
Revised 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. Request for Change of Conditions:

2B Arlington Avenue, Consent Application, B-41/17SC, 60.84.2126

A request has been received for a minor Change to Conditions:

- i) to delete condition 1
- ii) to revise condition 3 to require a development agreement to ensure that:
 - a) All utilities are relocated to the satisfaction of the utility company/City of St. Catharines.
 - b) Site Plan Agreement be amended to reflect the severed lots.

6. Adoption of the Minutes held April 25, 2018

7. Application:

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
104A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342
9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344
10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351
11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
13. 61 Village Road, Minor Variance Application, A-57/18 – 60.81.5347
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348
115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355
16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356

* Planning Reports to be circulated asap.

8. New Business:
9. Date of next Hearing: June 27, 2018
10. Adjournment

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

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

COMMENTS

A-47/18 (60.81.5336)

12 Hampstead Place

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-47/18

File: 60.81.5336

Subject: 12 Hampstead Place

Recommendation

That Submission **A-47/18** by 8778132 Canada Inc., 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-47/18** 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-47/18** is requesting to vary the Zoning By-law, as amended to request a reduction of the westerly interior side yard setback from 1.2 metres to 0.7 metres for the proposed conversion of the existing duplex dwelling to a triplex dwelling with the addition of a third floor. A previous minor variance application, **A-47/17** was approved.

Location and Site Description

The subject property is located on the northeast side of Hampstead Place, north of Carlton Street. The subject property is surrounded by detached dwellings to the north, south and west and a commercial building to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per schedule E4 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, private road development, apartment buildings and long-term care facilities.

Application A-47/18

Application **A-47/18** is requesting a reduction of the westerly interior side yard setback in order to facilitate the conversion of the existing duplex to a triplex, with the addition of a third floor.

The requested reduction of the westerly interior side yard setback from 1.2 metres to 0.7 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 is a function of the fact that the first two storeys of the dwelling already exist at that setback, and the variance is necessary to permit the third storey to be constructed above the other two storeys at the same distance to the lot line. Approval of the variance would facilitate the conversion of the duplex to a triplex with the addition of a third floor 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-47/18** 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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:38 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine
Email 1
Cogeco has no issues or concerns with this application.
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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Ce courriel provient de Doug.Crown@cogeco.com. Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

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

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

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- Contact us

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:49 AM

To: Doug Crown

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5336

Re: 12 Hampstead Place

In response to your correspondence dated May 2, 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:

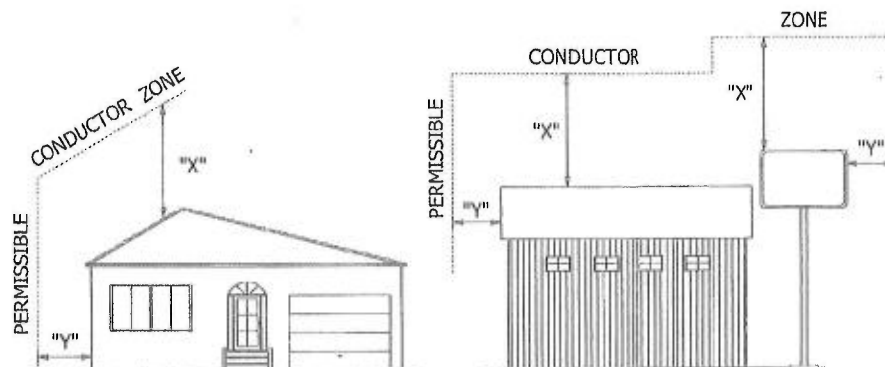
- Ontario Building Code (1997) Section 3.1 (3.1.18.1)
- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7-10 Underground Systems

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 dark ink, enclosed within a large, horizontal oval. The signature appears to be 'Mark Jakubowski'.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

- 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.
- THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
- 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)
- 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).
- 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, 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

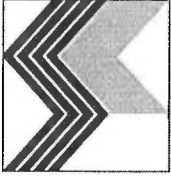
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 –
60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 –
60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 –
60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 –
60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed though previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-43/18 (60.81.5330)

55 Oakdale Avenue

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-43/18

File: 60.81.5330

Subject: 55 Oakdale Ave

Recommendation

That Submission **A-43/18** by 55 Oakdale Investments Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That no outside storage be permitted on the property;
2. That no obnoxious, dangerous or offensive trades shall take place;
3. That lighting shall be limited and not expand past property line; and
4. That no noise, emissions or vibrations be created from uses permitted on site.

Summary

Having regard for the matters under Section 45 (2)(a)(ii) of the Planning Act, staff is of the opinion that application **A-43/18** is a use similar to the existing warehouse use.

Proposed Development

Application **A-43/18** is requesting permission to permit the inclusion of Light Industrial uses within the existing building. The existing uses (warehousing) is non-conforming because it is not permitted in the existing R4 (Residential) zone, however, according to the application, the warehousing use has existed since prior to the passage of the current Zoning By-law 2013-283. Light Industrial uses are considered similar to the warehousing use existing on the property. A previous consent application B-18/17SC was approved.

Location and Site Description

The subject property is located on the southwest side of Oakdale Avenue, west of Merritt Street. The subject property is surrounded by a residential development to the north and east, a railway to the south and open green space and the former Welland Canal 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 High Density Residential as per Schedule E9 of the GCP. The High Density Residential designation permits triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater.

Zoning By-law (2013-283)

The subject land is split-zoned; the Minor Green Space zone with a holding provision (G2-H1) accommodates for a small percentage of the site, whereas High Density Residential with a holding provision (R4 – H1) covers the majority of the property. The G2 zoned portion does not contain any of the subject building within it.

The R4 zone permits a variety of residential uses including triplex, fourplex, quadruplex, and townhouse dwellings, private road development, apartment buildings and long-term care facilities. The same holding provision applies as noted above. The holding provision (H1) requires the submission of an Environmental Site Assessment and environmental cleanup of the lands, if need be, prior to the removal of the Holding (H) designation. Removal of the Holding (H) designation is required in order to develop the lands. If contamination above the provincial guidelines is found a Record of Site Contamination, or other acceptable documentation, shall be required for submission to the Ministry of the Environment. Staff note that the existing warehousing use of the existing building lawfully existed prior to the adoption of the current Zoning By-law.

Application A-43/18

Application **A-43/18** requests permission to permit a use that is “similar to” the existing, legal non-conforming use on the property.

Under Section 45(2)(a)(ii) of the Planning Act, it is noted that the proposed Light Industrial use is similar to the existing warehouse use which predates the current Zoning By-law. The current Zoning By-law 2013-283 does not permit Light Industrial uses in the R4-H1 zone.

Staff consider the proposed use of light industry to be similar to the currently existing non-conforming warehousing use on the property. The current warehousing use on the site restricts the general usability of the whole of the building. Permission to enable the whole of light industry uses (as defined by the zoning by-law) on the site will facilitate increased usability of the site past solely warehousing, thereby allowing more area of the existing building on the property to be functional. There are no proposed exterior changes or construction to the site.

This application is considered a use “similar to” and will not substantially impact the subject or surrounding properties, subject to the conditions. The site is not expected to be used as a residential area anytime in the near future, and considering the established use on the site has existed for a considerable period of time, the permissions requested are in line with those established uses which have already garnered a level of compatibility with the existing area. 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. Staff recommend conditions to ensure there are minimal impacts on existing and future residential uses in the area.


Conclusion

Staff are satisfied that the application requested through Submission **A-43/18** 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, 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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339

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

Sent: Wednesday, May 02, 2018 2:38 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine

Email 1

Cogeco has no issues or concerns with this application.

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

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Privacy Policy and Anti-spam Commitment

- Contact us

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:49 AM

To: Doug Crown

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5330

Re: 55 Oakdale Ave

In response to your correspondence dated May 2, 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.

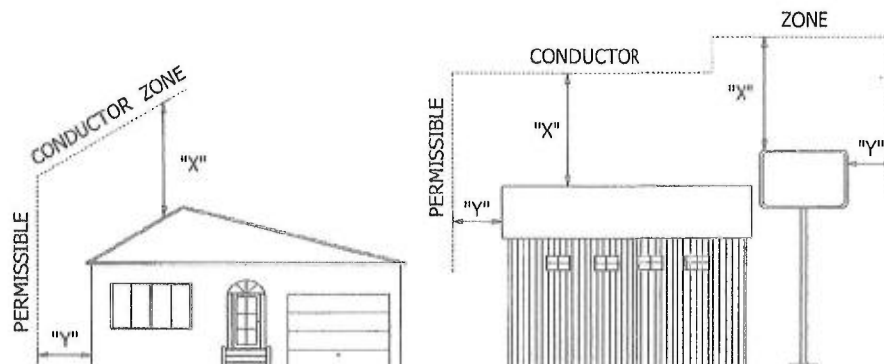
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section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

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

From: Vasko, Dennis
Sent: Wednesday, May 02, 2018 2:03 PM
To: Munro, Elaine
Subject: RE: Committee of Adjustment Notice and Applications for the May 30/18 CofA Hearing - 55 Oakdale Avenue

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

From: Munro, Elaine
Sent: Wednesday, May 02, 2018 10:07 AM
To: Vasko, Dennis
Subject: Committee of Adjustment Notice and Applications for the May 30/18 CofA Hearing - 55 Oakdale Avenue

Good Morning Dennis:

Attached please find the Notice, Application & Sketches for 55 Oakdale Avenue that will be heard at the May 30, 2018 Committee of Adjustment Hearing for the City of St. Catharines.

It would be greatly appreciated if you could please forward your comments by **Tuesday, May 8, 2018.**

1. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330

Enjoy this lovely day.

