

Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held March 28, 2018
6. Application:
 1. 28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267
 2. 24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288
 3. 1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175
 4. 164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312
 5. 18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329
 6. 14 Queen Street, Consent Application, B-28/18SC – 60.84.2171
 7. 66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173
 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331
7. New Business:
8. Date of next Hearing: May 30, 2018
9. Adjournment

Please note that any comments received after April 19, 2018 will not be posted on the City's website or circulated except to the Committee and Owner/Agent. All comments will be available at the Hearing. If you wish further information, please don't hesitate to contact the Secretary-Treasurer by calling 905-688-5601, Ext. 1715 or via email at emunro@stcatharines.ca.

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-98/17 (60.81.5267)

28 Hamilton Street

DATE OF HEARING:
April 25, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): A-98/17

File: 60.81.5267

Subject: 28 Hamilton Street

Recommendation

That Submission **A-98/17** by Rocco DiPaola, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1 The minimum lot frontage be reduced from 7.5 m per dwelling unit to 3.2 metres per dwelling unit;
- 2 The maximum width of the parking area in the front yard be 80%;
- 3 The maximum parking area coverage in the front yard be 80%;
- 4 The existing development agreement registered against Parts 1, 2 & 3 Plan 30R-13332 be revised to address the following matters:
 - a. The owner submit a stormwater management/grading and drainage plan, for review and approval by the Director of Transportation and Environmental Services demonstrating that no adverse impact will be triggered on abutting lands by the design of the site, including the driveway design; and,
 - b. Necessary revisions to the development agreement to reflect the redesign of the site in accordance with the sketch submitted with this application, as amended by the minor variance recommendations above.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-98/17** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

The Proposal

Application **A-98/18** is requesting to vary the Zoning By-law, as amended for the following variances to permit the construction of the proposed semi-detached dwelling:

1. A reduction of the required minimum lot frontage from 7.5 metres to 3.2 metres.
2. An increase of the maximum overall parking area coverage from 20% of the total lot area to 32% of the total lot area.
3. An increase of the maximum parking width of front yard from 50% to 100% of the front yard.
4. An increase of the maximum parking area coverage of front yard from 50% to 100% of the front yard.

Background

The lots at 28 and 30 Hamilton Street were created by consent in 2008 (B-26/08SC). Part 1 was created as a separate lot for the existing two-storey triplex dwelling that was subsequently converted to a duplex. Parts 2 and 3 were retained as one lot (identified as Part 2 on the plan submitted with this application) for the future construction of a semi-detached dwelling. Parts 2 and 3 (now Part 2) also obtained a number of minor variances at that time (A-50/08), however, those approvals were not carried over when the new Zoning By-law came into effect in 2013, and accordingly, those variances are no longer in effect on the subject site.

Location and Site Description

The subject property is located on the south side of Hamilton Street, west of Pelham Road. The property 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 lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E7 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land.

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 development.

Application A-98/17

Application **A-98/17** proposes a reduction of the minimum lot frontage, an increase in the maximum overall parking area coverage, an increase of the maximum parking width and an increase of the maximum parking area.

Variance 1

The requested reduction of the minimum lot frontage to 3.2 metres was previously granted in 2008 in conjunction with the original consent application creating this lot. The irregular configuration of the lot, with two proposed driveways serving each half of a proposed semi-detached dwelling is appropriate for the ultimate development of the site. Staff have no objection to the request provided the variance is granted *per dwelling unit* and not for the lot as a single entity. This approval reinstates the original variance granted but not carried over into the new zoning by-law, and reflects the existing condition.

Variance 2

Staff support this request since it is largely a function of the irregular lot configuration. The requested increase in the maximum overall parking area coverage from 20% of the total lot area to 32% of the total lot area is a result of the shape of the lot (Part 2) and the need for extensive driveway access to the rear of the property and to ensure that the semi-detached units have adequate area for parking in front of each unit. The increase in parking area also facilitates the necessary room for vehicles to turn around sufficiently on the lot, rather than reversing out of each property onto the street which is not desirable.

Variances 3 & 4

These requests reflect the irregular lot configuration. As a result of the proposed driveways absorbing 100 % of the front yard area, the issue of drainage and impacts of such on abutting lands is an issue. Staff is recommending a modification to the requested variances as follows:

- i) Reduce the requested width of parking area in the front yard from 100% to 80%
- ii) Reduce the requested increase in front yard parking area from 100% to 80%

The approval of this variance, as modified, permits some area for drainage without impacting abutting lands.

In 2008, a Site Grading Plan was prepared for the property however there is no record that this drawing was ever approved by the City, and it is staff's opinion that the drawing has insufficient information on it to enable a determination on whether post construction drainage will be an issue for adjacent property owners.

Staff are also recommending revisions to the existing Development Agreement on title to these lands. Certain terms of the Development Agreement need to be amended to reflect the revised design and to reflect the matter of adequate stormwater management. The terms of the Development Agreement need to be met in their entirety prior to the issuance of a building permit for this site.

Staff are supportive of the requested variances, subject to the conditions outlined in the recommendation.

Conclusion

Staff are satisfied that the variances requested, as revised, through Submission **A-98/17** are compatible with the surrounding area and are in keeping with the general intent and

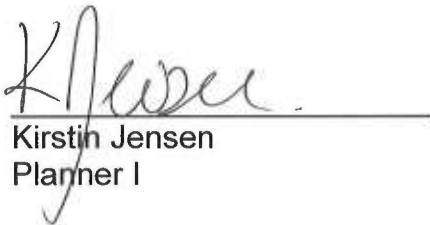
purpose of the Official Plan and Zoning By-law, minor in nature and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved subject to the conditions outlined in the recommendation.

Prepared by:



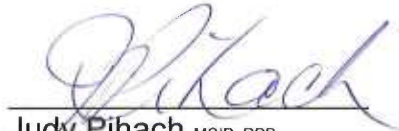
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

April 19, 2018

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

Attention: Elaine Munro

File# 60.81.5267

Re: 28 Hamilton Street

In response to your correspondence date April 4, 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 to acquire an easement, if required.

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.

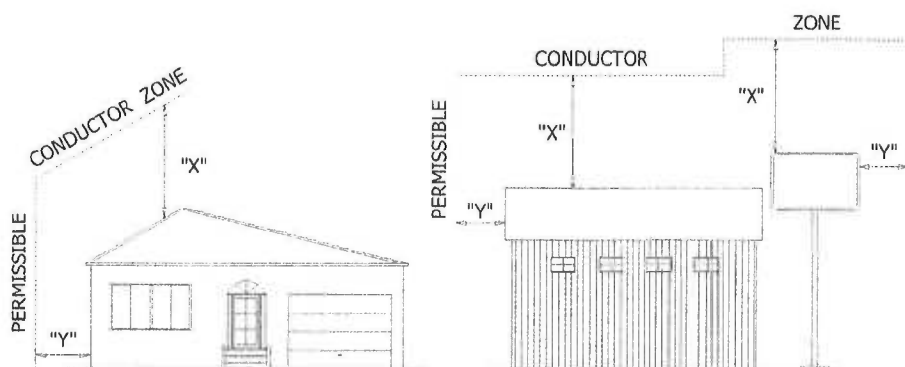
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark 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.

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Re: 28 Hamilton, 24 Grapeview, 1242 Fourth Ave, 164A Martindale

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

Sent: Tuesday, April 03, 2018 4:03 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine

There are no issues or concerns with this applications 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.

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

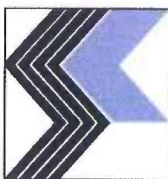
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Cogeco Cable Canada, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3



Memorandum

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

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

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

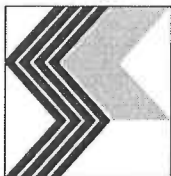
Date: April 17, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-98/17	28 Hamilton Street	Be advised that a building permit is required for the proposed Semi-detached dwelling.
A-01/18	24 Grapeview Drive	Be advised that a reduction in required yards will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-25/18	164 Martindale Road	Be advised that a reduction in required yards may impact the percentage of permitted glazed openings facing those yards.
A-42/18	18 Abraham Drive	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-44/18	18 Northdale Drive.	Be advised that a demolition permit is required for the demolition of existing structures and that a building permit is required for any proposed structures.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: April 6, 2018

Subject: Committee of Adjustment Hearing – April 25, 2018

1. 28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267

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 suggest the use of a shared driveway to maximize greenspace and compatibility.

2. 24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288

PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.

3. 1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175

No comment.

4. 164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312

PRCS requirements have been addressed though the concurrent Site Plan Application.

5. 18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329

No comment.

6. 14 Queen Street, Consent Application, B-28/18SC – 60.84.2171

No comment.

7. 66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

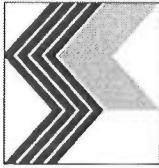
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** severance:

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.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

- 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

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

Date: April 6th, 2018

Hearing Date: March 25th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-98/17 – 28 Hamilton Street
A-01/18 – 24 Grapeview Drive
A-25/18 – 164A Martindale Road
A-42/18 – 18 Abraham Drive
A-44/18 – 18 Northdale Drive

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

24 Grapeview Drive:

There are some drainage concerns related to the side and rear yard reductions. However these are being dealt with through the Site Plan Approval process.

18 Abraham Drive:

Roof drainage scuppers cannot drain to side yard. This will be dealt with at the Building Permit stage.

28 Hamilton Street:

The Applicant is requesting the allowable width for parking to be increased from 50% to 100% of the frontage. We have concerns that if this is permitted, the storm water runoff from these driveways will be directed onto the neighboring properties (Houses #28, 30 and 32) potentially causing ponding issues. The applicant should demonstrate that this will not be an issue. While there was a Site Grading Plan prepared for this property in 2008, there is no record of this drawing being approved by the City and in fact in our opinion the drawing has insufficient information on it to enable us to determine if post construction drainage will be an issue for adjacent property owners.

A "Development Plan" dated April 3rd, 2018 prepared by Kirkup, Mascoe Ure has been received showing the driveway width being reduced to 2.59m to permit what appears to be a 0.61m landscape strip between the travelled portion of the driveway and the adjacent properties (#28 and #32). The 0.61m strip is not labelled as such. The drawing also shows a proposed curb between the proposed westerly driveway and house #30 Hamilton Street. It is unclear if this curb is also proposed on the easterly driveway. Since the driveways are no longer taking up 100% of the frontage the requested minor variance should be revised to ask for an increase to 80%.

