF GRANTHAM  
PART 1, PLAN 30R - 14580  
SCHOOL PROPERTY



1 SITE PLAN  
DP1 1:200



A DRAFT PLAN SUBMISSION 16NOV2017 NY  
Issue Issued for Date IWT

Seal

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.  
Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.  
All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.  
All drawings and related documents remain the property of Quartek Group Inc. All drawings are protected under copyright and under contract.

**Quartek**  
Architects Planners  
Engineers Project Managers

T 905 984 8676  
89 - 91 St. Paul Street, Suite 100,  
St. Catharines, ON L2R 3M3  
www.quartekgroup.com

Project Title

141-143 LOUTH STREET  
DEVELOPMENT

141 LOUTH STREET,  
ST. CATHARINES, ONTARIO

Drawing Title

DRAFT PLAN OF  
STANDARD  
CONDOMINIUM

Drawn by

NY

Designed by

NY

Scale

As indicated

Date Created

08 SEP 2016

Job Number

15269

Issue

A

Drawing Number

DP1

# Location Map



**Subject Lands**

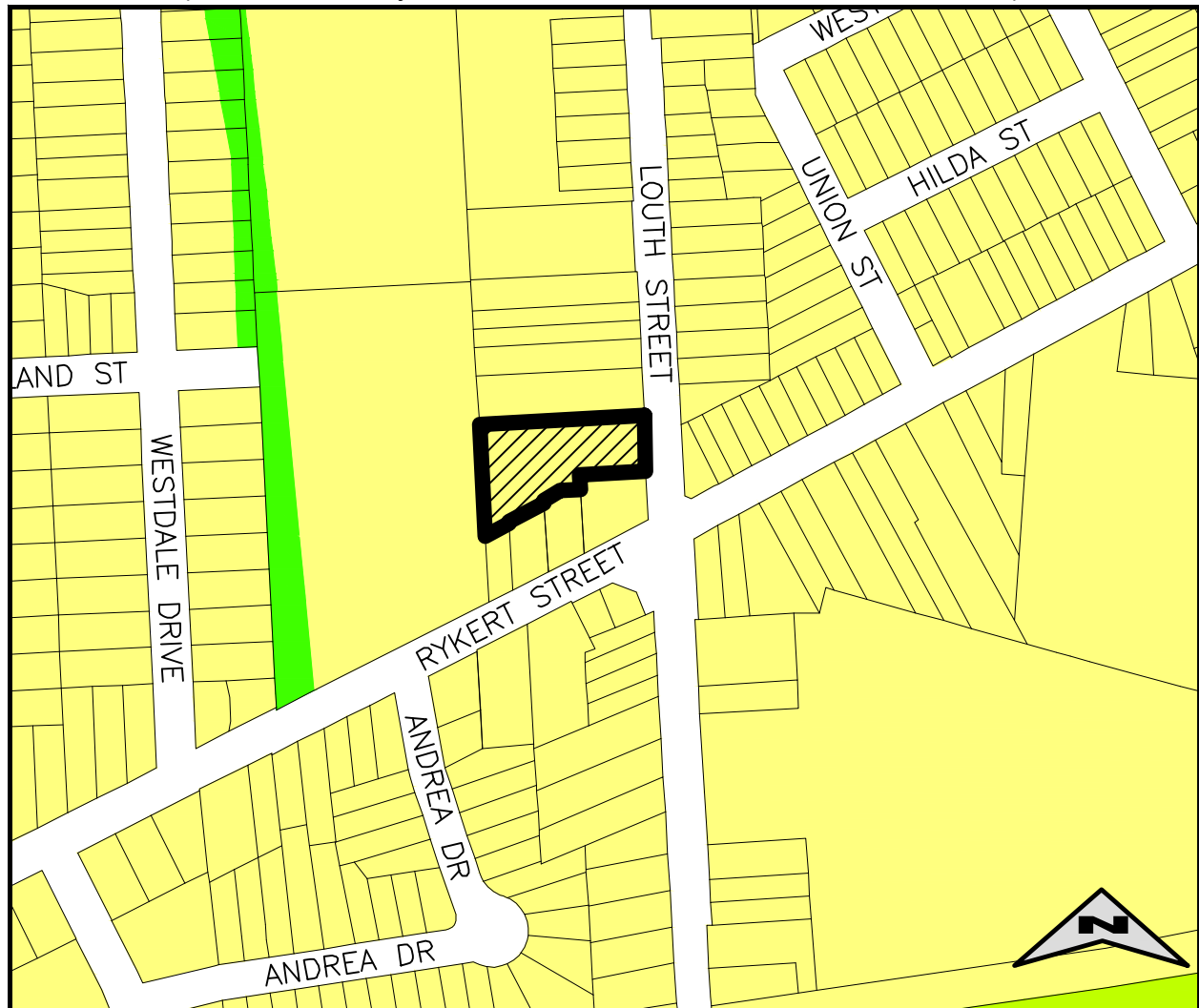
141 Louth Street


File: 60.46.438

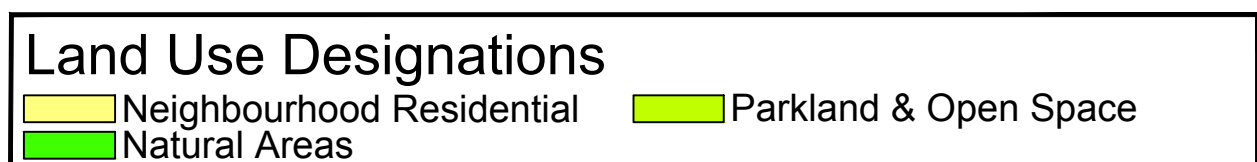


# Existing Land Use Designation

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



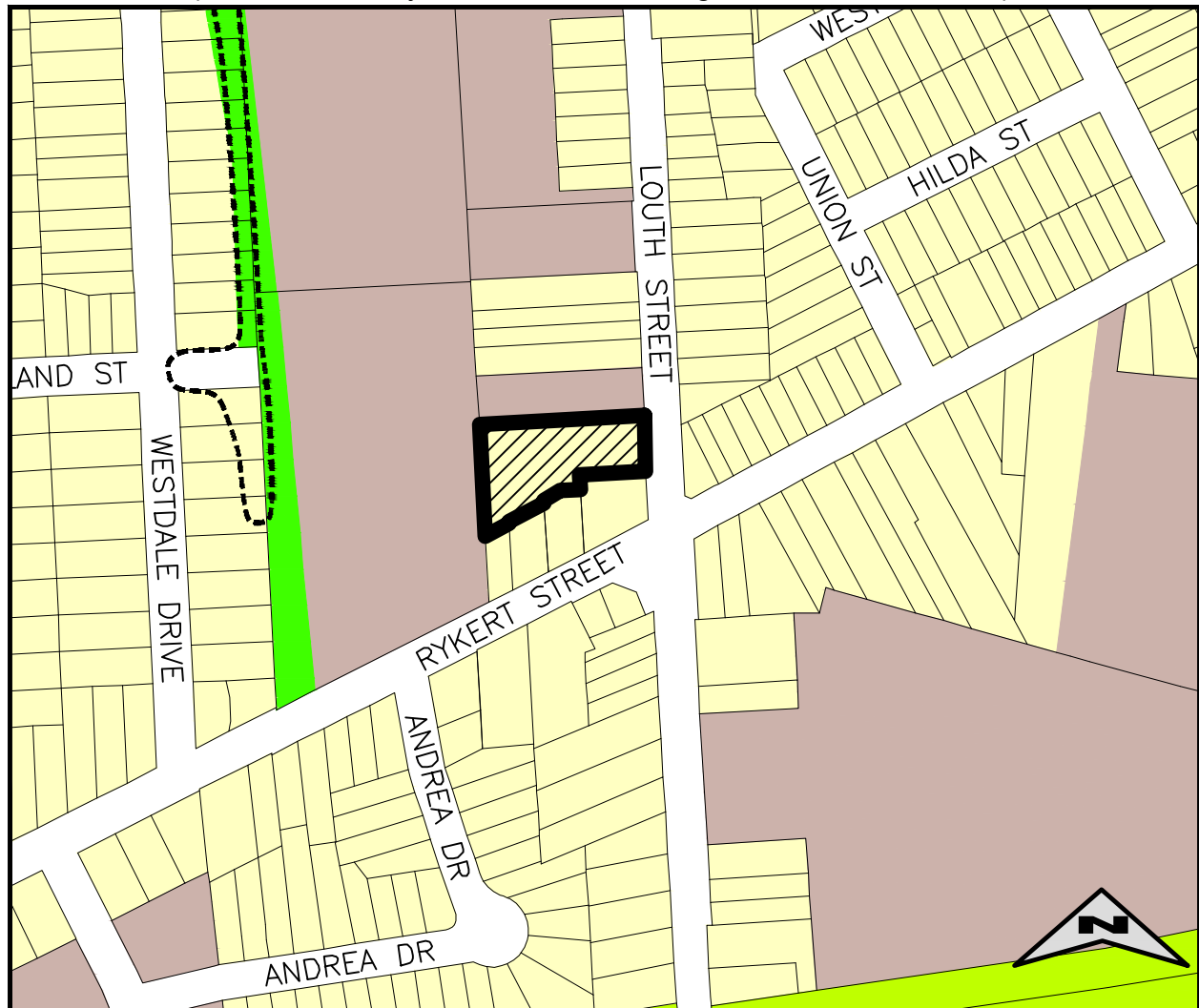
 Subject Lands  
141 Louth Street




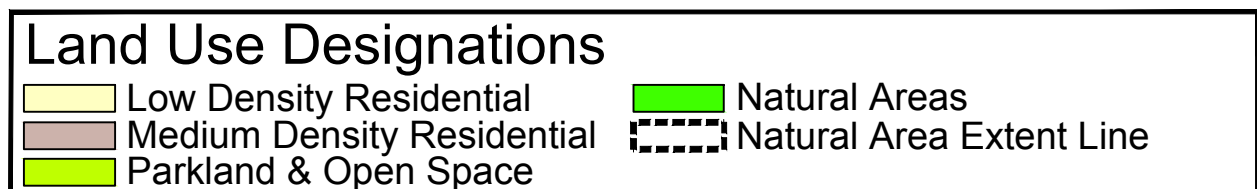
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# Existing Land Use Designation

(The Garden City Plan - West Planning District, Schedule E7)



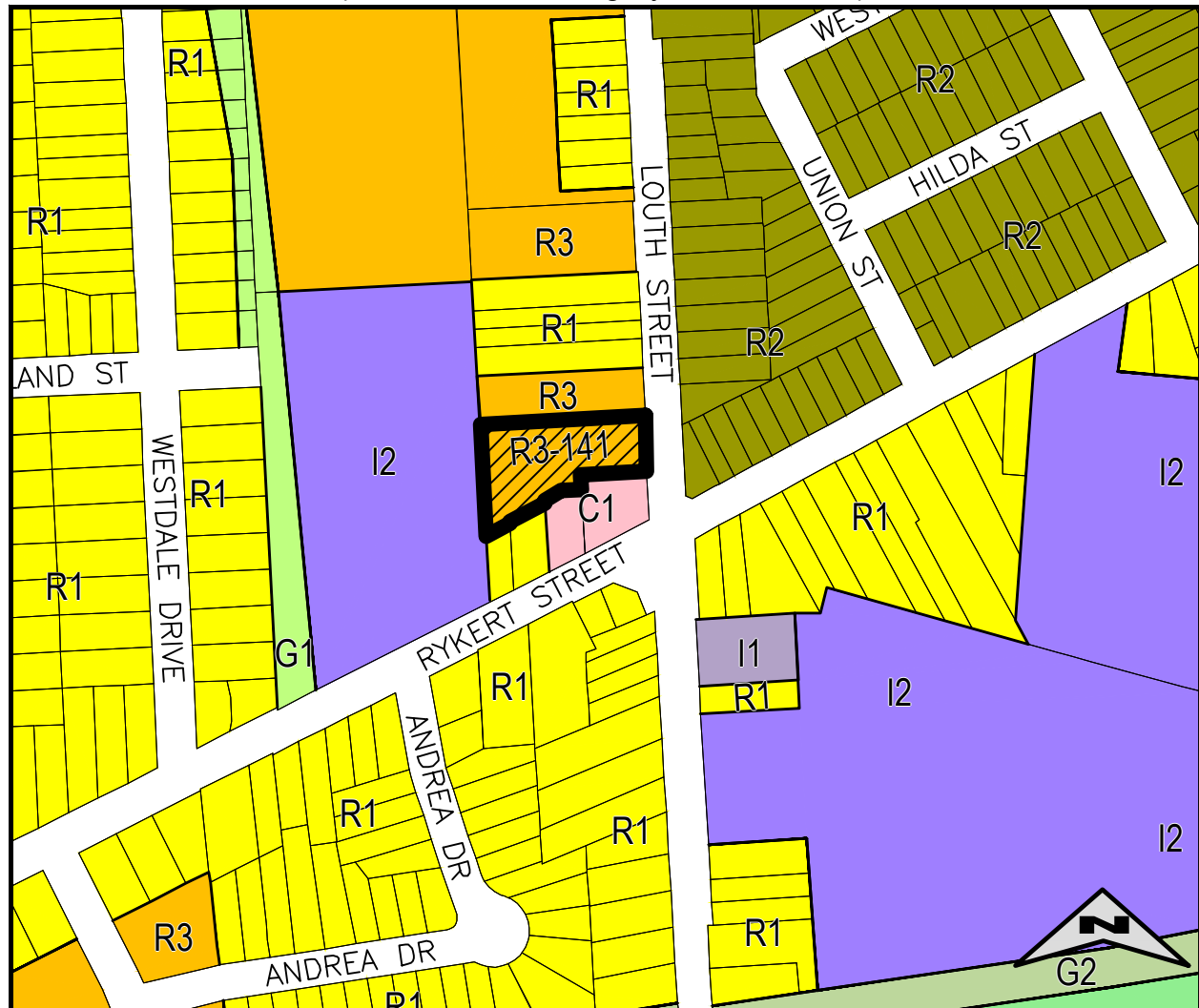
 Subject Lands  
141 Louth Street



File: 60.46.438

## Existing Zoning

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



Subject Lands

141 Louth Street

### Zones

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

- G1** Conservation / Natural Area
- G2** Minor Green Space
- G3** Major Green Space
- I1** Local Neighbourhood  
Institutional
- I2** Community Institutional