Thanks, Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician



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

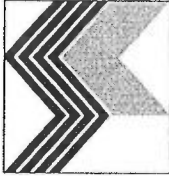
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

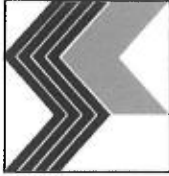
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in dark ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-48/18 (60.81.5337)

179 Louth Street

DATE OF HEARING:
May 30, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-48/18

File: 60.81.5337

Subject: 179 Louth Street

Recommendation

That Submission **A-48/18** by Westhills Care Centre Inc., 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-48/18** 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-48/18** is requesting to vary the Zoning By-law, as amended for the following variances for the proposed construction of a 3 storey long term care facility:

1. A reduction of the minimum northerly interior side yard setback from 6.85 metres to 5.0 metres.
2. An increase of the maximum density per ha from 99 units/hectare to 104 units/hectare.

There is a concurrent Site Plan Application 60.51.942.

Location and Site Description

The subject property is located on the west side of Louth Street, north of Rykert Street. The subject property is surrounded by detached dwellings to the north and east, an apartment building to the south and a mobile home 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 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E7 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, private road developments, apartment buildings and long-term care facilities.

Application A-48/18

Application **A-48/18** proposes a reduction of the minimum northerly interior side yard setback and an increase to the maximum density per hectare.

Variance 1 requests a reduction of the minimum northerly interior side yard setback from 6.85 metres to 5.0 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. The 1.85 metre reduction to the interior side yard setback is considered minor and is not expected to have a significant impact on the neighbouring properties. A sufficient amount of space is still maintained to provide a substantial buffer between the subject property and the adjacent property to the north. The reduction applies to a pinch point and does not apply to the entire side yard.

Variance 2 requests an increase of the maximum density per hectare from 99 units/hectare to 104 units/hectare. The density provision of the by-law is a general guideline meant to regulate development in order to prevent the over intensification and infilling of particular areas. The requested increase in density is considerably minor, will be visually undetectable, and will help to facilitate additional units for long-term care. The proposal is an appropriate use of the land and fits with the general character of the surrounding neighbourhood. The operators of the facility have applied to the Province for funding to provide additional beds within the facility and as such the site plan proposal has slightly changed to add space for the additional beds. The variance to the density provision is a function of the need for extra space to accommodate these additional beds within the facility. There is no additional height proposed to the building.

Building staff has advised that the reduction of 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 building permit is required for the proposed long-term care facility.

The requests are considered desirable and appropriate for the use of the land, as it will allow the construction of a 3-storey long-term care facility. 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. Staff are supportive of the proposed variances.

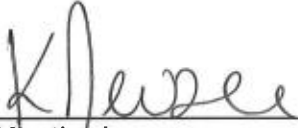
Conclusion

Staff are satisfied that the variances requested through Submission **A-48/18** 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.

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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:38 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine
Email 1
Cogeco has no issues or concerns with this application.
Thanks

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

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- Contact us
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:49 AM
To: Doug Crown

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5337

Re: 179 Louth St

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


We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.

- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - 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', written over a large, light-colored oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

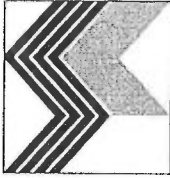
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A-49/18	45 Manhattan Court	No Comment
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A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 –
60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 –
60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-49/18 (60.81.5338)

45 Manhattan Court

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-49/18

File: 60.81.5338

Subject: 45 Manhattan Court

Recommendation

That Submission **A-49/18** by PBG Properties Inc., 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-49/18** 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-49/18** is requesting to vary the Zoning By-law, as amended to request an increase of the maximum lot area for Parts 19 & 20 from 350m² to 360.2m². The variance is to facilitate the future lifting of Part Lot Control to allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Location and Site Description

The subject property is located on the east side of Manhattan Court, north of Vincent Drive, both of which are new streets west of Ventura Drive. The subject property is surrounded by a mix of commercial buildings to the north and west, commercial and townhouses to the south, and detached and semi-detached dwellings to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E4 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, private road development, apartment buildings, and long-term care facilities.

Application A-49/18

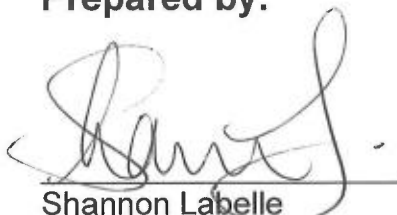
Application **A-49/18** requests an increase of the maximum lot area in order to facilitate the future lifting of Part Lot Control to allow each unit of the semi-detached dwelling to be owned and/or sold separately.

The subject property received approval for a Subdivision Agreement that was registered on July 24, 2017. At the time, the registered plan of subdivision, Registered Plan 30M-434, did not specify the lot fabrics for each individual unit of the subject townhomes and semi-detached dwellings. Upon application for lifting of Part Lot Control, Reference Plan 30R-15135 was deposited and it was determined that Part 19, together with easement Part 20, were in excess of the maximum lot area provision of the zoning by-law. Approval for the semi-detached dwellings has already been granted through the plan of subdivision process, and as such the variance will merely allow the lifting of Part Lot Control to be carried out to facilitate separate ownership of each unit of the semi. Staff are supportive of the proposed variance.

Conclusion


Staff are satisfied that the variance requested through Submission **A-49/18** 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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

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- Contact us
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:49 AM
To: Doug Crown

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5338

Re: 45 Manhattan Crt

In response to your correspondence dated May 2, 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.
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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
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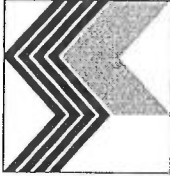
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Mark Lepp, Senior Plans Examiner / Building Inspector

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Memorandum

To: Elaine Munro, Planning and Building Services
CC:
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Date: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 –
60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 –
60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 –
60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 –
60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

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11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-50/18 (60.81.5339)

59 Manhattan Court

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-50/18

File: 60.81.5339

Subject: 59 Manhattan Court

Recommendation

That Submission **A-50/18** by PBG Properties Inc., 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-50/18** 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-50/18** has applied to vary the Zoning By-law, as amended to request an increase of the maximum lot areas for Parts 15 & 16 from 350m² to 377.7m². The variance is to facilitate the future lifting of Part Lot Control to allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Location and Site Description

The subject property is located on the east side of Manhattan Court, north of Vincent Drive, both of which are new streets west of Ventura Drive. The subject property is surrounded by a mix of commercial buildings to the north and west, commercial and townhouses to the south, and detached and semi-detached dwellings to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E4 of the GCP. The Medium Density Residential designation permits detached,

semi-detached, duplex, triplex, fourplex, quadruplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, private road development, apartment buildings, and long-term care facilities.

Variance Application A-50/18

Application **A-50/18** requests an increase of the maximum lot area in order to facilitate the future lifting of Part Lot Control to allow each unit of the semi-detached dwelling to be owned and/or sold separately.

The subject property received approval for a Subdivision Agreement that was registered on July 24, 2017. At the time, the registered plan of subdivision, Registered Plan 30M-434, did not specify the lot fabrics for each individual unit of the subject townhomes and semi-detached dwellings. Upon application for lifting of Part Lot Control, Reference Plan 30R-15135 was deposited and it was determined that Part 16, together with easement Part 15, were in excess of the maximum lot area provision of the zoning by-law. Approval for the semi-detached dwellings has already been granted through the plan of subdivision process, and as such the variance will merely allow the lifting of Part Lot Control to be carried out to facilitate separate ownership of each unit of the semi. Staff are supportive of the proposed variance.

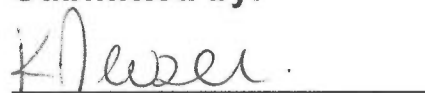
Conclusion

Staff are satisfied that the variance requested through Submission **A-50/18** 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.

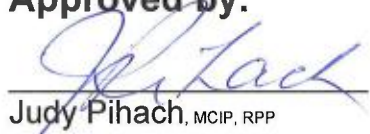
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP

Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:38 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine
Email 1
Cogeco has no issues or concerns with this application.
Thanks

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

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

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

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

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

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

If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!
Privacy Policy and Anti-spam Commitment

- Contact us
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:49 AM
To: Doug Crown

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5339

Re: 59 Manhattan Crt

In response to your correspondence dated May 2, 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 black ink, appearing to be 'M. Jakubowski', enclosed within a large, horizontal oval loop.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

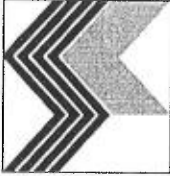
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
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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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

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106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
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350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

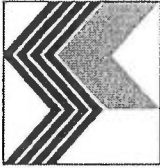
Condition(s):

Respectfully Submitted by:

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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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-51/18 (60.81.5340)

50 Jefferson Drive

DATE OF HEARING:
May 30, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-51/18

File: 60.81.5340

Subject: 50 Jefferson Drive

Recommendation

That Submission **A-51/18** by Helen Trainor and Daniel Trainor, as outlined in the Notice of Hearing, be approved, conditional on the edge of the driveway be located no closer than 1.5 m from the south lot line.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-51/18** 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-51/18** is requesting to vary the Zoning By-law, as amended to request a reduction of the minimum exterior side yard setback from 4 metres to 1.524 metres and for a reduction of the minimum front yard setback from 6 metres to 5.131 metres for the proposed construction of an addition, attached garage and covered porch.

Location and Site Description

The subject property is located on the northeast corner of Jefferson Drive and Chaffey Street and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E1 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 (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road development.

Application A-51/18

Application **A-51/18** is requesting a reduction of the minimum exterior side yard setback and for a reduction of the minimum front yard setback to the dwelling in order to facilitate the construction of an addition, attached garage and covered porch.