It must be noted that prior to the issuance of any building permit the applicant must demonstrate to the satisfaction of the Director of Transportation and Environmental Services that drainage can be achieved without adversely impacting any of the adjacent properties.

Condition(s): Prior to the minor variance finalization for 28 Hamilton Street the Owner shall;

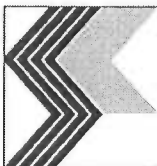
- Revise the requested minor variance for a maximum width of parking from 100% to 80% or 2.59m for each driveway.

Respectfully Submitted by:



James R. Denham P.Eng.,
Development Engineering Technologist

JD/jd



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-01/18 (60.81.5288)

24 Grapeview Drive

DATE OF HEARING:
April 25, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): A-01/18

File: 60.81.5288

Subject: 24 Grapeview Drive

Recommendation

That Submission **A-01/18** by Lucchetta Homes Ltd., as outlined in the Notice of Hearing, be approved, conditional upon the following:

1. Applicant submit a solicitors undertaking to merge 20 Grapeview Drive and 24 Grapeview Drive, or alternatively, to provide proof that 20 and 24 Grapeview Drive have been merged; and,
2. That the applicant, as part of the site plan process, be required to provide additional tree planting on site or at the rear of 18 Grapeview Drive to compensate for the reduced setbacks of Units 10 and 13, for review and approval by Parks Recreation and Culture Services.
3. And that a copy of the Committee Decision, should it be approved, be filed with the site plan file number 60.51.959

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-01/18** 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 is being maintained.

Proposed Development

Application **A-01/18** requests the following variances to facilitate the construction of a 16-unit private road development:

1. A reduction of the minimum interior side yard setback from rear wall from 6 metres to 5 metres (Unit 1), only where it applies to the attached garage.
2. A reduction of the minimum interior side yard setback from rear wall from 6 metres to 5 metres (Unit 2, only) only where it applies to the attached garage.
3. A reduction of the minimum interior side yard setback from end wall from 3 metres to 1.2 metres (Unit 13).
4. A reduction of the minimum rear yard setback from end wall from 3 metres to 1.2 metres (Unit 10).

Location and Site Description

The subject property is located on the northwest side of Grapeview Drive, to the east of Vansickle Road North. The subject property is surrounded by detached and semi-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 lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E6 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 of land.

Zoning By-law (2013-283)

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

Variance Application A-01/18

Application **A-01/18** requests a reduction of the minimum interior side yard setback for Units 1, 2, and 13, and a reduction of the minimum rear yard setback for Unit 10. The variances will facilitate the construction of a 16-unit private road development.

Variances 1 and 2 request a reduction of the minimum interior side yard setback for Units 1 and 2 from 6 metres to 5 metres. The reduction only applies to the yard behind the attached garage. This yard functions as a rear yard to the units, albeit an interior side yard according to zoning definitions. Staff acknowledges the reduced yard results in a garage that is setback from the front façade of the dwelling unit. From an urban design perspective, this offset in the front façade is a desirable site design element, albeit at the expense of a reduced yard behind the garage. Staff can support the reduction only where it applies to the attached garage and not applicable to the dwelling.

Variance 3 requests a reduction of the minimum interior side yard setback from the end wall of Unit 13 from 3 metres to 1.2 metres. The intent of the interior side yard setback of the zoning by-law is to ensure that sufficient distance and a buffer is maintained between dwelling units on adjacent properties. Staff understand that the abutting owner at 18 Grapeview Drive, the most immediate neighbour impacted should a reduction be approved, has agreed to consider additional planting in his/her rear yard to compensate for the reduction on the subject lands. The rear yard at 19 Grapeview is generous and offers ample opportunity for additional planting to buffer the development. Should that outcome not be achieved, staff recommend the landscape plan required as part of the

site plan include additional plantings, or alternatively higher caliper trees, to compensate. Staff has recommended a condition accordingly.


Variance 4 requests a reduction of the minimum rear yard setback from the end wall for Unit 10 from 3 metres to 1.2 meters. Although this variance is considered to be the rear yard of the development, the rear yard in this case essentially functions as the side yard for Unit 10 of the development. This variance will not impose on neighbouring properties, as the adjacent property to the north is a hydro field and will not be developed with residential uses. As a result, the variance is considered minor in nature, and will not substantially impact the surrounding properties.

Parks, Recreation, & Culture Services have noted that the reduced setbacks will not be able to adequately support any landscaping within the required side and rear yards where the variances are requested. Landscaping requirements will need to be compensated for elsewhere on the site or on adjacent properties (subject to owner permissions) to address the deficiency. Staff are therefore recommending that approval be conditional on the applicant providing additional tree planting elsewhere on site or at the rear of 18 Grapeview Drive, through the Site Plan process, to compensate for the fact that the reduced setbacks of Units 10 and 13 will not be able to support the typical landscaping buffers required between adjacent properties.

Conclusion

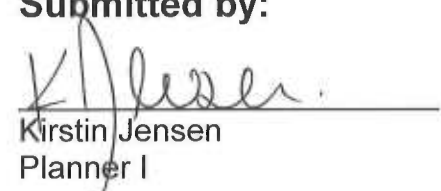
Staff are satisfied that the variances requested through Submission **A-01/18**, subject to recommended conditions, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved, subject to conditions.

Prepared by:



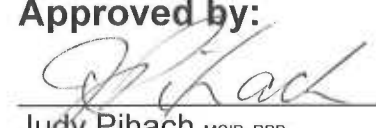
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

April 19, 2018

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

Attention: Elaine Munro

File# 60.81.5288

Re: 24 Grapeview Drive

In response to your correspondence date April 3, 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 Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.

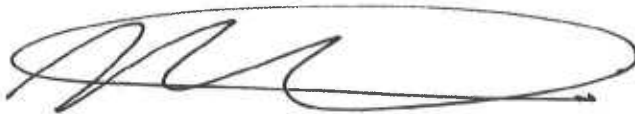
We would also like to stipulate the following:

- 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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Re: 28 Hamilton, 24 Grapeview, 1242 Fourth Ave, 164A Martindale

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Tuesday, April 03, 2018 4:03 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine

There are no issues or concerns with this applications from Cogeco

Thanks

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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, Kirstin Jensen, Shannon Labelle, Wil Banda, Judy Pihach.
Planning and Building Services

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

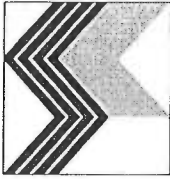
Date: April 17, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-98/17	28 Hamilton Street	Be advised that a building permit is required for the proposed Semi-detached dwelling.
A-01/18	24 Grapeview Drive	Be advised that a reduction in required yards will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-25/18	164 Martindale Road	Be advised that a reduction in required yards may impact the percentage of permitted glazed openings facing those yards.
A-42/18	18 Abraham Drive	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-44/18	18 Northdale Drive.	Be advised that a demolition permit is required for the demolition of existing structures and that a building permit is required for any proposed structures.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.
3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

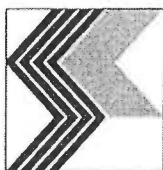
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** severance:

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.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

- 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

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

Date: April 6th, 2018

Hearing Date: March 25th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-98/17 – 28 Hamilton Street
A-01/18 – 24 Grapeview Drive
A-25/18 – 164A Martindale Road
A-42/18 – 18 Abraham Drive
A-44/18 – 18 Northdale Drive

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

24 Grapeview Drive:

There are some drainage concerns related to the side and rear yard reductions. However these are being dealt with through the Site Plan Approval process.

18 Abraham Drive:

Roof drainage scuppers cannot drain to side yard. This will be dealt with at the Building Permit stage.

28 Hamilton Street:

The Applicant is requesting the allowable width for parking to be increased from 50% to 100% of the frontage. We have concerns that if this is permitted, the storm water runoff from these driveways will be directed onto the neighboring properties (Houses #28, 30 and 32) potentially causing ponding issues. The applicant should demonstrate that this will not be an issue. While there was a Site Grading Plan prepared for this property in 2008, there is no record of this drawing being approved by the City and in fact in our opinion the drawing has insufficient information on it to enable us to determine if post construction drainage will be an issue for adjacent property owners.

A "Development Plan" dated April 3rd, 2018 prepared by Kirkup, Mascoe Ure has been received showing the driveway width being reduced to 2.59m to permit what appears to be a 0.61m landscape strip between the travelled portion of the driveway and the adjacent properties (#28 and #32). The 0.61m strip is not labelled as such. The drawing also shows a proposed curb between the proposed westerly driveway and house #30 Hamilton Street. It is unclear if this curb is also proposed on the easterly driveway. Since the driveways are no longer taking up 100% of the frontage the requested minor variance should be revised to ask for an increase to 80%.

It must be noted that prior to the issuance of any building permit the applicant must demonstrate to the satisfaction of the Director of Transportation and Environmental Services that drainage can be achieved without adversely impacting any of the adjacent properties.

Condition(s): Prior to the minor variance finalization for 28 Hamilton Street the Owner shall;

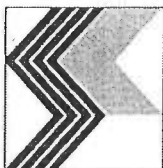
- Revise the requested minor variance for a maximum width of parking from 100% to 80% or 2.59m for each driveway.

Respectfully Submitted by:



James R. Denham P.Eng.,
Development Engineering Technologist

JD/jd



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-32/18SC (60.84.2175)

1242 Fourth Avenue

DATE OF HEARING:
April 25, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): B-32/18SC

File: 60.84.2175

Subject: 1242 Fourth Avenue

Recommendation

That Submission **B-32/18SC** by Niagara Health System, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. The owner shall enter into an Agreement with the City of St. Catharines for the construction of a local road and municipal services to City Standards on Parts 1 & 2, south from Fourth Avenue, in accordance with the approved Westgate Business Park Master Servicing & Implementation Strategy, inclusive of a temporary turnaround on Part 4, which shall include but not be limited to:
 - I. The responsibility of the Owner for obtaining all required approvals from other authorities including the Regional Municipality of Niagara, the M.T.O and the M.O.E.;
 - II. The Owner hiring an Engineering Consultant that shall; design all of the works covered by this agreement, prepare plans, profiles and contract documents and specifications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - III. The Owner's responsibility for all costs associated with the construction of the improvements, including City Inspection and Geotechnical testing of the work;
 - IV. The Owner depositing substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
2. Ensure the Agreement is executed and registered on Title of the subject lands (1242 Fourth Avenue) prior to a Final Certificate being issued;
3. That the new street be dedicated as public road and named to the satisfaction of the City of St. Catharines; and,
4. That the retained lands comply with all provisions of Zoning By-law 2013-283.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is of the opinion that application **B-32/18SC** is desirable and compatible with the surrounding area and the intended vision for the lands to the west of the hospital. The proposal is consistent with approved development strategy for the Westgate Business Park and will facilitate build out of the business park.