File: 60.46.438



CITY OF  
ST. CATHARINES

## Corporate Report

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

**Date of Report:** March 8, 2018

**Date of Meeting:** March 26, 2018

**Report Number:** PBS-066-2018

**File:** 60.46.437

**Subject:** *Information Report for Public Meeting*

Application for Draft Plan of Subdivision; 41 Moffatt Street; Owner: 1473941 Ontario Ltd.; Agent: Anthony Continelli

## Recommendation

That Council receive this Information Report; and,

That Council consider the Recommendation Report regarding application for Draft Plan of Subdivision at a meeting of Council on April 23, 2018, at least 14 days after the Public Meeting of March 26, 2018, pursuant to Section 51(20) of the Planning Act.  
FORTHWITH

## Summary

This Information Report is to provide Council and the public with information concerning the application for a Draft Plan of Subdivision at 41 Moffatt Street to be considered at a Public Meeting scheduled for March 26, 2018. This Information Report provides an overview of the application, and a summary of applicable planning policies and circulation comments.

The applicant is requesting Draft Plan of Subdivision (Appendix 1) approval to create a number of lots and blocks to permit 38 dwelling units, and to construct a public road (extension of Corbin Street).

A Recommendation Report containing a planning analysis, addressing any outstanding concerns raised at the Public Meeting, and providing a staff recommendation will be considered by Council at a subsequent meeting.

## Report

### Proposed Development

The Draft Plan of Subdivision application proposes 6 blocks, and the extension of a public road (Corbin Street) which currently terminates with a temporary turning circle to the north. The blocks are proposed for the following:

- Block 1 – twelve (12) townhouse dwellings fronting the new public road

- Block 2 – eight (8) townhouses fronting onto Marshall Lane
- Block 3 – seventeen (17) townhouse dwellings in a private road development
- Block 4 – one (1) detached dwelling fronting onto the new public road
- Block 5 – to be retained for future development
- Block 6 – to be conveyed as a road widening along Moffatt Street

The proposed public road allowance is 18.0 m wide to match the existing right-of-way width of Corbin Street to the north. The Draft Plan is attached as Appendix 1.

## Location and Site Description

The subject lands are located in the City's East Planning District, on the west side of Moffatt Street, and north side of Marshall Lane. The site is approximately 1.29 ha in size. The neighbourhood consists of low density residential developments. A Location Map is attached as Appendix 2.

Surrounding land uses include:

North:	Detached dwellings
South:	Townhouse dwellings
East:	Detached dwellings, First Welland Canal
West:	Highway 406

## Circulation of Application

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. Comments received generally included recommended conditions of Draft Plan of Subdivision.

The Traffic Division of Transportation and Environmental Services has reviewed the application. Staff have no concerns with the proposal with regards to traffic.

Fire Services has a requirement that all units be sprinklered due to the neighbourhood having one access point, being Disher Street.

The Development division of Planning and Building Services advises the development has access to existing storm, sanitary and water services. Development staff advise that there are basement flooding concerns in this area. Noting this, construction measures shall be required that would protect future basements on the subject site against possible sewer back-ups. Prior to final approval the Development division requires the standard conditions of submission of a Geotechnical Report, Functional Servicing Report, a Stormwater Management Report, Master Grading Control Plan, and Street Lighting Plan for review and approval by the City. A design for the future public road must also be prepared, and shall include 1.50 metre sidewalks. An existing temporary turnaround at the end of Corbin Street will be required to be removed and restored with sod.

Parks, Recreation and Culture Services requested conditions of draft plan approval to ensure that parkland dedication fees in the form of 5% of the value of the land be

received prior to final approval, and that the applicant prepare and submit a streetscape plan to demonstrate the locations of all street trees, utilities, streetlights, sidewalks, driveways, curbs and hydrants.

The Niagara Region requested standard conditions of draft plan approval which relate to waste collection, archaeological assessment, noise, and servicing and stormwater.

The Niagara Peninsula Conservation Authority offered no objections but requested that, as a draft plan condition, that the Region review final plans for grading, storm servicing, storm water management, and construction sediment control drawings.

The Ministry of Transportation (MTO) noted that all development on the site must be setback a minimum of 14.0 metres from the Highway 406 property line. The MTO requested a condition that prior to final approval, the owner shall submit a stormwater management report to the MTO indicating the intended treatment of the calculated runoff and the impacts of the site drainage on the Highway 406 right-of-way.

## **Planning Analysis**

### **Provincial and Regional Policy Context**

The subject lands are within a settlement area under the 2014 Provincial Policy Statement (PPS) and within the Built-Up Area for St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan), 2017. The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources, infrastructure, and public service facilities which are planned or available to settlement areas.

Similarly to the Growth Plan, the Regional Official Plan (ROP) directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The ROP establishes a residential intensification target of 95% for the St. Catharines Built-Up Area.

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

The City's Official Plan, The Garden City Plan (GCP) designates the lands as Neighbourhood Residential (see Appendix 3), providing for a range of housing opportunities, types, forms and densities. Schedule E3 of the GCP (see Appendix 4) provides additional direction for the East Planning District and designates the lands as Low Density Residential.

The Low Density Residential designation permits a variety of residential uses, including detached, semi-detached, duplex, quadruplex, fourplex and townhouse dwellings generally at a density range between 20 and 32 units/ha. Block 5 (future development) and Block 6 (road widening) are excluded from the density calculation, as they would



not form part of the lands to be developed at this time. The density policies of the Official Plan provide flexibility in calculating density, in that consideration may be given to excluding certain lands from the total area of the site (e.g., public roads, parkland dedication, natural areas). The proposed development has a net density of 31.48 units/ha (including the public road allowance). The density is 38.19 units/ha with the public road allowance excluded from the calculation. Given the definition of density in the Official Plan allows for the inclusion of the public road allowance, the proposed development meets the density policies of the Official Plan.

The proposed development conforms to the residential land use permissions of the Garden City Plan. An official plan amendment is not required in order to permit the residential development.

### **Zoning By-law**

Zoning By-law 2013-283 zones the lands as Low Density Residential – Traditional Neighbourhood (R2) (see Appendix 5). Uses permitted in the R2 Zone include detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings, as well as private road developments.

The proposed uses are permitted by the Zoning By-law. The submitted draft plan includes a conceptual development plan. There may be minor variances to the Zoning By-law required when a detailed design is developed.

### **Draft Plan of Subdivision**

The proposed Draft Plan of Subdivision is attached in Appendix 1. Section 51(24) of the Planning Act directs the matters to be considered in recommending approval for a Draft Plan of Subdivision, including amongst other items:

- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest.
- The proposal complies with the Official Plan, and the lands are suitable for development as proposed.
- The proposed blocks are of appropriate size and shape, and adequate for the development of the proposed dwellings in accordance with the Zoning By-law.
- The proposed development is compatible with the surrounding residential neighbourhood.
- The existing utilities and services are adequate to support the development.
- The size, elevation, grading and adequacy of the proposed road has been reviewed by staff and is acceptable.
- The relationship of the draft plan of subdivision and site plan control has been considered.