The requested reduction of the exterior side yard setback from 4 metres to 1.524 metres and the requested reduction of the front yard setback from 6 metres to 1.524 metres are not expected to have any adverse impacts on the surrounding area. The intent of the exterior side yard setback of the Zoning By-law is to ensure that sight lines remain clear and to maintain a particular built form. The intent of the front yard setback is to ensure the provision of amenity space between the house and lot line, as well as to ensure a car can be parked in front of the garage. The requested reduction to the exterior side yard setback will not impact the sight lines at the corner of Jefferson Drive and Chaffey Street, and as well the abutting property to the south across Chaffey Street has a similar setback from the exterior side yard lot line and therefore the reduction would not be out of character with adjacent properties. The reduction to the minimum front yard setback to the addition on the dwelling is not expected to have a noticeable impact. Although neighbouring dwellings are set back a similar distance as the existing house, the presence of a large evergreen between the subject property and the neighbour to the north assists in reducing the impact of the dwelling being a slight bit closer to the lot line than surrounding homes. The dwelling plus addition, attached garage and covered porch would still be in keeping with the character of the area. Approval of the variances 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-51/18** 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.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Judy Pinach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:43 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

Hi Elaine
Email 2
Cogeco has no issues or concerns with this application.
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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Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam - Contactez-nous
Cogeco Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

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Privacy Policy and Anti-spam Commitment

- [Contact us](#)
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:55 AM
To: Doug Crown
Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

Hi Doug:
This one came back saying it was too big. I'll split the emails into 2 and 2a.

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5340

Re: 50 Jefferson Drive

In response to your correspondence dated May 2, 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.
- 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.
- Existing underground service location may be in conflict with proposed front portion of addition.

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, enclosed within a large, hand-drawn oval. The signature is stylized and appears to read 'Mark Jakubowski'.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

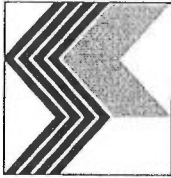
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

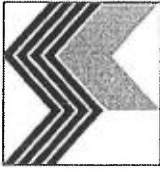
Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-52/18 (60.81.5341)

7 Abbey Avenue

DATE OF HEARING:
May 30, 2018

ST	CL	IP	P.D.S.
E. Marks			
MAY 16 2018			
FILE NO			

David E. Roberts
1 MASEFIELD AVE
ST. CATHARINES, ONTARIO
L2N 5J1

May 12 / 2018.

Committee of Adjustment.

I Live two houses down from this proposed development. I have looked at the plans and I think that they are simply stunning! I would love to have this house on the same street as mine. Please approve it!



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-52/18

File: 60.81.5341

Subject: 7 Abbey Avenue

Recommendation

That Submission **A-52/18** by Robert Morris, as outlined in the Notice of Hearing, be approved, conditional on the landscaping of the “hatched” area in City Boulevard on Peel St., as indicated on the sketch submitted with the application.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-52/18** 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-52/18** is requesting to vary the Zoning By-law as amended, for the following variances to allow the owners to rebuild and renovate the existing cottage:

1. A reduction of the minimum front yard setback from 3 metres to 1.2 metres
2. An increase of the maximum lot coverage from 40% to 43% subject to the following condition:
 - a) The owner undertake to reinstate landscaping within the Peel Street boulevard (hatched area shown on the sketch submitted with the application) to the satisfaction of PRCS as soon as possible after construction is complete, as determined by Planning and Building Services.

Location and Site Description

The subject property is located on the northwest corner of Abbey Avenue and Peel Street and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E1 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings at a density generally between 20 and 32 units per hectare of land. The subject property is also located within the Port Dalhousie Heritage District as per Schedule B of the GCP.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential with a special provision (R2-6) The R2-6 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road development. The special provision (6) provides an outdoor privacy zone on each lot immediately adjacent to the main building and shall represent an area equal to 40% of the total floor area of the dwelling unit. The privacy zone shall be uninterrupted outdoor area at grade for the purpose of recreation and leisure activities, and shall have at least a dimension of 4.5m and shall not be located in the front yard. The outdoor privacy zone may be calculated as part of the landscaped open space.

Application A-52/18

Application **A-52/18** a reduction in the minimum front yard setback from 3 metres to 1.2 metres and an increase in the maximum lot coverage from 40% to 43%.

The subject lands are located within the Port Dalhousie Heritage District. The heritage district designation was approved in 2003. Changes within the district are considered in accordance with the Ontario Heritage Act and are guided by the applicable policies of the Garden City Plan and the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001). The Port Dalhousie Heritage Conservation District Study Heritage Assessment Report (2000) provides background information that supported the district designation. These documents are available on the City's website or on request.

The lands are more specifically located in the "Cottage Area" of the Port Dalhousie Heritage District. While the area was originally made up of one storey, vernacular frame structures, there are a number of two storey homes and more recent additions to dwellings that characterize the area.

Part C, Section 3, of the GCP provides Cultural Heritage policies. Section 3.2.7 states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles where there is potential to impact any cultural heritage resources. New additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the front facade (3.2.7 (c)).

The Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change provide further guidance as set out in the Garden City Plan. Section 5.2 guides consideration of additions to heritage buildings. It states, in part, that additions are encouraged to locate at the rear or inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties. Additions should distinguish between new and old and contemporary design for additions are appropriate when such additions do not destroy existing building fabric.

The proposal will add a contemporarily designed addition to the existing cottage in a manner that maintains the general footprint of the original dwelling. While the proposed addition is higher than the original one storey dwelling there are two storey buildings in the immediate area that provide context to the proposal. The corner lot location limits how inconspicuous any addition would be. The addition respects the 7.5 metre height limit in the Cottage Area. On balance the proposal is consistent with the heritage policies in the City's Official Plan and with the Port Dalhousie Heritage Conservation Guidelines for Conservation and Change.

The requested reduction to the front yard setback and increase of the maximum lot coverage for the renovation and rebuilding of the cottage are not expected to have significant impacts on neighbouring properties. There are similar houses in the neighbouring area with new additions, and many of the houses extend almost to the lot line. The requested variance to the front yard setback is due to the fact that the defined front yard area of the property actually functions as a side yard. Neighbouring properties have very minimal amenity space and landscaping on their lands, and therefore the expansion of the cottage dwelling to a greater portion of the site would not be out of character with the surrounding properties. Approval of the variances would facilitate the renovation of the existing cottage and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

PRCS staff have offered no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space and the hatched area should be reinstated with landscaping to clearly indicate it as such. PRCS recommends that the bump out be re-instated with landscaping. Traffic staff has also expressed no concerns with the proposal, and noted that staff see no reason to paint a "hatched" area on the boulevard. Therefore, staff are supportive of the requested variances, conditional on the landscaping of the "hatched" area indicated on the submitted sketch.


Conclusion

Staff are satisfied that the variance requested through application **A-52/18** 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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:43 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

Hi Elaine
Email 2
Cogeco has no issues or concerns with this application.
Thanks

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:55 AM
To: Doug Crown
Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2

Hi Doug:
This one came back saying it was too big. I'll split the emails into 2 and 2a.

May 10, 2018

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

Attention: Elaine Munro

File# 60.81.5341

Re: 7 Abbey Ave

In response to your correspondence dated May 2, 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.
- Existing overhead service to 6 Abbey Ave in conflict with proposed addition to 7 Abbey Ave.

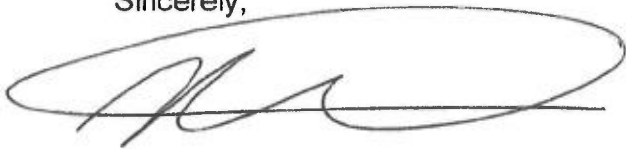
We would also like to stipulate the following:

- 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.

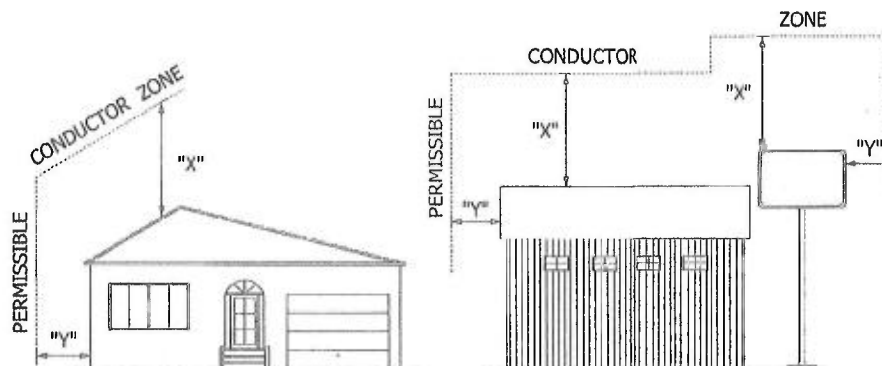
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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', written over a horizontal line.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

From: Sarah Mastroianni <smastroianni@npca.ca>
Sent: Wednesday, May 02, 2018 2:59 PM
To: Munro, Elaine
Subject: RE: Committee of Adjustment Notice and Application for 7 Abbey Avenue being heard at the May 30/18 CofA Hearing, City of St. Catharines

Hi Elaine,

The NPCA offers no objections to this proposal.

Thanks.

Sarah Mastroianni
Watershed Planner
Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2
Phone: 905 788 3135 (ext. 249)
Fax: 905 788 1121
email: smastroianni@npca.ca

From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 02, 2018 10:23 AM
To: Sarah Mastroianni <smastroianni@npca.ca>
Subject: Committee of Adjustment Notice and Application for 7 Abbey Avenue being heard at the May 30/18 CofA Hearing, City of St. Catharines

Good Morning Sarah:

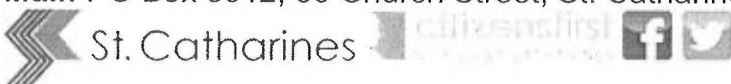
Attached please find the Notice, Application & Sketches for 7 Abbey Avenue being heard at the May 30, 2018 Committee of Adjustment Hearing for the City of St. Catharines.