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

The Proposal

Application **B-32/18SC** is made for consent to sever 3043.6m² of land (Parts 1 & 2 on the submitted sketch) to be dedicated to the City for a public road and for consent to establish an easement, in perpetuity, over 330m² (Part 4 on the submitted sketch) to benefit the City of St. Catharines for a temporary turn-around. A 31,578.5m² remnant parcel (Parts 3, 4, & 5) would be retained for a parking lot and helicopter landing pad for the Niagara Health System Hospital. The application is a condition of the Westgate Master Servicing & Implementation Strategy. A previous consent application (B-17/17SC) and minor variance application (A-29/18) have been approved.

Background

A previous minor variance and consent application have been approved for the subject lands (**A-29/18** and **B-17/17SC**). The variance application allowed the property to provide additional parking as a permitted use for the adjacent hospital. The consent application was approved on March 29, 2017, for the exact same proposal as being applied for at this time. The conditions of the previous decision were not fulfilled within the one year time period and as such the consent has lapsed.

The subject lands presently include a helicopter pad and a gravel parking lot that are both accessed by a driveway from Fourth Avenue. The Owner now has made the parking lot permanent, with associated improvements. The change to a permanent parking lot triggers application of the Westgate Business Park Master Servicing and Implementation Strategy along with the need to upgrade the existing driveway to a full public road access which will form part of a larger new street network.

Location and Site Description

The subject property is located on the south side of Fourth Avenue, west of First Street Louth. The property is west of Richardson Creek and the NHS hospital site, and is surrounded by farmland to the north and south and vacant land to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Employment as per Schedule D1 of the Garden City Plan (GCP) and further designated Business Commercial Employment as per Schedule E6 of the GCP. The Business Commercial Employment designation is intended to provide for a range of industrial operations and industrial service uses; knowledge based employment and office uses; and a limited range of retail, service commercial, indoor recreation, entertainment, cultural and institutional and office uses to serve employment uses and also the community at large. The GCP further states that this specific Business Commercial Employment area is to be developed as a prestige business park and that this business park will be designed as connected campus format, with limited and shared access to external roads.

Zoning By-law (2013-283)

The subject land is zoned Business Commercial Employment with a special provision (E1-5). The E1 zone permits a range of light industrial and office uses including adult oriented entertainment establishments, car washes, hotels/motels, light industry, gas stations, vehicle repair garages, offices, place of assembly/banquet halls, research facilities and social service facilities. The special provision (5) imparts additional zoning parameters, and guidelines with regard to accessory uses.

Consent Application B-32/18SC

Application **B-32/18SC** is made for consent to sever 3043.6m² of land to be dedicated to the City for a public road and for consent to establishment an easement, in perpetuity, over 330m² to benefit the City of St. Catharines for a temporary turn-around. A 31,578.5m² remnant parcel would be retained for a parking lot and helicopter landing pad for the Niagara Health System Hospital.

The applicant will be responsible for constructing the new street to full municipal urban standards. A Master Servicing & Implementation Strategy and an Urban Design Plan was prepared for the Westgate Business Park, which includes the lands located between Third Street and the hospital. These documents identify the future street pattern for the business park, as well as servicing and cost sharing responsibilities. The location and extent of the proposed new street is consistent with the street locations envisioned in the Master Servicing & Implementation Strategy and Urban Design Plan.

Once the lands to the west of this property are developed, those owners will be responsible for further extending the new street westward to Pathstone Way. The new street will provide frontage for new lots to be created along the south edge of the business park, adjacent to the CN rail line.

Remnant parcels Parts 3, 4 and 5 will be retained as a parking lot and a helicopter landing pad for the Niagara Health System and may accommodate future development. A temporary turning circle will be established over Part 4, which will remain in place until the new street is extended westward to connect with Pathstone Way.

The applicant has identified Part 3 as being a corner visibility triangle to be dedicated to the Region as part of the new Fourth Avenue intersection, however, no request from the Region to obtain these lands was received. Part 3 will remain with the balance of the retained lands if they are not required by the Region.

The existing parking lot use on the site is now in compliance with the zoning by-law as it has recently been granted a minor variance that permitted the permanent use of the site as additional parking for the hospital. A previous minor variance was granted by the Committee in 2013 to allow the parking lot use in this location on a temporary basis, but the time limitation for the use had expired and as such, the parking lot is now permitted.

A Development Agreement is required to address the construction of the new public street, extending southward from Fourth Avenue, which will address matters such as the design and construction of the road and any required services, sidewalks, boulevard trees, lighting and similar elements typical of a public road allowance. The terms of the agreement will ensure that the construction meets City standards, and will obligate the owner to construct the road to full urban road cross-section, to obtain all required regulatory approvals; and submit all required securities and deposits.

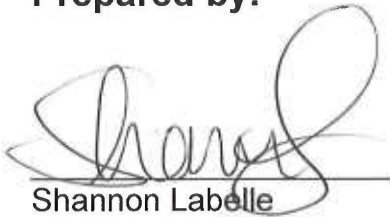
Design Review Panel (DRP)

Consent applications received after September 14, 2017 for the creation of a new lot are required to first go before the Design Review Panel prior to submitting the complete application. In this instance, the consent was originally submitted in February of 2017, however lapsed, and the same submission was made at this time. As well, the requested severance is for a boundary adjustment rather than the creation of a new lot, and therefore the application was exempt from review by the DRP.

Conclusion

Staff are satisfied that the consent requested through application **B-25/18SC** is desirable and will help to implement the expressed vision of the Official Plan to establish a prestige business park in this location. The proposed severance to create a new street is consistent with direction of the approved Master Servicing & Implementation Strategy and the vision of the Urban Design Plan. Staff recommend that the requested consent be approved, subject to the conditions outlined in the recommendation.

Prepared by:

A handwritten signature in black ink, appearing to read 'Shannon', written over a horizontal line.

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 'J. Pihach', written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: 1242 Fourth Ave B-32/18

From: Sarah Mastroianni [mailto:smastroianni@npca.ca]

Sent: Tuesday, April 10, 2018 10:14 AM

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

Subject: 1242 Fourth Ave B-32/18

Hi Elaine,

Please note that the NPCA offers no objections to the approval of B-32/18 as the proposed consent does not impact NPCA regulated lands.

Thank you.

Sarah Mastroianni

Watershed Planner

Niagara Peninsula Conservation Authority

250 Thorold Road West, 3rd Floor

Welland, Ontario L3C 3W2

Phone: 905 788 3135 (ext. 249)

Fax: 905 788 1121

email: smastroianni@npca.ca

Munro, Elaine

Subject: RE: 905-18-160 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Thursday, April 05, 2018 10:45 AM

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

Subject: 905-18-160 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Dear Elaine,

Re file: B-32/18SC

Details:

- ☐ Severance
- ☐ 1242 Fourth Ave
- ☐ Part of Lot 1 Conc 4

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance Application.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Re: 28 Hamilton, 24 Grapeview, 1242 Fourth Ave, 164A Martindale

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

Sent: Tuesday, April 03, 2018 4:03 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine

There are no issues or concerns with this applications from Cogeco

Thanks

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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: April 17, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2018 hearing - File No.: 300-036

B-28/18SC – 14 Queen Street

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the required Firewall between the two buildings meets the requirements of subsection 3.1.10. of the 2012 Ontario Building Code.
A building permit to alter the existing building shall be submitted to the Building Section for review and approval which illustrates how the requirements are to be met and any work shall be completed and inspected.

B-29/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment

B-30/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment


B-32/18SC – 1242 Fourth Avenue

Comment:

- No Comment

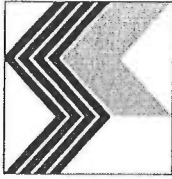
Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive style with a horizontal line underneath the name.

Mark Lepp, Senior Plans Examiner / Building Inspector
Cc: Files, 300-036

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Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
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3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** 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.

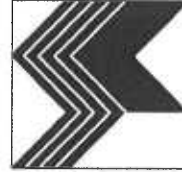
As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331

No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-32/18SC



April 9th, 2018

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2018

Applicant: William Heikoop

Location: 1242 Fourth Avenue

GENERAL COMMENTS:

It is noted that the Applicant proposes to re-apply since the period to comply with the conditions of the previous application B-17-17SC has expired.

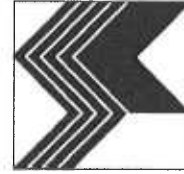
MUNICIPAL SERVICES:

Our comments remain unchanged from the comments made on the previous application.

Condition(s): See previous application.

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

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



March 20, 2017

ENGINEERING FILE 300-36

Hearing Date: March 29, 2017

Applicant: Niagara Health System

Location: 1242 Fourth Avenue

ENGINEERING SERVICES

Fourth Avenue

Water:	200mm (8") 450mm (18") Regional trunk main
Sanitary Sewer:	300mm (12")
Storm Sewer:	1350mm (54") Richardson / Francis Creek Superditch
Sidewalks:	Yes
Road Allowance Width:	26.2m (86')±

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1 & 2 to be dedicated to the City for public road purposes and sever Part 3 to be dedicated to the Region of Niagara for day-lighting purposes, as well as consent to establish an easement over Part 4 to the benefit of the City for a temporary turn-around. Remnant parcels (Parts 4 & 5) would be retained for an existing parking lot and helicopter landing pad for the Niagara Health System Hospital. The above are being considered in an attempt to comply with the approved recommendations of the Westgate Master Servicing & Implementation Strategy.

Roads

These lands are inclusive of those subject to a Master Servicing and Implementation Strategy, prepared by Upper Canada Consultants January 7, 2013 and accepted by the City of St. Catharines. The strategy outlines the establishment of a street network and infrastructure for the ultimate urban design plan for the Westgate Business Park.

The NHS shall be responsible for the construction of the proposed 20.0m (66') municipal roadway and appurtenances (underground services, boulevard trees, lighting, curbing, stormwater management, sidewalks, etc.) applicable to these lands in accordance with the above Implementation Strategy and to pay the associated costs to the appropriate parties per the Strategy. The Owner shall enter into an Agreement with the City to ensure the obligations for construction of the local municipal roadway and servicing appurtenances will be completed to City Standards, prior to the final certificate being issued.