An analysis of the proposed Draft Plan of Subdivision, as well as any recommended conditions of draft plan approval will be provided in the Recommendation Report.

## Site Plan Control

The City's Site Plan Control By-law requires that residential developments of four units or more will be subject to site plan control. Under this by-law both townhouse blocks (Blocks 1 and 2) and the private road development (Block 3) would be subject to Site Plan Control.

## Public Open House

Planning and Building Services hosted a public open house on Tuesday, January 30, 2018 at City Hall. The purpose of the meeting was to present the applicant's proposal and provide an opportunity for questions to be asked and comments to be received by City staff before formulating a recommendation. There were twenty-one (21) members of the public in attendance, as well as the applicant. Public comments received at the Open House and subsequent to the Open House are summarized below, with corresponding Staff responses.

## Design and Layout

Comment: The 8 metre width for each townhouse unit seems to be quite narrow.

Response: The Zoning By-law has a minimum lot frontage of 6 metres for each townhouse unit. For units interior to the townhouse block, the unit width is the same as the lot frontage. The townhouse units, as shown, generally range from 6 to 15 metres in width. As proposed, the development meets the minimum lot frontage requirements.

Comment: There is inadequate provision for vehicles, especially in the townhouse areas. With sidewalks, barely one vehicle will be accommodated for each unit. Most people have two vehicles and might entertain company who could bring 3, 4, or 5 cars. There does not appear to be adequate space for the amount of parking demand.

Response: The development meets the minimum parking requirements in the Zoning By-law with respect to size and number of spaces. In staff's experience with developments similar to the one proposed, the standard parking requirement is sufficient to meet typical parking demand. Additionally, the proposed public road has adequate width to permit street parking, and can accommodate visitors and fill temporary parking demands. Staff have not recommended any prohibition on street parking in this development at this time.

Comments: What will the height and density be? Will this development be compatible?

**Response:** The proposed gross density is 31 units per hectare, within the Low Density Residential target of 20-32 units per hectare established in the Official Plan. The building height is permitted to be a maximum of 11 metres for the proposed dwelling types. As proposed, Blocks 1, 2 and 3 of the development will be subject to site plan approval, further refining the design and ensuring compatibility with the surrounding neighbourhood.

### **Access**

**Comment:** The crumbling condition of Moffatt Street cannot endure construction traffic. There has been considerable surveying, etc., over the last year or so but no action to reconstruct Moffatt street as yet. This matter must be given high priority consideration before the construction is begun. Additionally, Moffatt Street needs to be straightened somewhat at the south end before Marshall Lane, and sidewalks extended south.

**Response:** Transportation and Environmental Services (TES) is working towards reconstruction for Moffatt Street. The design of the reconstruction is around 75% complete. TES expects to bring the plans to the public tentatively in April. This proposed improvement work will include the reconstruction of the road, drainage improvement and continuous sidewalks on the west side of the road. There are some minor alignment changes proposed. TES has not requested any conditions with respect to the construction of the proposed subdivision in relation to the Moffatt Street reconstruction.

**Comment:** The Disher Street Bridge is old and will suffer heavy wear and tear through the construction process. As the only access road, it should be assessed and kept viable.

**Response:** Engineering staff have advised that the Disher Street Bridge is in good condition and there are no structural concerns with the bridge. The City undertakes biennial inspections on all of our bridge structures.

**Comment:** A second access road/bridge built to connect to Oakdale Avenue is needed.

**Response:** The Transportation Master Plan is looking at this area and will consider the need and viability of a second access to Moffatt Street from Oakdale Avenue. The sprinklering of all units is a requirement in this development, and will help mitigate the "single access" context. A second access is not triggered by the proposed subdivision.

### **Existing Streets**

**Comment:** A three-way stop needs to be installed at Marshall and Moffatt. Speed levels on Moffatt presently jeopardize pedestrians. Traffic to and from the head injury facility, particularly as shifts change, moves at high speeds and the existing visibility from Marshall is badly compromised.

**Response:** Any issue with vehicles which exceed the legal speed limit is generally related to law enforcement, rather than development. The speed limit along Moffatt Street is 50 km/h, which is enforced by the Niagara Regional Police (NRP). The proposed development is not expected to impact vehicle speed in the area. In terms of whether a stop sign should be installed, Traffic division staff note that there is a Council approved policy that is used to assess intersections for all-way stops. Speed is not a factor considered in that assessment. This development does not trigger the installation of an all-way stop.

**Comment:** The development will increase traffic and speeds on Corbin Street, and construction traffic will damage the street.

**Response:** As noted above, the NRP is responsible for the enforcement of speed limits. Streets have been designed to handle this volume of traffic. All public roads are routinely maintained as per the minimum maintenance standards of the City. Neither construction traffic nor the traffic generated by the proposed units is expected to generate unreasonable traffic or physical impact on the existing streets.

### **Sound Barrier**

**Comment:** The proposed sound barrier for this development should be extended to include the subdivision to the south (Bluegrass Crescent) and join with the one which was constructed, at the owner's expense, at 34 Bluegrass Crescent.

**Response:** The City cannot legally require the applicant to construct a noise barrier beyond what is required for the proposed subdivision. The Bluegrass Crescent area incorporated noise mitigation, in accordance with provincial standards, as part of the fencing requirements for the subdivision.

### **Drainage**

**Comment:** There are existing drainage concerns in the neighbourhood. The City and developer will need to incorporate a solution into the drainage design.

**Response:** Prior to final approval of the subdivision the applicant shall be required to submit a Stormwater Management report and a Master Grading Control Plan for review and approval by the City, the Region, and the MTO.

### **Master Plan**

**Comment:** There seems to be no master plan for the development of the Oakdale/Moffatt area. Ad hoc planning occurred for each project without recognition that these developments all impact infrastructure. We need to see a consolidated, carefully designed master plan which includes all infrastructure considerations.

Response: The current Official Plan is the general land use plan for the City. It designates permitted land uses and densities including lands along Moffatt Street and the surrounding area. The development of these documents took into consideration the overall development of neighbourhoods and is effectively the master plan for the area. Additionally, each new development is assessed not only based on the capacity of the area to accommodate the subject proposal, but also based on the impact of the proposal on surrounding lands (both vacant and developed) and existing infrastructure. These considerations are made through the review process of the development application.

In addition to the Open House, one letter summarizing a number of the above concerns has been received by staff and attached as Appendix 6.

## **Public Notice**

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

## **Second Planning Opinion Advisory**

Should Council consider not supporting the Staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

## **Financial Implications**

All costs associated with this development are at the expense of the developer. No financial impacts to the City are triggered by these approvals.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

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

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

## **Conclusion**

In summary, this report provides the planning context and explains the application for Draft Plan of Subdivision for 41 Moffatt Street. The proposal is to seek approval for the construction of twenty (20) street townhouse dwellings (Blocks 1 and 2), seventeen (17) townhouse dwellings within a private road development (Block 3), one (1) detached dwelling fronting onto an extension of Corbin Street (Block 2), and 1 block to be

conveyed as a road widening along Moffatt Street (Block 6). A 0.084 hectare piece of land (Block 5) is retained for future development.

This Information Report provides an overview of the application, and a summary of applicable planning policies and circulation comments. A Recommendation Report will be presented at a subsequent meeting of Council.