It would be greatly appreciated if you could please forward your comments by **Friday, May 18, 2018**.

1. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341

Thanks, Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician
Email: emunro@stcatharines.ca
Phone: 905.688.5601 x1715 **TTY:** 905.688.4TTY (4889)
Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2



Munro, Elaine

From: Blozowski, Kevin
Sent: Wednesday, May 02, 2018 11:26 AM
To: Munro, Elaine; Banda, Wilrik; Labelle, Shannon; Jensen, Kirstin
Cc: Pihach, Judy
Subject: RE: Committee of Adjustment Notice and Application for 7 Abbey Avenue being heard at the May 30/18 CofA Hearing, City of St. Catharines -

The application for variances is intended to allow for an addition to the existing dwelling at 7 Abbey Avenue. The requested variances are for a reduction in the minimum front yard setback (3 metres to 1.2 metres) and an increase in the maximum lot coverage (40% to 43%).

The subject lands are located within the Port Dalhousie Heritage District. The heritage district designation was approved in 2003. Changes within the district are considered in accordance with the Ontario Heritage Act and are guided by the applicable policies of the Garden City Plan and the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change (2001). The Port Dalhousie Heritage Conservation District Study Heritage Assessment Report (2000) provides background information that supported the district designation. These documents are available on the City's website or on request.

The lands are more specifically located in the "Cottage Area" of the Port Dalhousie Heritage District. While the area was originally made up of one storey, vernacular frame structures, there are a number of two storey homes and more recent additions to dwellings that characterize the area.

Part C, Section 3, of The Garden City Plan (the City's Official Plan) provides Cultural Heritage policies. Section 3.2.7 states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles where there is potential to impact any cultural heritage resources. New additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the front facade (3.2.7 (c)).

The Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change provide further guidance as set out in the Garden City Plan. Section 5.2 guides consideration of additions to heritage buildings. It states, in part, that additions are encouraged to locate at the rear or inconspicuous side of the building, limited in size and scale to complement the existing building and neighbouring properties. Additions should distinguish between new and old and contemporary design for additions are appropriate when such additions do not destroy existing building fabric.

The proposal will add a contemporarily designed addition to the existing cottage in a manner that maintains the general footprint of the original dwelling. While the proposed addition is higher than the original one storey dwelling there are two storey buildings in the immediate area that provide context to the proposal. The corner lot location limits how inconspicuous any addition would be. The addition respects the 7.5 metre height limit in the Cottage Area. On balance the proposal is consistent with the heritage policies in the City's Official Plan and with the Port Dalhousie Heritage Conservation Guidelines for Conservation and Change.

Heritage permit approval (HPA) will be required should this application be approved. Application for HPA is made to the Planning and Building Services (PBS) Department and is circulated to the St. Catharines Heritage Permit Advisory Committee (SCHPAC) for consideration and recommendation based on the policies and guidelines of the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change. HPA is granted by the PBS. There is a \$152.85 fee for HPA (2018).

Kevin

Kevin Blozowski M.C.I.P., R.P.P.
Heritage Planner
Email: kblozowski@stcatharines.ca
Tel: 905.688.5601 x1710

From: Munro, Elaine
Sent: Wednesday, May 02, 2018 10:22 AM
To: Blozowski, Kevin
Subject: Committee of Adjustment Notice and Application for 7 Abbey Avenue being heard at the May 30/18 CofA Hearing, City of St. Catharines -

Good Morning Kevin:

Attached please find the Notice, Application & Sketches for 7 Abbey Avenue being heard at the May 30, 2018 Committee of Adjustment Hearing for the City of St. Catharines.

It would be greatly appreciated if you could please forward your comments to Kirstin Jensen, Shannon Labelle, Wil Banda & I by **Tuesday, May 8, 2018**.

1. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341

Thanks, Elaine

Elaine Munro ACST
Committee Secretary and Planning Technician
Email: emunro@stcatharines.ca
Tel: 905.688.5601 x1715



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

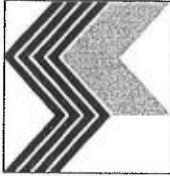
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-36/18SC (60.84.2176), A-49/17
(60.81.5218) & A-62/18 (60.81.5342)**

104A Eastchester Avenue

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Meeting: May 30, 2018

Submission(s): B-36/18SC
A-49/17
A-62/18

File: 60.84.2176
60.81.5218
60.81.5342

Subject: 104A Eastchester Avenue
104B Eastchester Avenue

Recommendation

That Submission **B-36/18SC** by Silvergate Developments Inc. and Mancini Developments Inc., 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, in accordance with the 2018 Schedule of Rates and Fees;
2. That a road widening dedication of approximately 4 metres along the frontage of Eastchester Avenue in accordance with Part 5 on the submitted sketch, be conveyed gratuitously to the City of St. Catharines. The land is to be conveyed free and clear of any mortgages, lines or encumbrances; and,
3. Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway.

That Submission **A-49/17**, by Silvergate Developments Inc. and Mancini Developments Inc., as outlined in the Notice of Hearing, be approved.

And that Submission **A-62/18**, by Silvergate Developments Inc. and Mancini Developments Inc., as outlined in the Notice of Hearing, be approved.

Background

The building permit for this semi-detached dwelling was issued under section 2.15.1.1 of the zoning by-law (By-law 2013-283) which permits various dwelling types permitted by the applicable zone, on existing undersized lots (under the required lot frontage and under the required lot area as per the zoning by-law). Staff recognized this permission was resulting in overdevelopment of undersized lots and recommended to Council an amendment to the zoning by-law to limit the permitted dwelling types on an existing

undersized lot to only single detached dwellings (By-law 2017-295). The zoning amendment was adopted by Council but appealed to the Local Planning Appeal Tribunal (LPAT, formerly the Ontario Municipal Board (OMB)). That appeal has not yet been heard and until such time as the appeal is decided upon, the original zoning permissions prevail.

In addition, the Committee should be aware that in the near future, Council will consider a further amendment to the zoning by-law requiring lots to be created *prior to the issuance of a building permit* for a semi-detached dwelling. Should Council approve this zoning amendment, the Committee will have to approve the severance of a lot for each half of the semi, prior to a building permit being issued.

The Proposal

Application **B-36/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 202.37m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 104B Eastchester Avenue East for the purpose of severing one-half of a semi-detached dwelling. A 219.38m² remnant parcel (Part 1) of the other half of the semi-detached dwelling would be retained for residential use. Part 5 is to be dedicated to the City for a road widening. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There are concurrent minor variance applications **A-49/17** & **A-62/18**.

Application **A-49/17** is made to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 280m² to 219.38m² and for a reduction of the minimum lot frontage from 7.5 metres to 5.896 metres to facilitate the concurrent consent **B-36/18SC** to sever the semi-detached dwelling (Part 1).

Application **A-62/18** is made to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 280m² to 202.37m² and for a reduction of the minimum lot frontage from 7.5 metres to 5.9 metres to facilitate the concurrent consent **B-36/18SC** to sever the semi-detached dwelling (Part 2).

Location and Site Description

The subject property is located on the south side of Eastchester Avenue, east of Grantham Avenue South. The subject property is surrounded by detached dwellings and a commercial building to the north, and detached dwellings to the south, east and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E9 of the GCP. The Low Density Residential designation permits detached, semi-

detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R2). The R2 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse dwellings, and private road developments. This property is further subject to Section 2.15.1.1, the 'Existing Lots –Transition' clause of the zoning by-law, currently under appeal to the LPAT.

Consent Application B-36/18SC

Application **B-36/18SC** is made for consent to a partial discharge of mortgage and for consent to sever the subject land (Part 2) for the creation of a new lot to be known as 104B Eastchester Avenue, for the purpose of severing one-half of a semi-detached dwelling. A 219.38m² remnant parcel of the semi-detached dwelling shall be retained for residential use (Part 1). Part 5 is to be dedicated to the City for a road widening.

Staff initiated and Council has approved changes to the zoning by-law to prohibit this dwelling type on existing undersized lots in the future. In the circumstances that prevail on this application, being a building permit has been issued in accordance with the zoning at the time the building permit was issued, and recognizing the dwelling is under construction or possibly completed, there is nothing to be gained by withholding the severance to recognize each half of the semi-detached dwelling on its own lot.

The City's Development Engineering Section noted that Eastchester Avenue is an Arterial road as per the City's Official Plan with a desired right-of-way width of +/-26m. Its current width is deficient, therefore a widening is required to be dedicated along the property frontage to the City free and clear of encumbrances to be known as Eastchester Avenue. It is understood that these dwellings have already gone through the building permit process, where individual lot grading plans have been reviewed and accepted to the City's satisfaction.

Design Review Panel (DRP)

The Design Review Panel (DRP) provides design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Consent applications received after September 14, 2017 to create new, vacant residential lots are required to first go before the DRP prior to submitting the complete application. The subject property was granted building permits to construct a new semi-detached dwelling on August 8, 2017, therefore pre-dating the time when the Design Review Panel took effect. The subject application was therefore exempt from review by the DRP.

Variance Applications A-49/17 and A-62/18

Applications **A-49/17** (Part 1) and **A-62/18** (Part 2) request a reduction of the minimum lot area and a reduction of the minimum lot frontage per dwelling unit in order to facilitate the concurrent consent application **B-36/18SC**.