Engineering Services

The proposed municipal roadway shall be designed and constructed in

accordance with City standards for a typical 20.12m (66') urban road cross-section and all required services as per the Master Servicing and Implementation Strategy prepared by Upper Canada Consultants.

Condition(s):

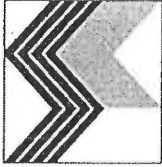
Prior to final certification of the severance application, the Owner shall;

- Enter into an Agreement with the City of St. Catharines for the construction of a local road and Municipal services to City Standards on Parts 1 & 2, south from Fourth Avenue, in accordance with the approved Westgate Business Park Master Servicing & Implementation Strategy, inclusive of a temporary turnaround on Part 4, which shall include but not be limited to;
 - the responsibility of the Owner for obtaining all required approvals from other authorities including the Regional Municipality of Niagara, the M.T.O and the M.O.E.;
 - the Owner hiring an Engineering Consultant that shall; design all of the works covered by this agreement, prepare plans, profiles and contract documents and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - the Owner's responsibility for all costs associated with the construction of the improvements, including City Inspection and Geotechnical testing of the work;
 - the Owner depositing substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
- Ensure the Agreement is executed and registered on Title of the subject lands (1242 Fourth Avenue) prior to a Final Certificate being issued;



Prepared By:

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-25/18 (60.81.5312)

164A Martindale Road

DATE OF HEARING:
April 25, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): A-25/18

File: 60.81.5312

Subject: 164A Martindale Road

Recommendation

That Submission **A-25/18** by Glenbrook Homes Ltd., as outlined in the Notice of Hearing, be approved conditional upon:

1. The reduction of the minimum front yard setback from the private road to the garage being permitted for Lots 5 and 6 only.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-25/18** 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 is being maintained.

Proposed Development

Application **A-25/18** is requesting to vary the Zoning By-law for the following variances for the proposed construction of a 10 unit private road development on a private road. The associated applications are Draft Plan of Condo 60.46.433 and Site Plan 60.51.957:

1. A reduction of the minimum density per hectare from 25 units per hectare to 22 units per hectare.
2. A reduction of the minimum setback from the private road to the garage from 6 metres to 3 metres.
3. Notwithstanding Section 2.6 of the Zoning By-law, development or construction of a building or structure, and any other permitted use on both the proposed and remnant lots shall be permitted on a private road.
4. A reduction of the required minimum rear yard setback to the rear wall from 6 metres to 3 metres.
5. A reduction of the required minimum setback from rear lot line to the deck that is 1.2 metres above grade from 4.5 metres to 1.8 metres.
6. A reduction of the interior side yard setback from the end wall to property line from 3 metres to 1.2 metres (North).

Location and Site Description

The subject property is located to the south of Tulip Tree Common, southeast of Willow Bank Common, and east of Martindale Road. The subject property is surrounded by detached and townhouse dwellings to the north and northwest, a Community Center to the south, green space to the east and an apartment complex to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E6 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally between 25 and 99 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential with a special provision (R3-18). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse and apartment dwellings, private road developments and long-term care facilities. The special provision (18) outlines the following requirements: maximum height of 10.8 metres; minimum setback from private road of 3 metres to dwellings and 6 metres to garages; minimum setback from south property line of 1 metre; minimum setback from west property line of 1 metre; minimum interior side yard for detached and semi-detached dwellings of 1 metre; minimum of 1.75 parking spaces per dwelling unit, and allowing tandem parking; minimum landscaped open space of 25%; minimum setback from property line between multiple attached dwelling blocks of 1 metres; maximum number of 7 attached units; maximum number of accessory dwelling units per multiple attached, semi-detached or single detached dwelling unit of 1 unit; and the maximum floor area of interior accessory dwellings units to be no greater than 74.4m².

Application A-25/18

Application **A-25/18** requests the reduction of the minimum density per hectare, a reduction to the minimum setback from the private road to garage, and as well requests to vary Section 2.6 of the Zoning By-law in order to permit the development or construction of a building or structure on a lot that does not front on a public road. The application also proposes a reduction to the required rear yard setback to the rear wall of the dwelling, a reduction of the required minimum setback from rear lot line to the deck, and a reduction of the interior side yard setback.

Variance 1 requests a reduction of the minimum density per hectare from 25 units per hectare to 22 units per hectare. The requested reduction to the density is a function of that fact that only one side of Tulip Tree Common is being developed at this time; the

lower density is temporary until the other side of the road is developed as well. The proposal is an appropriate use of the land and fits within the general character of the surrounding neighbourhood, and as such the lower density, being a temporary state, will have no impact on the area.

Variance 2 requests a reduction of the minimum setback from the private road to the garage from 6 metres to 3 metres. This reduction is specific to Lot 5 and Lot 6, and should be granted conditional on the reduction being specific to those lots. Design details are to be addressed through the site plan process. Adjacent lots should still maintain 6 metres to the garage. Similarly, Variance 4 requests a reduction of the minimum rear yard setback to the rear wall from 6 metres to 3 metres, and Variance 5 requests a reduction of the required minimum setback from rear lot line to the deck that is 1.2 metres above grade from 4.5 metres to 1.8 metres. The requested variances are a result of the shape of the lots being impacted by the natural area dedication to the rear, resulting in irregularly shaped lots. The reductions are not expected to have any adverse impacts on the surrounding area.

Variance 3 requests to vary Section 2.6 of the Zoning By-law, in order to permit the development or construction of a building or structure on a lot that does not front on a public road. The use of any lot without frontage on a public road is not permitted by the by-law. The variance is required due to the location of the subject lands being within a greater area of private road development. The frontage of the lots is therefore along a private road within the private road development. However, the City is satisfied that the subject lands will maintain consistent and adequate access over the private road, enforced by the existing Shared Facilities Agreement and Reciprocal Agreement, registered on title of the subject lands. The Agreements address servicing, access and shared costs, among other matters, allowing this parcel to benefit from common elements of the surrounding private road developments. Staff are satisfied that, with these Agreements in place, permitting the use of the subject lands to front on a private road is acceptable.

Variance 6 requests a reduction of the interior side yard setback from the end wall to property line from 3 metres to 1.2 metres, affecting Lots 1 and 10. The intent of the interior side yard setback of the zoning by-law is to ensure that sufficient distance and a buffer is maintained between dwelling units on adjacent properties. The interior side yard for a private road development is greater than for a detached/semi-detached/duplex/triplex dwellings etc. on one lot, so as to not overwhelm abutting residential uses and existing neighbourhoods, and to reduce potential impacts from infill subdivision developments. The requested reductions to the interior side yard setbacks are not expected to have significant impact on neighbouring properties, as the reduction to Lot 1 is adjacent to a parking lot and garage for the neighbouring dwelling/office space, and the reduction to Lot 10 is adjacent to a parking lot for a community center.


Therefore, the requested variances are considered minor in nature, as they will not substantially impact the subject or surrounding properties. The requests are considered desirable and appropriate for the use of the land, as it will allow the construction of a 10

unit private road development on a private road. The proposal fits with the general character of the surrounding neighbourhood, and is in keeping with the general intent and purpose of the Official-Plan and Zoning By-law.

Conclusion

Staff are satisfied that the variances requested through Submission **A-25/18** are compatible with the surrounding area and 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 variances be approved.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: 164A Martindale A-25/18

From: Sarah Mastroianni [mailto:smastroianni@npca.ca]

Sent: Tuesday, April 10, 2018 12:40 PM

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

Subject: 164A Martindale A-25/18

Hi Elaine,

Please be advised that the NPCA offers no objections to the approval of this application. All detailed NPCA comments are being addressed through the Site Plan Application.

Thank you.

Sarah Mastroianni

Watershed Planner

Niagara Peninsula Conservation Authority

250 Thorold Road West, 3rd Floor

Welland, Ontario L3C 3W2

Phone: 905 788 3135 (ext. 249)

Fax: 905 788 1121

email: smastroianni@npca.ca

April 19, 2018

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

Attention: Elaine Munro

File# 60.81.5312

Re: 164A Martindale Rd

In response to your correspondence date April 3, 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 Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.

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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line that loops back under the 'M'.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Re: 28 Hamilton, 24 Grapeview, 1242 Fourth Ave, 164A Martindale

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

Sent: Tuesday, April 03, 2018 4:03 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine

There are no issues or concerns with this applications 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.

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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, Kirstin Jensen, Shannon Labelle, Wil Banda, Judy Pihach.
Planning and Building Services

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

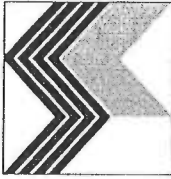
Date: April 17, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-98/17	28 Hamilton Street	Be advised that a building permit is required for the proposed Semi-detached dwelling.
A-01/18	24 Grapeview Drive	Be advised that a reduction in required yards will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-25/18	164 Martindale Road	Be advised that a reduction in required yards may impact the percentage of permitted glazed openings facing those yards.
A-42/18	18 Abraham Drive	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-44/18	18 Northdale Drive.	Be advised that a demolition permit is required for the demolition of existing structures and that a building permit is required for any proposed structures.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.
3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

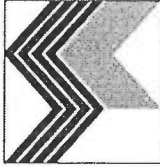
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** severance:

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.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

8. **18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

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

Date: April 6th, 2018

Hearing Date: March 25th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-98/17 – 28 Hamilton Street
A-01/18 – 24 Grapeview Drive
A-25/18 – 164A Martindale Road
A-42/18 – 18 Abraham Drive
A-44/18 – 18 Northdale Drive

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

24 Grapeview Drive:

There are some drainage concerns related to the side and rear yard reductions. However these are being dealt with through the Site Plan Approval process.

18 Abraham Drive:

Roof drainage scuppers cannot drain to side yard. This will be dealt with at the Building Permit stage.

28 Hamilton Street:

The Applicant is requesting the allowable width for parking to be increased from 50% to 100% of the frontage. We have concerns that if this is permitted, the storm water runoff from these driveways will be directed onto the neighboring properties (Houses #28, 30 and 32) potentially causing ponding issues. The applicant should demonstrate that this will not be an issue. While there was a Site Grading Plan prepared for this property in 2008, there is no record of this drawing being approved by the City and in fact in our opinion the drawing has insufficient information on it to enable us to determine if post construction drainage will be an issue for adjacent property owners.