## **Notification**

It is in order to advise Anthony Continelli, 275 Fourth Avenue, Box 30087, St. Catharines ON, L2S 4A1, the owner's agent.

### **Prepared by:**

Charlotte McEwan  
Planner I

### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

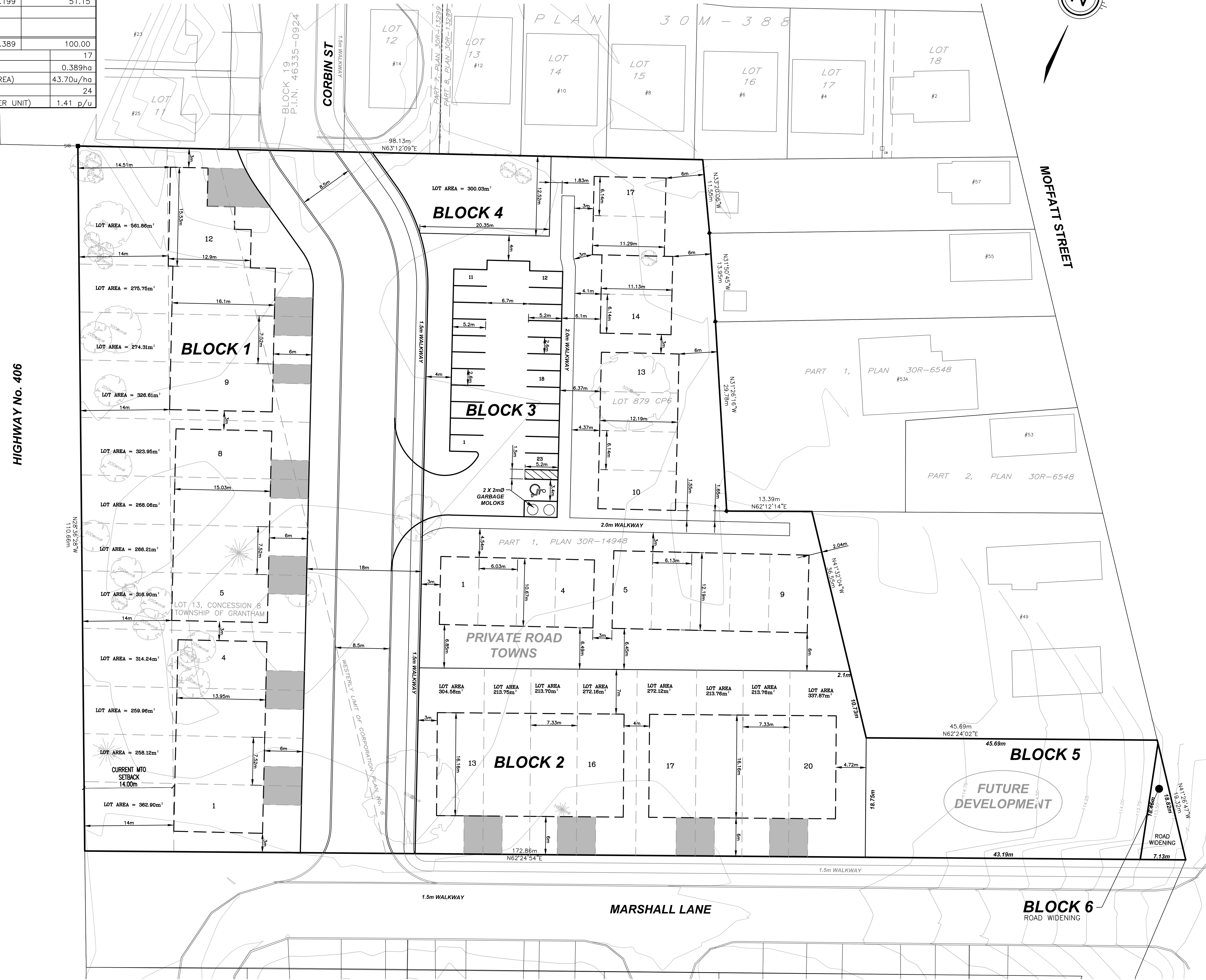
James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services



SITE STATISTICS  
UNITS 1-17 BLOCK 3

AREA	ha	% COVERAGE
BUILDING	0.121	31.11
ROAD/DRIVEWAY/PARKING	0.069	17.74
LANDSCAPING	0.199	51.15
TOTAL	0.389	100.00
UNITS		17
DEVELOPABLE AREA	0.389ha	
DENSITY (UNITS/DEVELOPABLE AREA)	43.70u/ha	
PARKING SPACES		24
PARKING SPACES - DENSITY (PER UNIT)	1.41 p/u	

MARSHALL ESTATES  
ST. CATHARINES



KEY PLAN  
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 13, CONCESSION 8  
GEOGRAPHIC TOWNSHIP OF GRANTHAM, &  
PART OF LOT 879 CORPORATION PLAN No. 6  
IN THE CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY  
AUTHORIZE UPPER CANADA CONSULTANTS TO  
PREPARE AND SUBMIT THIS DRAFT PLAN OF  
SUBDIVISION TO THE CITY OF ST. CATHARINES  
FOR APPROVAL.

OWNER'S NAME: [Signature] DATE: JANUARY 15, 2018

SURVEYOR'S CERTIFICATE

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

SUDA & MALESZYK SURVEYING INC. DATE

REQUIREMENTS OF SECTION 51(17)  
OF THE PLANNING ACT

- |             |                    |                 |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN        | j) SEE PLAN     |
| b) SEE PLAN | f) SEE PLAN        | k) FULL SERVICE |
| c) SEE PLAN | g) SEE PLAN        | l) SEE PLAN     |
| d) SEE PLAN | h) MUNICIPAL WATER |                 |

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWNS RESIDENTIAL	1-2	20	0.585	45.07
MULTIPLE FAMILY RESIDENTIAL	3	17	0.389	29.97
SINGLE FAMILY RESIDENTIAL	4	1	0.030	2.31
FUTURE DEVELOPMENT	5		0.084	6.47
ROAD WIDENING	6		0.007	0.54
ROADWAY			0.203	15.64
TOTAL		38	1.298	100.00