Similar to the above comments on the consent application, there is nothing to be gained by denying the minor variances requested. The building permit is issued and the building under construction or completed. The variances simply facilitate the selling of each half of the semi on its own lot.


Conclusion

Staff do not support the overdevelopment of undersized lots. However, the zoning in effect at the time the building permit was issued for this dwelling did permit a semi-detached dwelling on this lot. The requested consent and variances are to facilitate the selling of each half of the semi on its own lot.

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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2a

104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
104A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:43 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2a

Hi Elaine
Email 2a
Cogeco has no issues or concerns with this application.
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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Ce courriel provient de Doug.Crown@cogeco.com. Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

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

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

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

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Privacy Policy and Anti-spam Commitment

- [Contact us](#)

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:58 AM

To: Doug Crown

Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 2a

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, May 03, 2018 10:17 AM
To: Munro, Elaine
Subject: 905-18-198 - Consent Application B-36/18SC - 104A Eastchester Avenue

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B-36/18SC regarding 104A Eastchester Avenue.

Thank you,

Char Hall
External Liaison
Bell Canada Right of Way
P: 705-722-2264
F: 705-726-4600
1-888-646-4817
charleyne.hall@bell.ca

Bell

140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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

May 10, 2018

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

Attention: Elaine Munro

File# 60.84.2176, 60.81.5218, 60.81.5342, 60.84.2177, 60.84.5343 & 60.81.5344

Re: 104A, 104B & 106A Eastchester Ave

In response to your correspondence dated May 2, 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.
- Developers to acquire an easement, if required.

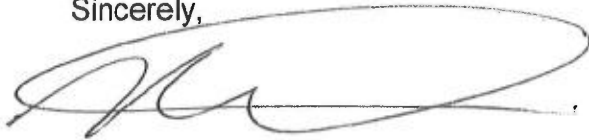
We would also like to stipulate the following:

- 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.

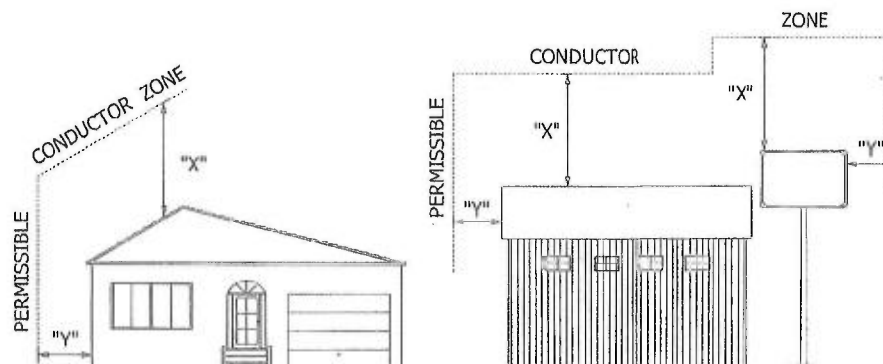
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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 be 'Mark Jakubowski', written over a horizontal line.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0



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: May 7, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 30, 2018 hearing - File No.: 300-036

B-33/18SC – 106A Eastchester Avenue

Comment:
- No Comment

Condition:
- No Comment

B-34/18SC – 52 Merigold Street

Comment:
- No Comment

Condition:
- No Comment

B-35/18SC – 78 Townline Road West

Comment:
- No Comment

Condition:
- No Comment

B-36/18SC – 104A Eastchester Avenue

Comment:

- No Comment

Condition:

- No Comment

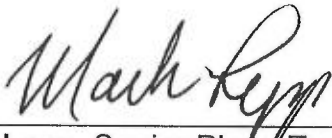
B-37/18SC – 614 Niagara Street

Comment:

- Be advised that a building permit is required for the construction of the proposed semi-detached dwelling.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, 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

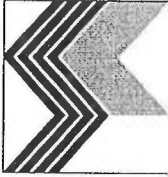
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 –
60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 –
60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-36/18SC



May 9, 2018

ENGINEERING FILE 300-36

Hearing Date: May 30, 2018

Applicant: Silvergate Developments Inc. and Mancini Developments Inc.

Location: 104A Eastchester Avenue

MUNICIPAL SERVICES

Eastchester Avenue

Water:	200mm P.V.C. 600mm Regional
Sanitary:	900mm 750mm Regional Trunk
Storm:	None
Sidewalks:	Yes
R.O.W Width:	18.2m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 104B Eastchester Avenue for the purpose of severing one-half of a semi-detached dwelling currently under construction. A remnant parcel with the other half of the semi-detached dwelling (Part 1) would be retained for residential use. Part 5 is to be dedicated to the City for a road widening. The application would allow each of the semi-detached dwellings to be owned and/or sold separately.

Roads

Eastchester Avenue is an Arterial road per the City's Official Plan with a desired right-of-way width of +/-26m. Its current width is deficient, therefore widening is required to be dedicated along the property frontage to the City free and clear of encumbrances to be known as Eastchester Avenue.

It is understood that these dwellings have already gone through the building permit process, where individual lot grading plans have been reviewed and accepted to the City's satisfaction.

Condition(s): The Applicant shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Eastchester Avenue to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway

Prepared By:


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



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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-33/18SC (60.84.2177), A-53/18
(60.81.5343) & A-54/18 (60.81.5344)**

106A Eastchester Avenue

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): B-33/18SC
A-53/18
A-54/18

File: 60.84.2177
60.84.5343
60.81.5344

Subject: 106A Eastchester Avenue
106B Eastchester Avenue

Recommendation

That Submission **B-33/18SC**, by Mancini Developments Inc. and Silvergate Developments Inc., 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, in accordance with the 2018 Schedule of Rates and Fees;
2. That a road widening dedication of approximately 4 metres along the frontage of Eastchester Avenue in accordance with Part 5 on the submitted sketch, be conveyed gratuitously to the City of St. Catharines. The land is to be conveyed free and clear of any mortgages, lines or encumbrances; and,
3. Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway.

That Submission **A-53/18**, by Mancini Developments Inc. and Silvergate Developments Inc., as outlined in the Notice of Hearing, be approved.

That Submission **A-54/18**, by Mancini Developments Inc. and Silvergate Developments Inc., as outlined in the Notice of Hearing, be approved.

Background

The building permit for this semi-detached dwelling was issued under section 2.15.1.1 of the zoning by-law (By-law 2013-283) which permits various dwelling types permitted by the applicable zone, on existing undersized lots (under the required lot frontage and under the required lot area as per the zoning by-law). Staff recognized this permission was resulting in overdevelopment of undersized lots and recommended to Council an amendment to the zoning by-law to limit the permitted dwelling types on an existing undersized lot to only single detached dwellings (By-law 2017-295). The zoning amendment was adopted by Council but appealed to the Local Planning Appeal Tribunal

(LPAT, formerly the Ontario Municipal Board (OMB)). That appeal has not yet been heard and until such time as the appeal is decided upon, the original zoning permissions prevail.

In addition, the Committee should be aware that in the near future, Council will consider a further amendment to the zoning by-law requiring lots to be created *prior to the issuance of a building permit* for a semi-detached dwelling. Should Council approve this zoning amendment, the Committee will have to approve the severance of a lot for each half of the semi, prior to a building permit being issued.

The Proposal

Application **B-33/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 215.69m² of land (Part 3 on the submitted sketch) creating a new lot to be known as 106A Eastchester Avenue East for the purpose of severing one-half of a semi-detached dwelling. A 229.13m² remnant parcel (Part 4) of the other half of the semi-detached dwelling would be retained for residential use. Part 5 is to be dedicated to the City for a road widening. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There are concurrent minor variance applications **A-53/18** & **A-54/18**.

Application **A-53/18** has applied to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 280m² to 215.69m² and for a reduction of the minimum lot frontage from 7.5 metres to 5.896 metres to facilitate the concurrent consent B-33/18SC to sever the semi-detached dwelling (Part 3).

Application **A-54/18** has applied to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 280m² to 229.13m² and for a reduction of the minimum lot frontage from 7.5 metres to 5.9 metres to facilitate the concurrent consent B-33/18SC to sever the semi-detached dwelling (Part 4).

Location and Site Description

The subject property is located on the south side of Eastchester Avenue, east of Grantham Avenue South. The subject property is surrounded by detached dwellings and a commercial building to the north, and detached dwellings to the south, east, and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, and private road developments. This property is further subject to Section 2.15.1.1, the 'Existing Lots –Transition' clause of the zoning by-law, currently under appeal to the LPAT.

Consent Application B-33/18SC

Application **B-33/18SC** is made for consent to sever the subject land (Part 3) for the creation of a new lot to be known as 106A Eastchester Avenue for the purpose of severing one-half of a semi-detached dwelling. A 229.13m² remnant parcel of the semi-detached dwelling shall be retained for residential use (Part 4). Part 5 is to be dedicated to the City for a road widening.

Staff initiated and Council has approved changes to the zoning by-law to prohibit this dwelling type on existing undersized lots in the future. In the circumstances that prevail on this application, being a building permit has been issued in accordance with the zoning at the time the building permit was issued, and recognizing the dwelling is under construction or possibly completed, there is nothing to be gained by withholding the severance to recognize each half of the semi-detached dwelling on its own lot.

The City's Development Engineering Section noted that Eastchester Avenue is an Arterial road as per the City's Official Plan with a desired right-of-way width of +/-26m. Its current width is deficient, therefore a widening is required to be dedicated along the property frontage to the City free and clear of encumbrances to be known as Eastchester Avenue. It is understood that these dwellings have already gone through the building permit process, where individual lot grading plans have been reviewed and accepted to the City's satisfaction.