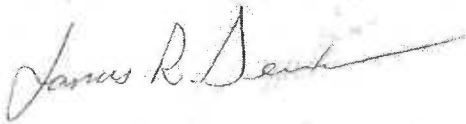
A "Development Plan" dated April 3rd, 2018 prepared by Kirkup, Mascoe Ure has been received showing the driveway width being reduced to 2.59m to permit what appears to be a 0.61m landscape strip between the travelled portion of the driveway and the adjacent properties (#28 and #32). The 0.61m strip is not labelled as such. The drawing also shows a proposed curb between the proposed westerly driveway and house #30 Hamilton Street. It is unclear if this curb is also proposed on the easterly driveway. Since the driveways are no longer taking up 100% of the frontage the requested minor variance should be revised to ask for an increase to 80%.

It must be noted that prior to the issuance of any building permit the applicant must demonstrate to the satisfaction of the Director of Transportation and Environmental Services that drainage can be achieved without adversely impacting any of the adjacent properties.

Condition(s): Prior to the minor variance finalization for 28 Hamilton Street the Owner shall;

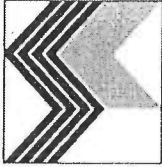
- Revise the requested minor variance for a maximum width of parking from 100% to 80% or 2.59m for each driveway.

Respectfully Submitted by:



James R. Denham P.Eng.,
Development Engineering Technologist

JD/jd



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-42/18 (60.81.5329)

18 Abraham Drive

DATE OF HEARING:
April 25, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): A-42/18

File: 60.81.5329

Subject: 18 Abraham Drive

Recommendation

That Submission **A-42/18** by Andrew McGregor and Alison McGregor, 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 application **A-42/18** 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 is being maintained.

The Proposal

Application **A-42/18** is requesting to vary the Zoning By-law as amended, for a reduction of the required easterly interior side yard setback from 1.2 metres to 0.76 metres for the proposed one storey addition and attached garage.

Location and Site Description

The subject property is located on the northwest side of Abraham Drive, between the west and east side of Cherie Road. The subject property 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 lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per schedule E2 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

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

Application A-42/18

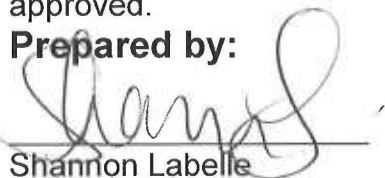
Application **A-42/18** is requesting a reduction of the easterly interior side yard setback in order to facilitate the construction of a one storey addition attached garage.

The requested reduction of the easterly interior side yard setback from 1.2 metres to 0.76 metres is not expected to have any adverse impacts on the surrounding area. The intent of the interior side yard setback of the zoning by-law is to ensure that sufficient distance and a buffer is maintained between dwelling units on adjacent properties. The interior side yard reduces the chances of developments overwhelming abutting residential uses and existing neighbourhoods. The requested reduction to the interior side yard setback for the addition and attached garage are not expected to have significant impacts on neighbouring properties. There are similar houses in the neighbouring area with attached garages that extend almost to the lot line, and the dwelling plus addition and attached garage would still be in keeping with the character of the area. Approval of the variances would facilitate the construction of a one storey addition attached garage and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Conclusion

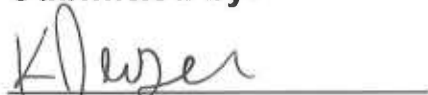
Staff are satisfied that the variance requested through application **A-42/18** is desirable and compatible with the surrounding area. Staff recommend that the application be approved.

Prepared by:



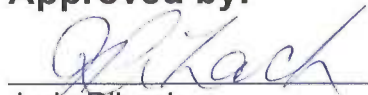
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject:

RE: File no. 60.81.5329, Submission No. A-42/18

From: Brandy [mailto:]

Sent: Friday, April 20, 2018 12:27 PM

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

Subject: Fw: File no. 60.81.5329, Submission No. A-42/18

RE: Notice of Hearing File No. 60.81.5329, Submission No. A-42/18

We live at 22 Abraham Drive, two doors down from the McGregor family.

As regards their application, as close neighbours we wish to provide our input.

There are a number of homes on our street with garages and carports (including on the property line) and some 2 storey homes. Therefore, there should be no effect on the appearance and character of the neighbourhood so we do not have an issue with this project.

Furthermore, the addition of the family room is in the rear, and only one storey high (contrary to the many back splits in our neighbourhood), so should have no major impact on the profile of the street (this will not be a "monster" house as have been built in some other places).

Further, in our opinion, the project will provide added value to our neighbourhood, as the the McGregors have always shown care and consideration in their previous renos.

André and Brandy Côté
22 Abraham Drive

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

Munro, Elaine

Subject: RE: Public Hearing Re: 18 Abraham Dr

From: James Magee [mailto:]
Sent: Thursday, April 19, 2018 6:45 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Public Hearing Re: 18 Abraham Dr

Hello Elaine,

I just wanted to send a quick email regarding the potential addition at 18 Abraham Dr. My wife and I are in support of allowing the project to proceed. Any improvements that increase property value in our neighborhood are welcome in our opinion.

Thanks,

James and Candace Magee
11 Cherie Rd.
St Catharines

Sent from my Samsung Galaxy smartphone.

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

Munro, Elaine

Subject:

RE: File No. 60.81.5329, Submission No. A-42/18

From: SIMON De HAAN [mailto:]

Sent: Monday, April 16, 2018 8:31 PM

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

Subject: File No. 60.81.5329, Submission No. A-42/18

Dear Ms. Munro,

I am writing this email to express my opposition to the variances requested in File No. 60.81.5329, Submission No. A-42/18.

I live at 16 Abraham Drive, which is the property directly beside the property in question, on the east side.

I have grave concerns about the application and I strongly oppose it for the following reasons:

The applicant has requested to build 2 structures on the east side of the property which would be only 0.76 m from the property line. The current zoning by-law, which requires a setback of 1.2 m, has obviously been established for valid reasons, and I disagree with allowing it to be reduced by such a significant distance (almost 0.5 m)

I am concerned that such a small (reduced) space between structures would have a negative impact on drainage, air flow, snow and ice accumulation, not to mention the significant if not total loss of natural daylight on the west side of my house.

My house has only one window on the west side, and I am very concerned about the lack of natural daylight due not only to the height of the structures, but the proposed proximity to my property.

I am extremely concerned about a significant loss of privacy as well, due to the proposed location of the extension and the proximity to my house.

It is my understanding that the current zoning bylaw for yard setback is designed to allow proper and adequate access to structures and property for maintenance, and I am very concerned that this would be compromised with a reduced setback allowance.

For all the above reasons I am also greatly concerned that this would have a significant negative impact on the value of my property as well as the saleability.

I respectfully ask the Committee to uphold Zoning By-law 2013-283 and maintain the requirement of a 1.2 m yard setback.

Thank you very much for the opportunity to voice my concerns. Please do not hesitate to contact me for any further information.

Wendy de Haan

16 Abraham Drive

St. Catharines, ON

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

Munro, Elaine

Subject: RE: 18 Abraham Drive

From: [mailto:]

Sent: Tuesday, April 17, 2018 4:06 PM

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

Subject: 18 Abraham Drive

Dear Ms. Munro

My husband and I have lived at 7 Abraham Drive for 37 years and we want to let you know that we are AGAINST the application for changes to 18 Abraham Drive. These changes will not suit the neighbourhood.
Joy Mackenzie

Sent from my iPad

Munro, Elaine

Subject: RE: file no.60.81.5329 submission no.a-42/18

From [mailto]

Sent: Tuesday, April 17, 2018 4:36 PM

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

Subject: file no.60.81.5329 submission no.a-42/18

HI ELAINE ,

I'M CONCERNED ABOUT THE VARIANCE REQUEST AT 18 ABRAHAM DR. I LIVE ON ABRAHAM DR. WITH MY WIFE, WE OWN THE PROPERTY AND I HAVE LIVED HERE FOR 42 YEARS . IT IS A SINGLE FAMILY DWELLING NEIGHBORHOOD WITH MANY RETIRES AND SOME NEW YOUNG FAMILIES MOVING IN IN THE LAST TEN OR SO YEARS. I HAVE MULTIPLE CONCERNS REGARDING THIS VARIANCE .

1. LOOKING AT THE PLANS THE LARGE GARAGE MAY BECOME A WORKSHOP WHICH COULD INVOLVE BUSINESS TRAFFIC ON THE STREET WHICH IS GENERALLY PRETTY QUIET.

2. THE LARGE ADDITION COULD BE TO MAKE IT A MULTIPLE DWELLING.

3. IF IT'S APPROVED IT WILL OPEN THE DOOR FOR INVESTERS AND REALTORS TO BUY UP MULTIPLE PROPERTIES ON THIS STREET WHEN THE OLDER PEOPLE LEAVE AND START BUILDING CONDOS AND MULTIPLE DWELLINGS. THAT WOULD DESTROY THE CHARM IN THIS REASONABLY OLD NEIGHBOHOOD. I HOPE YOU CONSIDER MY CONCERNS, AS I KNOW THERE ARE MANY OTHERS THAT FEEL THE SAME WAY, INCLUDING WENDY, WHOSE SIDE WINDOW VIEW WILL BE A BRICK WALL.

YOURS , TRULY, SAM

WIEBE,

m [Mail](#) for Windows 10

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

Munro, Elaine

Subject: RE: file no. 60.81.5329 submission no. A-42/18

From: Barb Gabriel [mailto:]
Sent: Tuesday, April 17, 2018 7:45 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: file no. 60.81.5329 submission no. A-42/18

We are residents in the area of 18 Abraham Drive & we are responding to the letter that was sent to us as we are within 60 meters of said property.

We are opposed to amending zoning by-law 2013-283 for variance that changes the easterly interior side yard setback from 1.2 meters to 0.75 meters for the following reasons:
It will have a negative effect on the drainage of water/snow/ice, destroy sight lines & natural light for neighbour. Resale value of no. 16 Abraham will be negatively impacted.

This is a neighbourhood that we have been part of for 45 years! We have to live here with the results of your decision. After the recent ice storm we are really concerned where all the water will go!!

Our homes in this neighbourhood were planned & constructed in such a way as to allow for space between houses. This substantial space between houses allows for natural light to come into your home as there are no visual obstructions. The space between houses also ensures proper water drainage.

Please consider the neighbours & the neighbourhood when you make your decision.