DEVELOPABLE AREA = 1.004ha (EXCL. FUTURE DEVELOPMENT,  
ROADWAY, RD WIDENING)  
DEVELOPABLE DENSITY = 37.85 units/ha

#	ISSUED FOR REVIEW	2018-01-15	TA
#	REVISION	DATE	INIT

UPPER CANADA  
CONSULTANTS  
ENGINEERS / PLANNERS

261 Martindale Road  
Unit #1  
St. Catharines, ON  
L2W 1A1  
Phone: (905)688-9400  
Fax: (905)688-5274

DRAWING TITLE

DRAFT PLAN OF  
SUBDIVISION

DRAFTING TA

DATE JANUARY 15, 2018

PRINTED JANUARY 19, 2018

SCALE 1:1000

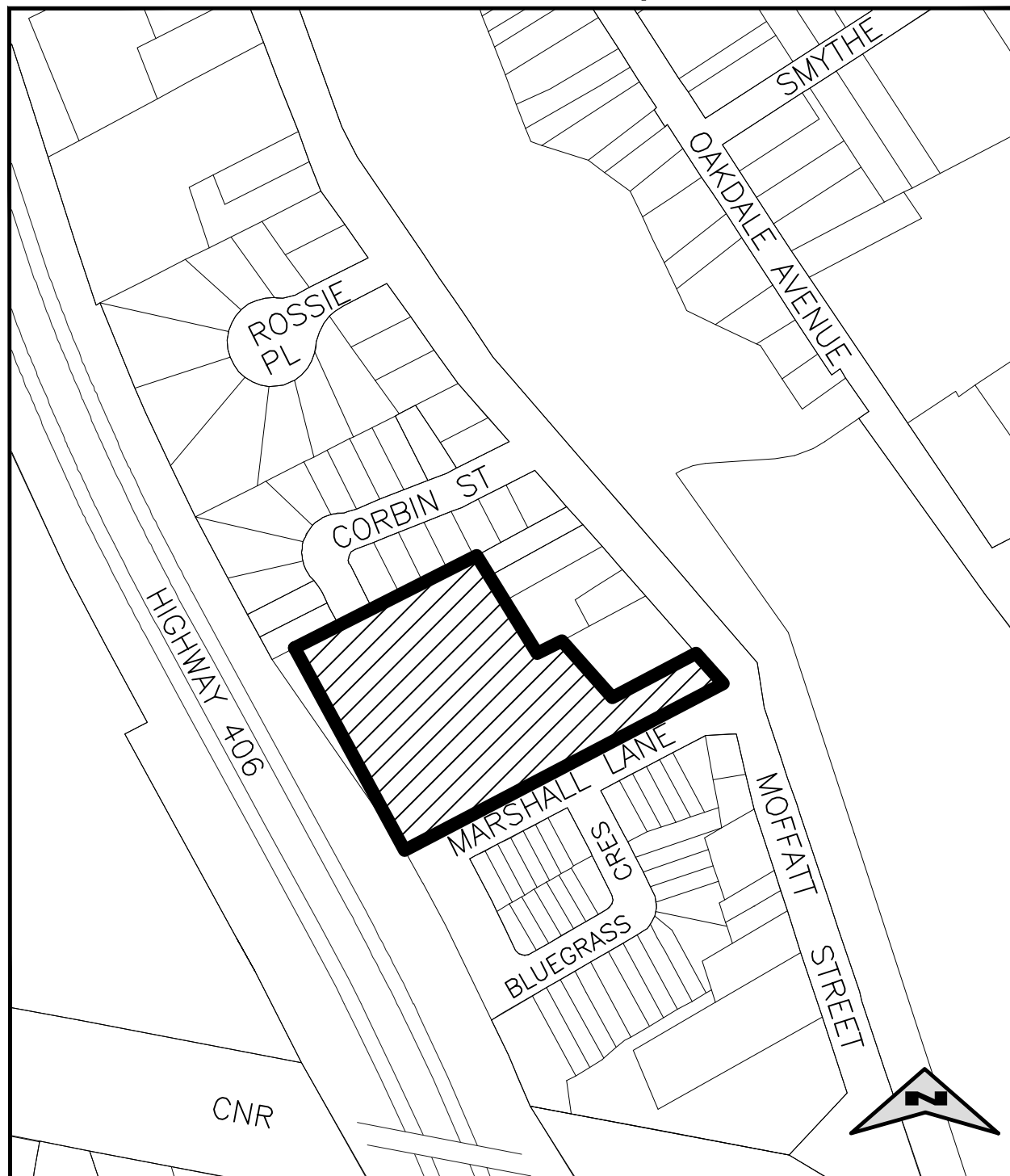
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1674-DP

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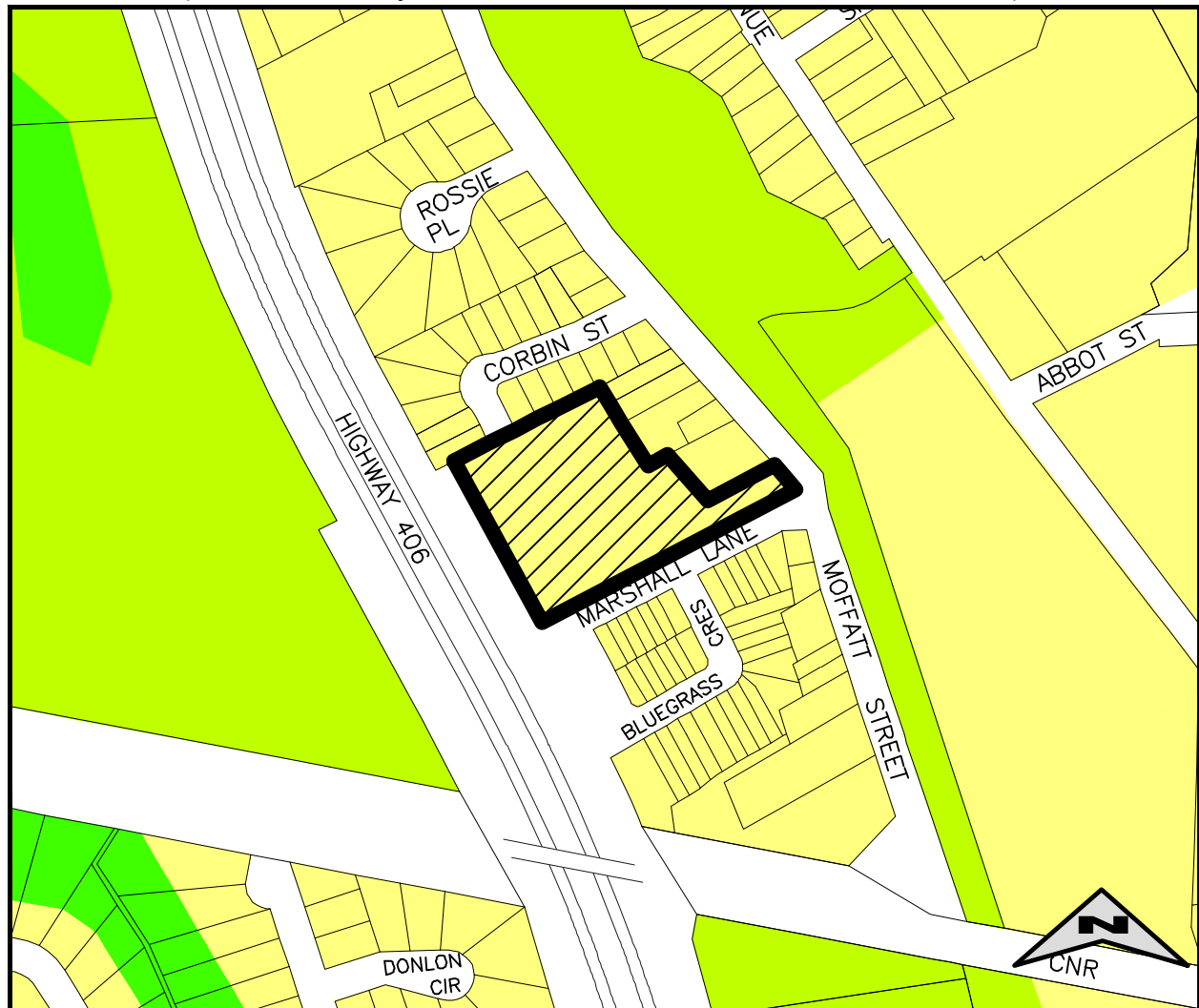
# Location Map