Design Review Panel (DRP)

The Design Review Panel (DRP) provides design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Consent applications received after September 14, 2017 to create new, vacant residential lots are required to first go before the DRP prior to submitting the complete application. The subject property was granted building permits to construct a new semi-detached dwelling on August 8, 2017, therefore pre-dating the time when the Design Review Panel took effect. The subject application was therefore exempt from review by the DRP.

Variance Applications A-53/18 and A-54/18

Applications **A-53/18** (Part 3) and **A-54/18** (Part 4) request a reduction of the minimum lot area and a reduction of the minimum lot frontage per dwelling unit in order to facilitate the concurrent consent application **B-33/18SC**.

Similar to the above comments on the consent application, there is nothing to be gained by denying the minor variances requested. The building permit is issued and the building

under construction or completed. The variances simply facilitate the selling of each half of the semi on its own lot.

Conclusion

Staff do not support the overdevelopment of undersized lots. However, the zoning in effect at the time the building permit was issued for this dwelling did permit a semi-detached dwelling on this lot. The requested consent and variances are to facilitate the selling of each half of the semi on its own lot.

Prepared by:

Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

May 10, 2018

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

Attention: Elaine Munro

File# 60.84.2176, 60.81.5218, 60.81.5342, 60.84.2177, 60.84.5343 & 60.81.5344

Re: 104A, 104B & 106A Eastchester Ave

In response to your correspondence dated May 2, 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.
- 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.

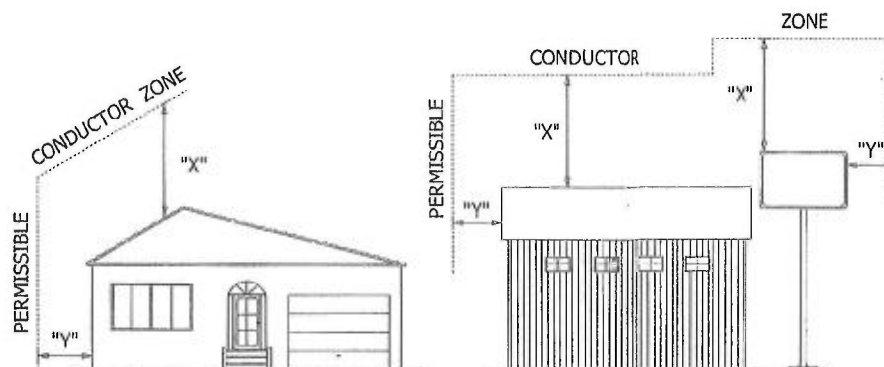
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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, appearing to read 'Mark Jakubowski', with a large, sweeping loop at the end.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 3

106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:39 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 3

Hi Elaine
Email 3
Cogeco has no issues or concerns with this application.
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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Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.

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

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

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- Contact us

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:50 AM

To: Doug Crown

Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 3

Email 3

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, May 03, 2018 10:19 AM
To: Munro, Elaine
Subject: 905-18-199 - Consent Application B-33/18SC - 106A Eastchester Avenue

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B-33/18SC regarding 106A Eastchester Avenue.

Thank you,

Char Hall
External Liaison
Bell Canada Right of Way
P: 705-722-2264
F: 705-726-4600
1-888-646-4817
charleyne.hall@bell.ca

Bell

140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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



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: May 7, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 30, 2018 hearing - File No.: 300-036

B-33/18SC – 106A Eastchester Avenue

Comment:
- No Comment

Condition:
- No Comment

B-34/18SC – 52 Merigold Street

Comment:
- No Comment

Condition:
- No Comment

B-35/18SC – 78 Townline Road West

Comment:
- No Comment

Condition:
- No Comment

B-36/18SC – 104A Eastchester Avenue

Comment:

- No Comment

Condition:

- No Comment

B-37/18SC – 614 Niagara Street

Comment:

- Be advised that a building permit is required for the construction of the proposed semi-detached dwelling.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, 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

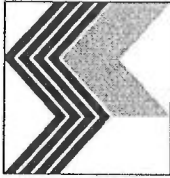
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read 'James R. Denham', with a long horizontal flourish extending to the right.

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

JD/jd

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-33/18SC



May 9, 2018

ENGINEERING FILE 300-36

Hearing Date: May 30, 2018

Applicant: Mancini Developments Inc. and Silvergate Developments Inc.

Location: 106A Eastchester Avenue

MUNICIPAL SERVICES

Eastchester Avenue

Water:	200mm P.V.C. 600mm Regional
Sanitary:	900mm 750mm Regional Trunk
Storm:	None
Sidewalks:	Yes
R.O.W Width:	18.2m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 3 creating a new lot to be known as 106A Eastchester Avenue for the purpose of severing one-half of a semi-detached dwelling currently under construction. A remnant parcel with the other half of the semi-detached dwelling (Part 4) would be retained for residential use. Part 5 is to be dedicated to the City for a road widening. The application would allow each of the semi-detached dwellings to be owned and/or sold separately.

Roads

Eastchester Avenue is an Arterial road per the City's Official Plan with a desired right-of-way width of +/-26m. Its current width is deficient, therefore widening is required to be dedicated along the property frontage to the City free and clear of encumbrances to be known as Eastchester Avenue.

It is understood that these dwellings have already gone through the building permit process, where individual lot grading plans have been reviewed and accepted to the City's satisfaction.

Condition(s): The Applicant shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Eastchester Avenue to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway

A handwritten signature in black ink, appearing to be 'Brad Johnston'.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-35/18SC (60.84.2179), A-60/18
(60.81.5350) & A-61/18 (60.81.5351)**

78 Townline Road West

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Meeting: May 30, 2018

Submission(s): B-35/18SC
A-60/18
A-61/18

File: 60.84.2179
60.81.5350
60.81.5351

Subject: 78 Townline Road West
78A Townline Road West
78B Townline Road West

Recommendation

That Submission **B-35/18SC** by Mancini Developments Inc., 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, in accordance with the 2018 Schedule of Rates and Fees.

That Submission **A-60/18**, by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved.

And that Submission **A-61/18**, by Mancini Developments Inc., as outlined in the Notice of Hearing, be approved.

Background

The building permit for this semi-detached dwelling was issued under section 2.15.1.1 of the zoning by-law (By-law 2013-283) which permits various dwelling types permitted by the applicable zone, on existing undersized lots (under the required lot frontage and under the required lot area as per the zoning by-law). Staff recognized this permission was resulting in overdevelopment of undersized lots and recommended to Council an amendment to the zoning by-law to limit the permitted dwelling types on an existing undersized lot to only single detached dwellings (By-law 2017-295). The zoning amendment was adopted by Council but appealed to the Local Planning Appeal Tribunal (LPAT, formerly the Ontario Municipal Board (OMB)). That appeal has not yet been heard and until such time as the appeal is decided upon, the original zoning permissions prevail.

In addition, the Committee should be aware that in the near future, Council will consider a further amendment to the zoning by-law requiring lots to be created *prior to the issuance of a building permit* for a semi-detached dwelling. Should Council approve this zoning

amendment, the Committee will have to approve the severance of a lot for each half of the semi, prior to a building permit being issued.

The Proposal

Application **B-35/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 204.39m² of land (Unit 1 on the submitted sketch) creating a new lot to be known as 78A Townline Road West for the purpose of severing one-half of a semi-detached dwelling. A 204.39m² remnant parcel (Unit 2) of the other half of the semi-detached dwelling would be retained for residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There are concurrent minor variance applications **A-60/19** and **A-61/18**.

Application **A-60/18** is requesting to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 370m² to 204.39m² and for a reduction of the minimum lot frontage from 11 metres to 6.096 metres to facilitate the concurrent consent **B-35/18SC** to sever the semi-detached dwelling (Unit 1).

Application **A-61/18** is requesting to vary the Zoning By-law as amended, for a reduction of the minimum lot area from 370m² to 204.39m² and for a reduction of the minimum lot frontage from 11 metres to 6.096 metres to facilitate the concurrent consent **B-35/18SC** to sever the semi-detached dwelling (Unit 2)

Location and Site Description

The subject property is located on the north side of Townline Road West, between Keating Street and Rountree Road, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E9 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, 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 (R1). The R1 zone permits detached, semi-detached, quadruplex and townhouse dwellings and private road developments. This property is further subject to Section 2.15.1.1, the 'Existing Lots –Transition' clause of the zoning by-law, currently under appeal to the LPAT.

Consent Application B-35/18SC

Application **B-35/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 204.39m² of land (Unit 1) creating a new lot to be known as 78A Townline Road West. A 204.39m² remnant parcel with the other half of the semi-detached dwelling currently under construction would be retained for residential use.

Staff initiated and Council has approved changes to the zoning by-law to prohibit this dwelling type on existing undersized lots in the future. In the circumstances that prevail on this application, being a building permit has been issued in accordance with the zoning at the time the building permit was issued, and recognizing the dwelling is under construction or possibly completed, there is nothing to be gained by withholding the severance to recognize each half of the semi-detached dwelling on its own lot.

Design Review Panel (DRP)

The Design Review Panel (DRP) provides design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Consent applications received after September 14, 2017 to create new, vacant residential lots are required to first go before the DRP prior to submitting the complete application. The subject property was granted building permits to construct a new semi-detached dwelling on October 6, 2017, therefore pre-dating the time when the Design Review Panel took effect. The subject application was therefore exempt from review by the DRP.

Variance Applications A-60/18 and A-61/18

Applications **A-60/18** (Unit 1) and **A-61/18** (Unit 2) request a reduction of the minimum lot area and a reduction of the minimum lot frontage per dwelling unit in order to facilitate the concurrent consent application **B-35/18SC**.

Similar to the above comments on the consent application, there is nothing to be gained by denying the minor variances requested. The building permit is issued and the building under construction or completed. The variances simply facilitate the selling of each half of the semi on its own lot.