Bob & Barb Gabriel



Memorandum

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

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

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

Date: April 17, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-98/17	28 Hamilton Street	Be advised that a building permit is required for the proposed Semi-detached dwelling.
A-01/18	24 Grapeview Drive	Be advised that a reduction in required yards will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-25/18	164 Martindale Road	Be advised that a reduction in required yards may impact the percentage of permitted glazed openings facing those yards.
A-42/18	18 Abraham Drive	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-44/18	18 Northdale Drive.	Be advised that a demolition permit is required for the demolition of existing structures and that a building permit is required for any proposed structures.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx

April 19, 2018

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

Attention: Elaine Munro

File# 60.81.5329

Re: 18 Abraham Drive

In response to your correspondence date April 3, 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.

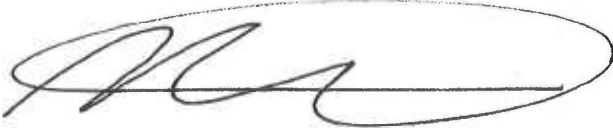
We would also like to stipulate the following:

- 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:

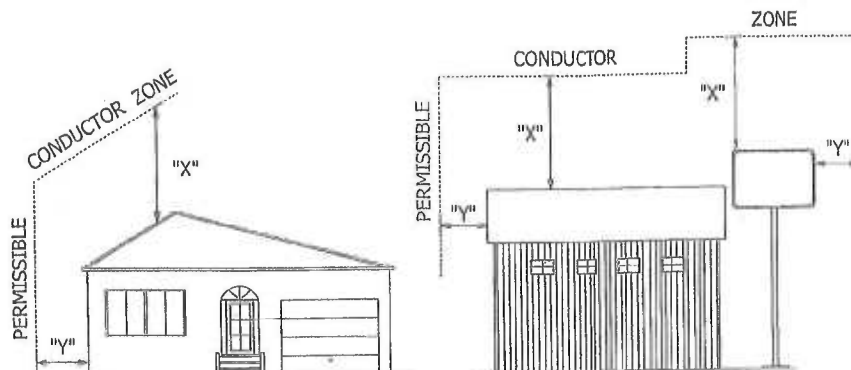
- Ontario Building Code (1997) Section 3.1 (3.1.18.1)
- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7-10 Underground Systems

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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

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

Date: April 6th, 2018

Hearing Date: March 25th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-98/17 – 28 Hamilton Street
A-01/18 – 24 Grapeview Drive
A-25/18 – 164A Martindale Road
A-42/18 – 18 Abraham Drive
A-44/18 – 18 Northdale Drive

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

24 Grapeview Drive:

There are some drainage concerns related to the side and rear yard reductions. However these are being dealt with through the Site Plan Approval process.

18 Abraham Drive:

Roof drainage scuppers cannot drain to side yard. This will be dealt with at the Building Permit stage.

28 Hamilton Street:

The Applicant is requesting the allowable width for parking to be increased from 50% to 100% of the frontage. We have concerns that if this is permitted, the storm water runoff from these driveways will be directed onto the neighboring properties (Houses #28, 30 and 32) potentially causing ponding issues. The applicant should demonstrate that this will not be an issue. While there was a Site Grading Plan prepared for this property in 2008, there is no record of this drawing being approved by the City and in fact in our opinion the drawing has insufficient information on it to enable us to determine if post construction drainage will be an issue for adjacent property owners.

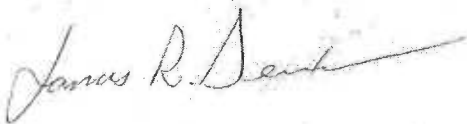
A "Development Plan" dated April 3rd, 2018 prepared by Kirkup, Mascoe Ure has been received showing the driveway width being reduced to 2.59m to permit what appears to be a 0.61m landscape strip between the travelled portion of the driveway and the adjacent properties (#28 and #32). The 0.61m strip is not labelled as such. The drawing also shows a proposed curb between the proposed westerly driveway and house #30 Hamilton Street. It is unclear if this curb is also proposed on the easterly driveway. Since the driveways are no longer taking up 100% of the frontage the requested minor variance should be revised to ask for an increase to 80%.

It must be noted that prior to the issuance of any building permit the applicant must demonstrate to the satisfaction of the Director of Transportation and Environmental Services that drainage can be achieved without adversely impacting any of the adjacent properties.

Condition(s): Prior to the minor variance finalization for 28 Hamilton Street the Owner shall;

- Revise the requested minor variance for a maximum width of parking from 100% to 80% or 2.59m for each driveway.

Respectfully Submitted by:



James R. Denham P.Eng.,
Development Engineering Technologist

JD/jd

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Re: 18 Abraham Drive, 14 Queen St, 66 Marsdale Drive, 18 Northdale Drive

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

Sent: Tuesday, April 03, 2018 4:10 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine

There are no issues or concerns with this applications.

Thanks

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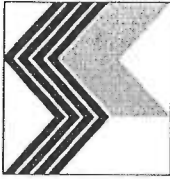
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Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.
3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

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

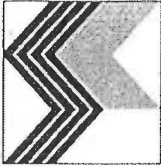
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331

No comment.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-28/18SC (60.84.2171)

14 Queen Street

DATE OF HEARING:
April 25, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): B-28/18SC

File: 60.84.2171

Subject: 14 Queen Street

Recommendation

That Submission **B-28/18SC** by 14 Queen Street Investments Inc, as outlined in the Notice of Hearing, be approved, subject to the following conditions prior to the severance finalization the Owner shall:

1. Satisfy the Chief Building Official for the City of St. Catharines that the required Firewall between the two buildings meets the requirements of subsection 3.1.10 of the 2012 Ontario Building Code;
2. A building permit to alter the existing building shall be submitted to the Building Section for review and approval which illustrates how the requirements are to be met and any work shall be completed and inspected;
3. Provide the City with an engineering drawing showing the location of the existing sanitary lateral, storm lateral and water services for each building;
4. Pay to have City Crews install any and all necessary additional services that may be required to achieve independent servicing of each building, including paying for the abandoning of any existing services no longer required;
5. Have the additional services installed; and
6. Complete all necessary internal plumbing to facilitate independent servicing of each building.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-28/18SC** is desirable and compatible with the surrounding area and is in keeping with the intent and purpose of the Zoning By-law and Official Plan. Staff recommend that the application be approved, subject to the conditions outlined in the recommendation.

The Proposal

Application **B-28/18SC** is made for consent to sever 571.07m² land (Part 2 on the submitted sketch) re-creating the lot known as 16 Queen Street with the existing commercial building and proposed residential units (2nd floor). A 462.15m² remnant parcel with the existing commercial building and proposed residential units (2nd floor) (Part 2) would be retained.

Location and Site Description

The subject property is located on the northeast side of Queen Street, west of St. Paul Street and is surrounded by a mix of commercial buildings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Commercial Core as per Schedule E10 of the GCP. The Commercial Core designation permits retail and service commercial uses, institutional, education, civic, government, office, finance, indoor recreation, creative and cultural uses, hospitality, restaurants, entertainment, and residential apartment units. Auto related service uses or dealerships, and adult oriented uses are not permitted.

Zoning By-law (2013-283)

The subject land is zoned Downtown Commercial Core with a special provision (C5-92). The C5 zone permits animal care establishments, apartment buildings and dwelling units, commercial parking, cultural facilities, day cares, emergency services, hospitals, hotels/motels, long term care facilities and major transit stations. The special provision (92) omits this area from certain parking requirements.

Consent Application B-28/18SC

Application **B-28/18SC** proposes to sever 571.07m² of land (Part 2), re-creating the lot known as 16 Queen Street with the existing commercial building and proposed residential units (2nd floor). A 462.15m² remnant parcel with the existing commercial building and proposed residential units (2nd floor) (Part 2) would be retained.

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 consent is requested to separate two existing commercial properties with office space on the second floor of both buildings in the downtown core. The properties were previously existing lots which have since merged due to a change in ownership. The office

space of both buildings are proposed to be converted to residential units on the second floor of the buildings. The proposed lots are considered appropriate as they were previously existing to hold each distinct commercial building. Significant impacts are not anticipated on the surrounding area, as no new development is being proposed as the buildings already exist. Alterations will be taking place internally only to convert the office space to residential. The overall function of the commercial buildings will not change and there will be no impact on surrounding uses. Ground floor residential dwelling units are not permitted in the commercial core, however mixed use buildings are encouraged in the downtown area and the inclusion of residential units in these buildings will increase density, efficiency and support mixed use development while being a minimum of 2 storeys in height. The proposed lots are of similar sizes to many of the lots in the surrounding area of the subject property. The proposal is in keeping with the character of the neighbourhood. Both new and remnant parcels conform to the provisions of the Zoning By-law.

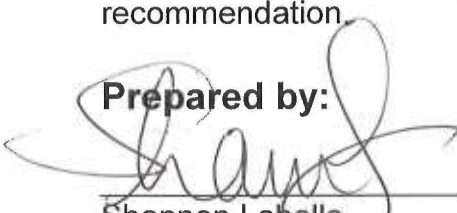
Design Review Panel (DRP)

Consent applications received after September 14, 2017 to create new residential lots are required to first go before the Design Review Panel prior to submitting the complete application. In this instance, residential lots are not being created by the consent. The subject application was therefore exempt from review by the DRP.

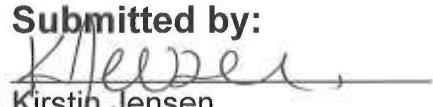
Conclusion

Staff are satisfied that the consent requested through application **B-28/18SC** 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. The proposed consent is in keeping with the intent and purpose of the Official Plan and Zoning By-law. Staff recommend that the application be approved, subject to the conditions outlined in the recommendation.

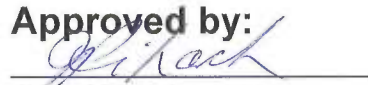
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: 905-18-161 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Thursday, April 05, 2018 10:46 AM

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

Subject: 905-18-161 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Dear Elaine,

Re file: B-28/18SC

Details:

- ☐ Severance
- ☐ 14 Queen St
- ☐ Lots 751 & 752, Corp. Plan No. 2

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance Application.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F: 705-722-2263

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Re: 18 Abraham Drive, 14 Queen St, 66 Marsdale Drive, 18 Northdale Drive

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

Sent: Tuesday, April 03, 2018 4:10 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine

There are no issues or concerns with this applications.

Thanks

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- Contact us

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

Munro, Elaine

Subject: RE: 14 Queen St, Committee of Adjustment Notice and Application for the April 25/18 CofA Hearing, City of St. Catharines

From: Vasko, Dennis

Sent: Wednesday, April 04, 2018 1:48 PM

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

Subject: RE: 14 Queen St, Committee of Adjustment Notice and Application for the April 25/18 CofA Hearing, City of St. Catharines

Hi Elaine,

There are no concerns with this property in respect to closed landfills.