 **Subject Lands**  
 41 Moffatt Street  
 File: 60.46.437

# Existing Land Use Designation

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



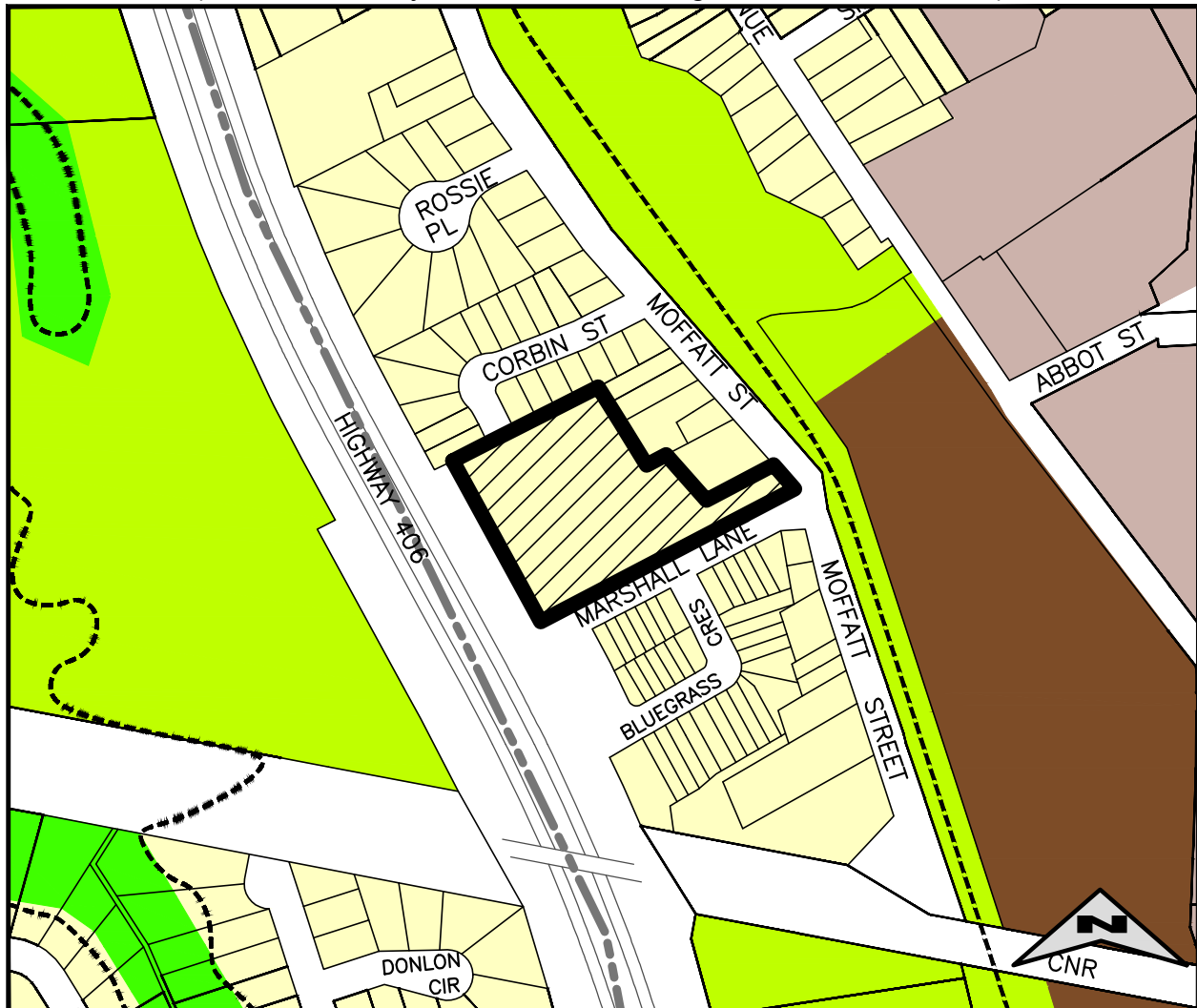
 Subject Lands  
41 Moffatt Street


Land Use Designations	
 Neighbourhood Residential	 Parkland & Open Space
 Natural Areas	

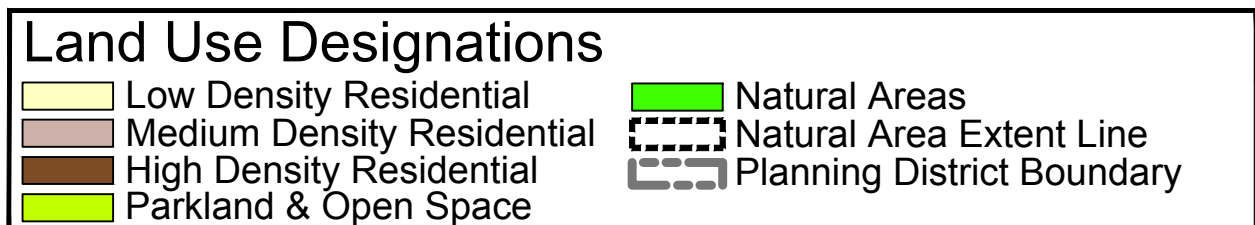
File: 60.46.437

# Existing Land Use Designation

(The Garden City Plan - East Planning District, Schedule E9)