Conclusion

Staff do not support the overdevelopment of undersized lots. However, the zoning in effect at the time the building permit was issued for this dwelling did permit a semi-detached dwelling on this lot. The requested consent and variances are to facilitate the selling of each half of the semi on its own lot.

Prepared by:

Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

May 10, 2018

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

Attention: Elaine Munro

File# 60.84.2179, 60.81.5350 & 60.81.5351

Re: 78, 78A & 78B Townline Road West

In response to your correspondence dated May 2, 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.
- 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.

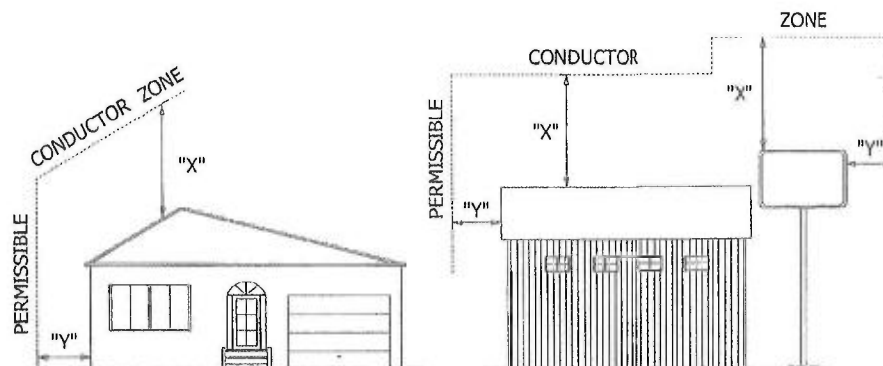
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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, enclosed within a large, hand-drawn oval. The signature is stylized and appears to read 'Mark Jakubowski'.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWINGS
NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4

78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351
999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:41 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4

Hi Elaine
Email 4
Cogeco has no issues or concerns with this application.
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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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 Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

--
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- [Contact us](#)

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:50 AM

To: Doug Crown

Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, May 03, 2018 10:20 AM
To: Munro, Elaine
Subject: 905-18-200 - Consent Application B-35\18SC - 78 Townline Road West

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B-35/18SC regarding 78 Townline Road West.

Thank you,

Char Hall
External Liaison
Bell Canada Right of Way
P: 705-722-2264
F: 705-726-4600
1-888-646-4817
charleyne.hall@bell.ca

Bell

140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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



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: May 7, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 30, 2018 hearing - File No.: 300-036

B-33/18SC – 106A Eastchester Avenue

Comment:
- No Comment

Condition:
- No Comment

B-34/18SC – 52 Merigold Street

Comment:
- No Comment

Condition:
- No Comment

B-35/18SC – 78 Townline Road West

Comment:
- No Comment

Condition:
- No Comment

B-36/18SC – 104A Eastchester Avenue

Comment:

- No Comment

Condition:

- No Comment

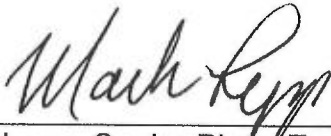
B-37/18SC – 614 Niagara Street

Comment:

- Be advised that a building permit is required for the construction of the proposed semi-detached dwelling.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036



Memorandum

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

Cc: B. Thiessen, 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-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	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-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

JD/jd

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-35/18SC



April 26, 2018

ENGINEERING FILE 300-36

Hearing Date: May 30, 2017

Applicant: Mancini Developments Inc.

Location: 78 Townline Road West

MUNICIPAL SERVICES

Water: 150mm (6")

Sanitary Sewer: 250mm (10")

Storm Sewer: None

Sidewalks: Yes

Road Allowance Width: 20.0m (66') +

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

Comment(s):

It is noted that the Owner proposes to sever Part 1 on the submitted sketch creating a new lot known as 78A Townline Road West for the purposes of severing ½ of a semi-detached dwelling. A remnant parcel, Part 2 would be retained for the continued use of the other ½ of the semi-detached dwelling. The application would allow each unit of the semi-detached dwelling to be sold separately.

Roads

Townline Road West is designated a Local road as per the City's Official Plan with a desired right of-way width of 20.0m (66'). A road widening across the frontage of this property is not required.

Engineering Services

Development requirements have already been addressed through a current building permit application, in progress. Development Engineering have no further comment and no objection to the approval of the above noted consent application.

Condition(s): None.

Prepared By:

A handwritten signature in black ink, appearing to read 'Brad Johnston'.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

Munro, Elaine

From: Network Info <network.info@horizonutilities.com>
Sent: Monday, May 14, 2018 1:46 PM
To: Munro, Elaine
Subject: Response Letters
Attachments: SCH_CLR2018-246.pdf; SCH_CLR2018-257_258_259.pdf; SCH_CLR2018-250.pdf; SCH_CLR2018-249.pdf

Hi Elaine,

Response letters are attached for the following files:

60.84.2179, 60.81.5350 & 60.81.5351 – 78, 78A & 78B Townline Rd W

60.81.5341 – 7 Abbey Ave

60.81.5340 – 50 Jefferson Dr

60.81.5337 – 179 Louth St

This is an email response only, the originals will not be mailed.

Thanks,
Samantha

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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

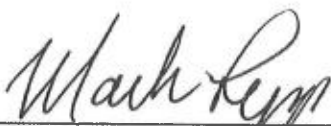
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 17, 2018

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

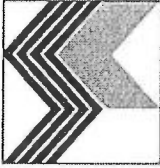
NO.	ADDRESS	COMMENTS
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A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
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A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
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NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
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A-62/18	104B Eastchester Ave	No Comment
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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
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

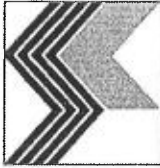
A-052/18 – 7 Abbey Avenue

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Steve Bittner
Transportation Technologist
SB/



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 2, 2018

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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-55/18 (60.81.5345)

999 Pelham Road

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-55/18

File: 60.81.5345

Subject: 999 Pelham Road

Recommendation

That Submission **A-55/18** by Cairnwood Developments Inc., 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-55/18** 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-55/18** is requesting to vary the Zoning By-law as amended, to request a reduction of the minimum lot area from 298m² to 292.3m² for Parts 5 and 6. The variance is to facilitate the future lifting of Part Lot Control to allow each unit of the 4-unit townhouse to be owned and/or sold separately.

Location and Site Description

The subject property is located to the northwest side of Pelham Road, west of Vansickle Road. The subject property is surrounded mostly by detached dwellings to the north, east and west and green space to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject 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, fourplex, quadruplex, 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 (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road developments.

Application A-55/18

Application **A-55/18** requests the reduction of the minimum lot area from 298m² to 292.3m² for Parts 5 and 6 in order to facilitate the future lifting of Part Lot control to allow each unit of the 4-unit townhouse to be owned and/or sold separately.

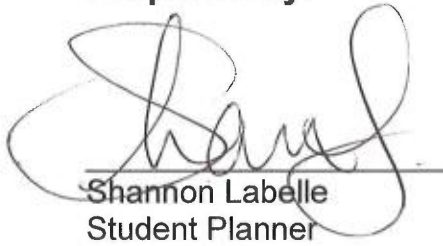
The subject property was subject to a previous minor variance application in 2015 (A-49/2015), which granted approval for a reduced minimum lot area for Part 5 (then referred to as Unit F) for a lot area of 298m².

The subject property received approval for a Subdivision Agreement that was registered on April 5, 2016. At the time, the registered plan of subdivision, Registered Plan 30M-428, did not specify the lot fabrics for each individual unit of the subject townhouse dwellings. Upon application for lifting of Part Lot Control, Reference Plan 30R-15092 was deposited and it was determined that Part 5, together with easement Part 6, were deficient of the minimum lot area that was previously granted through the minor variance in 2015 due to revisions to the lot fabrics since that time. Approval for the townhouse dwellings has already been granted through the plan of subdivision process, and as such the variance will merely allow the lifting of Part Lot Control to be carried out to facilitate separate ownership of each unit of the townhomes. Staff are supportive of the proposed variance.

Conclusion


Staff are satisfied that the variance requested through Submission **A-55/18** is 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: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4

78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351
999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:41 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4

Hi Elaine
Email 4
Cogeco has no issues or concerns with this application.
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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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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Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam – Contactez-nous
Cogeco Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

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- [Contact us](#)

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:50 AM

To: Doug Crown

Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 4



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

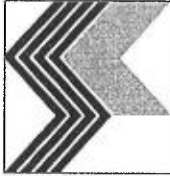
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A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

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Development Engineering issues will be dealt with at the SPA stage.

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Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

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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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-56/18 (60.81.5346)

16 Prince Charles Drive

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-56/18

File: 60.81.5346

Subject: 16 Prince Charles Drive

Recommendation

That Submission **A-56/18** by Michael James Holderney, as outlined in the Notice of Hearing, be approved, conditional on the driveway being located a minimum of 2.0 m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-56/18** 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-56/18** is requesting to vary the Zoning By-law as amended, for a reduction of the minimum exterior side yard setback from 4 metres to 2.0 metres for the proposed construction of an attached garage.

Location and Site Description

The subject property is located on the south east corner of Prince Charles Drive and Royale Road, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per schedule E1 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)

Report Page 1 of 2

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

Application A-56/18

Application **A-56/18** is requesting a reduction of the exterior side yard setback in order to facilitate the construction of an attached garage.