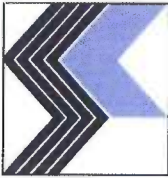
Dennis

Dennis Vasko

Fill Site Technician

Email: dvasko@stcatharines.ca

Tel: 905.688.5601 x2163



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: April 17, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2018 hearing - File No.: 300-036

B-28/18SC – 14 Queen Street

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the required Firewall between the two buildings meets the requirements of subsection 3.1.10. of the 2012 Ontario Building Code.
A building permit to alter the existing building shall be submitted to the Building Section for review and approval which illustrates how the requirements are to be met and any work shall be completed and inspected.

B-29/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment

B-30/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment

B-32/18SC – 1242 Fourth Avenue

Comment:

- No Comment

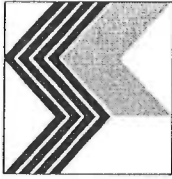
Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector
Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2018\08 bcoa memo-sev-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.
3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** 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.

As the subject lands immediately abut Town and Country Pak, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

- 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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

B-28/18SC

14 Queen Street

April 6th, 2018

REPORT TO PLANNING DEPARTMENT

Re: CITY LAND DIVISION APPLICATION NUMBER B-28/18SC



April 6th, 2018

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2018

Owner: Joseph Accord

Location: 14 Queen Street

MUNICIPAL SERVICES

	Queen Street	Helliwells Lane
Water:	400mm PVC 150mm C.I.	200mm PVC 100mm C.I.
Sanitary Sewer:	250mm PVC +/-3.8m Depth	250mm Re-lined Plastic +/- 2.2m Depth
Storm Sewer:	600mm Conc. +/-2.6m Depth	300mm Conc. +/-2.5m Depth
Sidewalks:	Both Sides	None
Existing Road Allowance Width:	+/-18m	+/-3.2m

GENERAL COMMENTS:

The owner wishes to sever one lot into two lots to separate two buildings with a common wall.

ENGINEERING COMMENTS:

Roads

Queen Street is designated an Arterial Road in the City's Official Plan with a desired right-of-way width of 26m. Its current width along the Applicant's frontage is deficient at +/-18m. The City would ideally desire a 26m right-of-way. However, the front face of many of the existing buildings along this section of Queen Street would not accommodate this. Therefore a widening will not be required at this time. Helliwells Lane is designated a Local Road in the City's Official Plan with a desired width of 20m. Its current width is 3.2m. However it is considered a rear lot laneway and therefore a widening is not required at this time.

Engineering Services

The buildings on these lots are existing and the City has no records of the size or location of the existing sewer and water services. The owner must provide the City with an engineering drawing showing where the existing sanitary and storm sewer laterals and the existing water services exit the building. The purpose of the drawing is to confirm that each building is serviced independently from the other. If the buildings are not serviced

independently, the Owner shall pay to have the City install additional services to achieve independent servicing. These services shall be installed and any related internal plumbing completed prior to finalization of the severance. The fees for these installations will be as per the City's Schedule of Rates and Fees in effect at the time. The service installations must be completed prior to finalization of the severance.

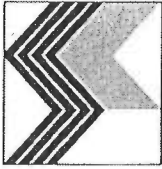
CONDITION (s): Prior to the severance finalization the Owner shall;

1. Provide the City with an engineering drawing showing the location of the existing sanitary lateral, storm lateral and water service for each building.
2. Pay to have City Crews install any and all necessary additional services that may be required to achieve independent servicing of each building, including paying for the abandoning of any existing services no longer required.
3. Have the additional services are installed.
4. Complete all necessary internal plumbing to facilitate independent servicing of each building.



Prepared By: _____

Jim Denham P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-29/18SC (60.84.2172)
& B-30/18SC (60.84.2173)**

66 Marsdale Drive

**DATE OF HEARING:
April 25, 2018**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: March 28, 2018

Submission(s): B-29/18SC
B-30/18SC

File: 60.84.2172
60.84.2173

Subject: 66 Marsdale Drive
66 A Marsdale Drive
66 B Marsdale Drive

Recommendation

That Submissions **B-29/18SC** and **B-30/18SC** by 1977718 Ontario Inc., Natalie Walker and Matthew Arnold, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund for Part 1, in accordance with the 2018 Schedule of Rates and Fees;
2. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund for Part 2, in accordance with the 2018 Schedule of Rates and Fees; and,
3. As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8 metre black vinyl coated fence designed to the same standards as OPSD 972.120. The fence shall be installed on park property, to the satisfaction of PRCS.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff are satisfied that applications **B-29/18SC** and **B-30/18SC** are desirable for the appropriate use of the land and uphold the intent and purpose of the Official Plan.

The Proposal

Application **B-29/18SC** is made for consent to sever 460.7m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 66A Marsdale Drive for the purpose of severing a unit of a 3-unit townhouse currently under construction. An 877.2m² remnant parcel with the remaining units (Parts 2 & 3) of the townhouse would be retained for residential use.

Application **B-30/18SC** is made for consent to sever 416.2m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 66B Marsdale Drive for the purpose of severing a unit of a 3-unit townhouse currently under construction. A 461.0m² remnant parcel with the remaining unit (Part 3) of the townhouse would be retained for residential use.

These applications would allow each unit of the 3-units townhouse dwelling to be owned and/or sold separately.

Location and Site Description

The subject property is located on the west side of Marsdale Drive, south of Glendale Avenue. The subject property is surrounded by detached dwellings to the north, east and south and the Town & Country Park to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 and Low Density Residential as per Schedule E8 of the Garden City Plan (GCP). The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

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

Consent Applications B-20/18SC and B-21/18SC

Application **B-29/18SC** is made for consent to sever 460.7m² of land (Part 1) creating a new lot to be known as 66A Marsdale Drive. Application **B-30/18SC** is made for consent to sever 416.2m² of land (Part 2) creating a new lot to be known as 66B Marsdale Drive. A 461.0m² remnant parcel (Part 3) would be retained for residential use. The application would allow each unit of the 3-unit townhouse dwelling to be owned and/or sold separately.

The Committee should be aware that this application predates the direction by Council on February 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 of the GCP states that consent 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 consents would allow each unit of the 3-unit townhouse to be owned and/or sold separately. Staff are satisfied that the parcels are appropriate in size and appropriate for the use proposed. The proposed lots represent infill in an area that is substantially developed. The lots are slightly smaller than the adjacent lots in width, but are similar in depth. Minimal impact is expected on the surrounding area. Although the townhouse units are not the same as the dwelling types typical of the neighbourhood, which is largely detached dwellings, staff consider the site design and building design to be in keeping with the character of the neighbourhood. The new and remnant parcels conform to the provisions of the Zoning By-law. The lots are suitably sized for the intended residential use. There is minimal impact on the surrounding area by the creation of the proposed lots. The resulting density of the development is 22.4 units per hectare which is in keeping with the intent of the Official Plan.

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

Design Review Panel (DRP)


The subject property was granted building permits to construct a three-unit townhouse on December 15, 2017. On February 12, 2018, Council determined that new applications for 3-unit street townhouse dwellings should *first* consult with the Design Review Panel and subsequent to that input, apply for a severance for each unit *prior* to the issuance of a building permit. This timing allows for public input *prior* to the building permit being issued and *prior* to the lot being created.

The building permit for this property was already issued by February 12, 2018 and accordingly did not follow the above timing for approvals.

Conclusion


Staff are satisfied that the consents requested through applications **B-29/18SC** and **B-30/18SC** 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 approval of the proposed lots. Staff find that the applications to uphold the intent and purposes of the Official Plan and Zoning By-law. It is staff's recommendation that the requested consents be approved.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

April 19, 2018

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

Attention: Elaine Munro

File# 60.84.2172/60.84.2173

Re: 66 Marsdale Drive

In response to your correspondence date April 3, 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.

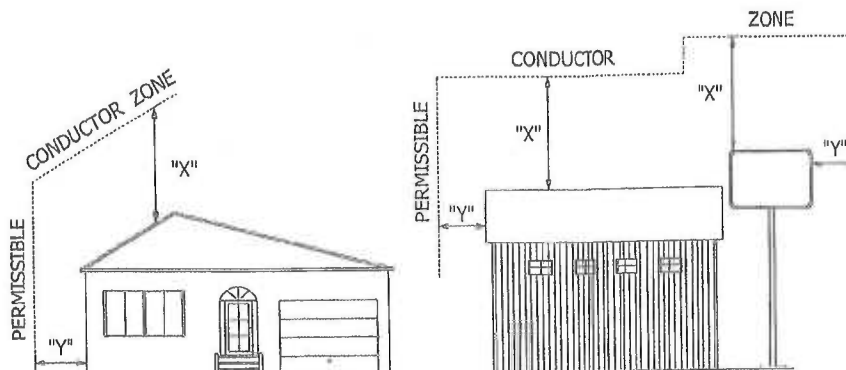
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET#

1

REVISION#

0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Re: 18 Abraham Drive, 14 Queen St, 66 Marsdale Drive, 18 Northdale Drive

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

Sent: Tuesday, April 03, 2018 4:10 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine

There are no issues or concerns with this applications.

Thanks

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

Munro, Elaine

Subject: RE: 905-18-162 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Thursday, April 05, 2018 10:47 AM

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

Subject: 905-18-162 - Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Dear Elaine,

Re file: B-29&30/18SC

Details:

- ☐ Severance
- ☐ 66 Marsdale Dr
- ☐ Lot 23, Part of Lots 22 & 25 Reg Plan 369

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance Application.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263



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: April 17, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2018 hearing - File No.: 300-036

B-28/18SC – 14 Queen Street

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the required Firewall between the two buildings meets the requirements of subsection 3.1.10. of the 2012 Ontario Building Code.
A building permit to alter the existing building shall be submitted to the Building Section for review and approval which illustrates how the requirements are to be met and any work shall be completed and inspected.

B-29/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment

B-30/18SC – 66 Marsdale Drive

Comment:

- No Comment

Condition:

- No Comment

B-32/18SC – 1242 Fourth Avenue

Comment:

- No Comment

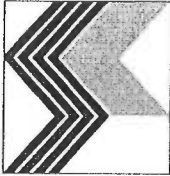
Condition:

- No Comment

A handwritten signature in black ink, reading "Mark Lepp". The signature is written in a cursive, flowing style. The first name "Mark" is written with a large, looped 'M', and the last name "Lepp" is written with a large, looped 'L'.