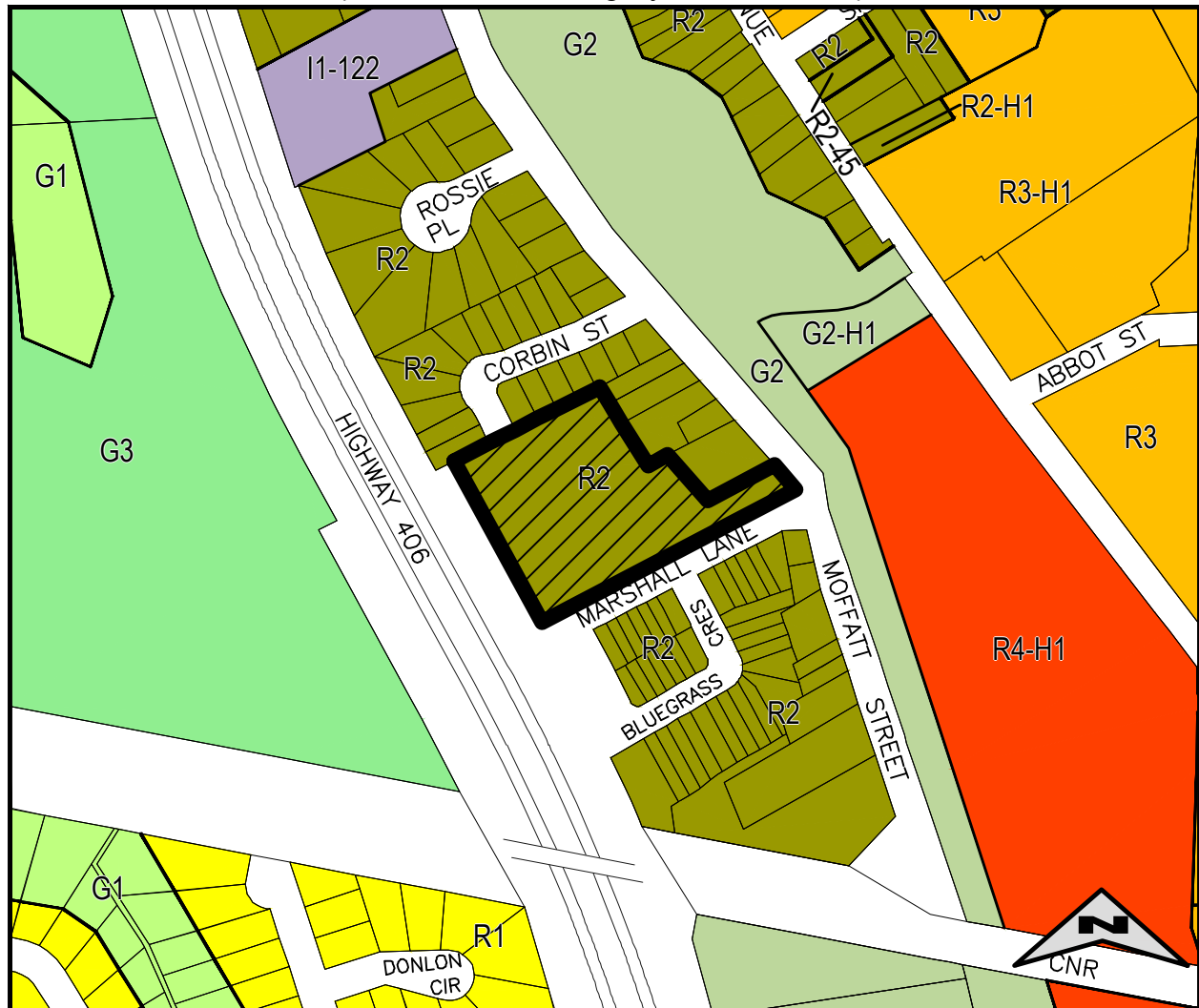
 Subject Lands  
41 Moffatt Street












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## Existing Zoning

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



 Subject Lands  
41 Moffatt Street

Zones	
 R1 Low Density Residential - Suburban Neighbourhood	 R4 High Density Residential
 R2 Low Density Residential - Traditional Neighbourhood	 G1 Conservation / Natural Area
 R3 Medium Density Residential	 G2 Minor Green Space
	 G3 Major Green Space
	 I1 Local Neighbourhood Institutional

File: 60.46.437

January 31, 2018

Dear Charlotte.

On behalf of several individuals who were at Tuesday night's meeting, I have taken the opportunity to consolidate the comments and concerns which were discussed.

Last night's presentation of the development at 41 Moffatt was very informative. Mr Continelli responded to the questions posed to him about the site plan but people thought that there could have been more detail: e.g., about the condos, such as number of stories, square footage, number and size of units; approx. price point for the townhouses.

A few concerns remain however, regarding that plan.

- The 27 foot width of the townhouses seems to be quite narrow. I realize that land is at a premium but this is not Toronto where people are densely jammed into unnecessary constraints. Condensed living space creates tension. Residential space is as critical to people as personal space.
- There is inadequate provision for vehicles, especially in the townhouse areas. With sidewalks, barely one vehicle will be accommodated for each unit. The garage is not a factor, since most folks have two vehicles. People do not live in isolation. The future residents will entertain company who might comprise 3, 4, or 5 cars. There is no adequate space for this. It will directly impact their quality of life.

Recommendations to Planning Department.

The greatest concerns were about longstanding issues regarding the role of the City, as this development is implemented. As a new development, following the three previous developments, it is intricately linked with and impacts the infrastructural considerations regarding the whole Moffatt St. area. They can't be separated. Residents' concerns were forward- looking and were expressed with insistence and urgency:

- The crumbling condition of Moffatt St. cannot endure the heavy pounding which construction machinery and haulage trucks will inflict over the two years of development. Conservatively, there will be 150-180 loaded trucks, with stone, concrete, earth, etc., each weighing in at 80,000 lbs! The sinkholes and other soft spots, the old underground sewer pipes draining onto the hillside, will definitely be crumbled by the repeated heavy transport.  
There has been considerable surveying, etc., over the last year or so but no action to reconstruct Moffatt street as yet. This matter must be given high priority consideration before the construction is begun.
- The Disher St. bridge is old. Undoubtedly, it too will suffer heavy wear and tear through this process. As the only access road, it must be assessed and kept viable.
- Moffatt St. needs to be straightened somewhat at the south end before Marshall, and sidewalks extended south to the full length, for pedestrian safety purposes.



- A three-way stop needs to be installed at Marshall and Moffatt. Speed levels on Moffatt presently jeopardize pedestrians. Traffic to and from the head injury facility, particularly as shifts change, moves at high speeds and the exiting visibility from Marshall is badly compromised.
- The proposed sound barrier for this development must be extended to include Bluegrass Cres and join with the one which was constructed, at the owner's expense, at 34 Bluegrass Cres. This problem was supposed to be resolved by Baiocco, the previous developer. It has been brought to City Council after multiple meetings, yet it remains unresolved. The City did not hold Baiocco accountable. The increased traffic on the 406, especially truck traffic, becomes deafening all too often.

The MOT took a token reading about 6 years ago by leaving the audio device in a backyard, behind a fence, for 6 hours, on a Friday afternoon when traffic had been slowed down for construction south of the train tracks.

Totally invalid results.

We need that barrier erected. This will be the most opportune time.

- There are existing drainage concerns, especially at the northeast end of the proposed plan. Moffatt residents abutting that corner currently experience problems. The City and developer will need to incorporate a solution into the drainage design.
- Finally, there seems to be no master plan for the development of the Oakdale/Moffatt area. Ad hoc planning occurred for each project without recognition that these developments all impact infrastructure. We need to see a consolidated, carefully designed master plan which includes all infrastructure considerations.
- We need to see a second access road/bridge built to Oakdale. It is overdue. The matter has been brought to Council on more than one occasion dating back to pre 1989. Since the 1989 Municipal Board verdict secured by Bill Wiley, further detailed arguments have been presented, the last time in March, 2012. (Check my letter to the Mayor, dated February 25, 2012). Each time, the petition has been denied. We will no longer accept this. It is a must!

Over the course of the past three recent developments, these areas of concern have not been addressed, even though some have been brought to the attention of the City. You can defer them just so long. They don't go away; they deteriorate further. Now, they are all at the critical stage.

If you wish to discuss these matters further, we would gladly make ourselves available. We await your considered response to our concerns.

Respectfully,

John Rapattoni

## **By-laws to be considered Monday, March 26, 2018**

- (a) A By-law to authorize a Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Economic Development and Growth. (One reading – with respect to the 2018 Summer Company Program. Delegation By-law No. 2003-277, as amended.)
- (b) A By-law to confirm the proceedings of council at its meeting held on the 26<sup>th</sup> day of March, 2018. (One reading - with respect to confirming the proceedings of the meeting held on March 26, 2018.)