Mark Lepp, Senior Plans Examiner / Building Inspector
Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2018\08 bcoa memo-sev-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
2. **24 Grapeview Drive, Minor Variance Application, A-01/18 – 60.81.5288**
PRCS offers no objections to the proposed reductions. The reduced setbacks will not be able to support landscaping. Landscape requirements will need to be compensated for elsewhere on site, or on adjacent properties, subject to owner permissions.
3. **1242 Fourth Avenue, Consent Application, B-32/18SC – 60.84.2175**
No comment.
4. **164A Martindale Road, Minor Variance Application, A-25/18 – 60.81.5312**
PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
No comment.
6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** 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.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

- 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-29&30/18SC



April 9th, 2018

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2018

Applicant: Mathew Arnold

Location: 66 Marsdale Drive

GENERAL COMMENTS:

It is noted that the Applicant proposes to sever Parts 1 & 2 creating 3 lots to be known as 66A, B and C Marsdale Drive for the purpose of creating three separate townhouse dwelling units. The severances will allow each unit to be owned and/or sold separately.

MUNICIPAL SERVICES:

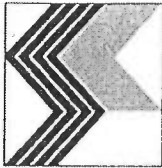
Roads

Marsdale Drive is designated an Local Road in the City's Official Plan with a desired right-of-way width of 20m. The existing right-of-way width is +/-20m. Therefore, the City will not be requiring a road widening.

Condition(s): None.

A handwritten signature in black ink, reading 'James R. Denham'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 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-44/18 (60.81.5331)

18 Northdale Drive

DATE OF HEARING:
April 25, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 18, 2018

Date of Hearing: April 25, 2018

Submission(s): A-44/18

File: 60.81.5331

Subject: 18 Northdale Drive

Recommendation

That Submission **A-44/18** by Amateo Despascali, as outlined in the Notice of Hearing, be approved subject to the following condition:

1. The detached garage is not permitted to be used as a home based business for automobile related uses;
2. The minimum interior side yard (east side only) for the detached garage be 1.2 metres;
3. The minimum rear yard for the detached garage be 7.0 metres; and,
4. That the east elevation plan of the detached garage have no windows.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that application **A-44/18** 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.

Staff recommends granting the requested variance, subject to the condition outlined in the recommendation.

Proposed Development

Application **A-44/18** is requesting to vary the Zoning By-law, as amended for an increase of the maximum building height of an accessory structure from 4.5 metres to 5.03 metres for the proposed construction of a detached garage.

Location and Site Description

The subject property is located on the southeast side of Northdale Drive, to the east of Vine Street and the west of McDermid Road. The site 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 lands are 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, townhouse dwellings at a density range generally between 20 and 32 units per hectare of land.

Zoning By-law (2013-283)

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

Application A-44/18

Application **A-44/18** requests an increase in the maximum building height of an accessory structure from 4.5 metres to 5.03 metres. The variance is requested for the proposed construction of a new detached garage to replace the existing detached garage on the property.

Section 7.1 c) of the Garden City Plan requires development to be evaluated based on the building, site and streetscape context sensitive design to ensure integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties, and the surrounding neighbourhood.

The subject property is located in an area characterized by single storey and one and a half storey dwellings. The garages in the neighbourhood are typically attached one car garages, or detached garages that are small in scale and are set back from the street with minimal impact on the streetscape.

The garage is located within the rear yard of the dwelling, partially behind the existing one and a half storey dwelling, and at the end of a long driveway. This configuration is typical of the surrounding traditional neighborhood. The garage will be setback and buffered from the street and will not impact the existing streetscape. The scale and massing of the proposed garage conform to the character of the dwellings and accessory structures in the immediate neighbourhood. The large lot is of adequate size to maintain extensive amenity space. The applicant is providing side yard and rear yard setbacks that are over and above those required by the zoning by-law, which help to accommodate for the requested increase in height. Staff recommend conditions to ensure that outcome.

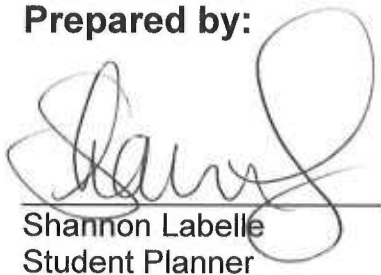
The applicant has submitted elevations for the proposed garage which demonstrate a roof line designed to match that of the existing dwelling. Adjacent properties feature large backyard amenity areas, however to limit impacts on privacy and overlook, staff recommend that no windows or dormers be located on the east side of the structure. Staff recommend a condition to ensure that outcome.

Finally, staff note that while the zoning by-law permits accessory structures to be used as home based businesses, home based businesses are not permitted to have automotive related uses. It is staff's understanding that the space is to be used for storage space however the height increase has been requested for the installation of a car hoist; at no time is this space to be used for a home based business that is an automotive related use.

Conclusion

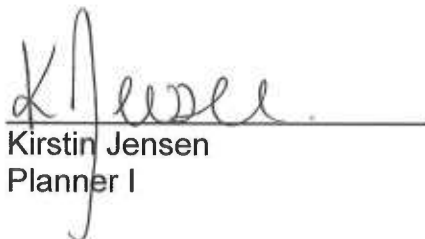
Staff are satisfied that the variance requested through Submission **A-44/18** is compatible with the surrounding area and is in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

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

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

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

Date: April 17, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-98/17	28 Hamilton Street	Be advised that a building permit is required for the proposed Semi-detached dwelling.
A-01/18	24 Grapeview Drive	Be advised that a reduction in required yards will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-25/18	164 Martindale Road	Be advised that a reduction in required yards may impact the percentage of permitted glazed openings facing those yards.
A-42/18	18 Abraham Drive	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-44/18	18 Northdale Drive.	Be advised that a demolition permit is required for the demolition of existing structures and that a building permit is required for any proposed structures.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx

April 19, 2018

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

Attention: Elaine Munro

File# 60.81.5331

Re: 18 Northdale Ave

In response to your correspondence date April 3, 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:

- We have NO objection(s).

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 Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Mark Jakubowski', written in a cursive style with a large loop at the end.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Re: 18 Abraham Drive, 14 Queen St, 66 Marsdale Drive, 18 Northdale Drive

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Tuesday, April 03, 2018 4:10 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the April 25/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine

There are no issues or concerns with this applications.

Thanks

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

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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, Kirstin Jensen, Shannon Labelle, Wil Banda, Judy Pihach.
Planning and Building Services

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

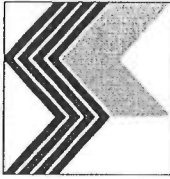
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Minor Variance – April 25, 2018 hearing- File No.: 300-010

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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\07 bcoa memo-mv-Apr25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 6, 2018
Subject: Committee of Adjustment Hearing – April 25, 2018

1. **28 Hamilton Street, Minor Variance Application, A-98/17 – 60.81.5267**
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 suggest the use of a shared driveway to maximize greenspace and compatibility.
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PRCS requirements have been addressed though the concurrent Site Plan Application.
5. **18 Abraham Drive, Minor Variance Application, A-42/18 – 60.81.5329**
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6. **14 Queen Street, Consent Application, B-28/18SC – 60.84.2171**
No comment.
7. **66 Marsdale Drive, Consent Application, B-29/18SC – 60.84.2172**
66 Marsdale Drive, Consent Application, B-30/18SC – 60.84.2173

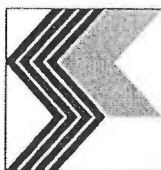
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of **each** severance:

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.

As the subject lands immediately abut Town and Country Park, the applicant shall be required to delineate the boundary between private property and parks/open spaces with a 1.8m. black vinyl coated fence designed to the same standards as OPSD 972.130. The fence shall be installed on park property, to the satisfaction of PRCS.

- 8. 18 Northdale Drive, Minor Variance Application, A-44/18 – 60.81.5331**
No comment.

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



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Shannon Labelle

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

Date: April 6th, 2018

Hearing Date: March 25th, 2018

Subject: Engineering Comments to the Committee of Adjustment
Minor Variance File No's:
A-98/17 – 28 Hamilton Street
A-01/18 – 24 Grapeview Drive
A-25/18 – 164A Martindale Road
A-42/18 – 18 Abraham Drive
A-44/18 – 18 Northdale Drive

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

24 Grapeview Drive:

There are some drainage concerns related to the side and rear yard reductions. However these are being dealt with through the Site Plan Approval process.

18 Abraham Drive:

Roof drainage scuppers cannot drain to side yard. This will be dealt with at the Building Permit stage.

28 Hamilton Street:

The Applicant is requesting the allowable width for parking to be increased from 50% to 100% of the frontage. We have concerns that if this is permitted, the storm water runoff from these driveways will be directed onto the neighboring properties (Houses #28, 30 and 32) potentially causing ponding issues. The applicant should demonstrate that this will not be an issue. While there was a Site Grading Plan prepared for this property in 2008, there is no record of this drawing being approved by the City and in fact in our opinion the drawing has insufficient information on it to enable us to determine if post construction drainage will be an issue for adjacent property owners.

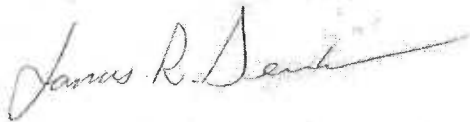
A "Development Plan" dated April 3rd, 2018 prepared by Kirkup, Mascoe Ure has been received showing the driveway width being reduced to 2.59m to permit what appears to be a 0.61m landscape strip between the travelled portion of the driveway and the adjacent properties (#28 and #32). The 0.61m strip is not labelled as such. The drawing also shows a proposed curb between the proposed westerly driveway and house #30 Hamilton Street. It is unclear if this curb is also proposed on the easterly driveway. Since the driveways are no longer taking up 100% of the frontage the requested minor variance should be revised to ask for an increase to 80%.

It must be noted that prior to the issuance of any building permit the applicant must demonstrate to the satisfaction of the Director of Transportation and Environmental Services that drainage can be achieved without adversely impacting any of the adjacent properties.

Condition(s): Prior to the minor variance finalization for 28 Hamilton Street the Owner shall;

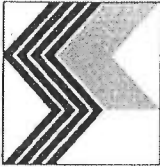
- Revise the requested minor variance for a maximum width of parking from 100% to 80% or 2.59m for each driveway.

Respectfully Submitted by:



James R. Denham P.Eng.,
Development Engineering Technologist

JD/jd



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 6, 2018

Subject: Committee of Adjustment
Public Hearings – April 25, 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 contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/