The requested reduction of the exterior side yard setback from 4 metres to 2 metres is not expected to have any adverse impacts on the surrounding area. The intent of the exterior side yard setback of the Zoning By-law is to ensure that adequate sight lines are maintained for drivers approaching the corner point as well as to maintain a degree of distance for safety from the road and ensure amenity space is maintained in the yard. The requested reduction to the exterior side yard setback for the addition of an attached garage is not expected to have significant impacts on neighbouring properties or the sight lines. Some of the houses in the surrounding neighbourhood have attached garages, and most maintain a considerable amount of distance from their lot lines. The proposed construction of an attached garage would still be in keeping with the surrounding character of the neighbourhood. Approval of the variance would facilitate the construction of an attached garage and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

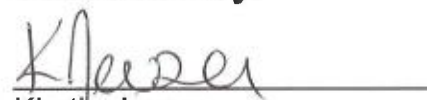
Conclusion

Staff are satisfied that the variance requested through application **A-56/18** 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

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5346

Re: 16 Prince Charles Dr

In response to your correspondence date May 2, 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:

- 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

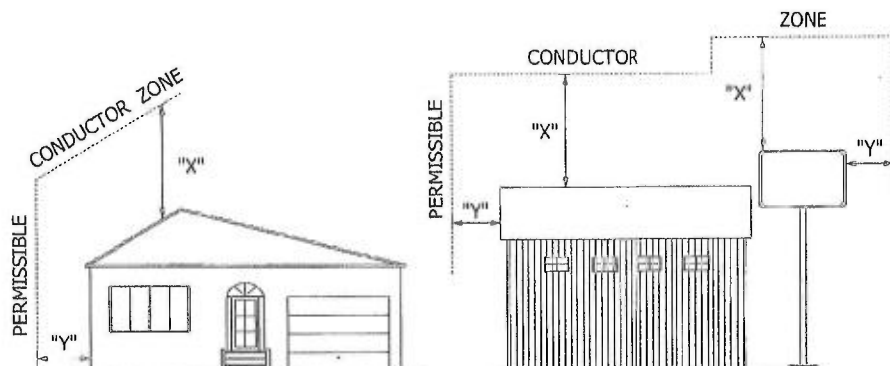
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7-10 Underground Systems

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', written over a horizontal line.

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

From: Network Info <network.info@horizonutilities.com>
Sent: Friday, May 18, 2018 3:16 PM
To: Munro, Elaine
Subject: Response Letters
Attachments: SCH_CLR2018-261.pdf; SCH_CLR2018-262.pdf; SCH_CLR2018-263.pdf; SCH_CLR2018-264.pdf

Good Afternoon Elaine,

Response letters are attached for the following files:

60.81.5349 – 115 Dieppe Rd

60.81.5348 – 11 Export Ave

60.81.5347 – 61A Village Rd

60.81.5346 – 16 Prince Charles Dr

This is an email response only, the originals will not be mailed.

Thanks,
Samantha



Samantha Burke
Records Clerk

55 John Street North, Hamilton, ON L8R 3M8

t 905.522.6611 ext:2276

alectrautilities.com



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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5

16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
61A Village Road, Minor Variance Application, A-57/18 – 60.81.5347

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:45 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5

Hi Elaine
Email 5
Cogeco has no issues or concerns with this application.
Thanks

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

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

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

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- [Contact us](#)
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

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From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:56 AM
To: Doug Crown
Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5



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

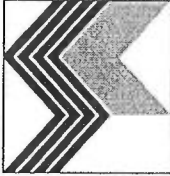
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-57/18 (60.81.5347)

61A Village Road

DATE OF HEARING:
May 30, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-57/18

File: 60.81.5347

Subject: 61A Village Road

Recommendation

That Submission **A-57/18** by Pinewood Homes (Niagara) Ltd., as outlined in the Notice of Hearing, be approved, except that Variance 3 be deferred pending confirmation from NPCA.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that application **A-57/18** is minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Proposed Development

Application **A-57/18** is requesting to vary the Zoning By-law, as amended, for the following variances for the proposed 4-storey condominium apartments:

1. A reduction of the minimum landscape strip along the easterly lot line, to the south of the Jacobson Avenue access from 5.5 metres to 3.0 metres.
2. An increase of the maximum building height from 13 metres to 17.4 metres. (Measured from grade at front entrance to building to the midpoint of mansard roof, not including turret).
3. A reduction of the minimum landscaped strip between the G1 zone to the west of the underground parking garage access ramp from 3.0 metres to 0.3 metres.
4. A reduction of the minimum setback from the Private Road "Drop Off" from 3.0 metres to 1.5 metres.

Location and Site Description

The subject property is located on the south side of Glen Morris Drive, west of Jacobson Avenue and east of Village Road. The subject property is surrounded by detached dwellings and a secondary school to the north, and detached dwellings to the south, east and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E8 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 of land.

Zoning By-law (2013-283)

The subject land is split zoned Medium Density Residential with a special provision (R3-28) and Conservation/Natural Area (G1). The R3 zone permits a variety of residential uses including detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments, apartment buildings and long-term care facilities. The special provision (28) outlines additional site specific provisions for the subject property. The G1 zone permits boat ramps, essential operations for service infrastructure and utilities, picnic areas and shelters, and trails.

Application A-57/18

Application **A-57/18** requests a reduction to the minimum landscape strip along the easterly lot line, an increase of the maximum building height, a reduction of the minimum landscaped strip between the G1 zone to the west of the underground parking garage access ramp, and a reduction of the minimum setback from the Privet Road "Drop Off".

Variance 1 requests a reduction of the minimum landscape strip along the easterly lot line, to the south of the Jacobson Avenue access from 5.5 metres to 3.0 metres. Landscaping design enhances the visual appeal of a development, provides seasonal variation in colour, form, texture and representation, creates an attractive environment for pedestrian movement, and can complement the existing natural landscape. The reduced landscape strip along the easterly lot line is a result of the parking area reconfiguration and increase in size, as well as the addition of another landscape buffer between the parking area and the condominium building. This design is to provide a more favourable integration of vehicles for the adjacent residences as well as the condominium residences. PRCS staff has advised that a 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation, and the variance is therefore appropriate.

Variance 2 requests an increase of the maximum building height from 13 metres to 17.4 metres. 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 requested increase in height is a function of the architectural features of the roof. The architect has advised that the increase allows for a 10' floor to ceiling height for the luxury condos, and the integration of an architectural roof design (chateaux style mansard) to provide the desired look for the building as well as to conceal the rooftop mechanicals. The request is therefore considered a minor increase. The proposal demonstrates development that will be integrated in a compatible manner with the existing streetscape and is in keeping with the general intent and purpose of the Official Plan.

Variance 4 requests a reduction of the minimum setback from the Private Road "Drop Off" from 3.0 metres to 1.5 metres. The purpose of this setback is to maintain a safe distance from the building and the "Drop Off" area. The request is a function of an architectural design feature and covered entry that is incorporate into the front façade. At grade, the required setback of 3 metres is still maintained.

Variance 3 requests a reduction of the minimum landscaped strip between the G1 zone to the west of the underground parking garage access ramp from 3.0 metres to 0.3 metres. Due to the property containing two different zones, the requested reduction has a lessened impact. There is ample landscaping and amenity area provided on site. From an urban design perspective, the parking garage has been placed in a favourable location for the development and will have a lessened impact on the site by being at the rear of the building. The architect has stated that in order to achieve the look and feel of a luxury condo development with ample space in the underground parking garage, the parking garage elevation needed to be lowered, and due to this lowering the slope length of the ramp was increased slightly, altering the ramp location from a 3.0m distance to only 0.3m from the G1 zone. The proposed reduction in landscaping will help to facilitate the lowered elevation needed to incorporate the underground parking into the condominium design. However, applications received which have potential impacts on any natural, open space area, including the G1 zone, must receive satisfaction from the Niagara Peninsula Conservation Authority before approval can be granted. At the time of this report, the NPCA has not advised on the requested variance and it is therefore not in the scope of City staff to recommend approval until such comment has been received. It is staff's recommendation that Variance 3 be deferred until the NPCA has advised approval of the requested variance.

Staff recommend that the proposed variances 1, 2 and 4 be approved, and that variance 3 be deferred pending confirmation from the NPCA.

Conclusion

Staff are satisfied that variances 1, 2 and 4 requested through Submission **A-57/18** 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 variances 1, 2 and 4 be approved, and variance 3 be deferred.

Prepared by:

Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5347

Re: 61A Village Rd

In response to your correspondence date May 2, 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.
- 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.

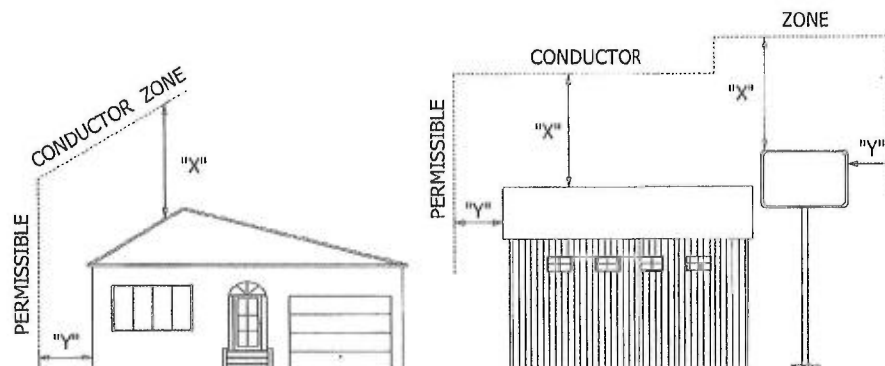
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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 be 'Mark Jakubowski', written over a horizontal line.

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
REDRAWN:	JM	12/06/07
CHECKED:	ND	26/04/05
APPROVED:	CR	26/04/05

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

REFERENCE DRAWINGS:

DRAWINGS
NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5

16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
61A Village Road, Minor Variance Application, A-57/18 – 60.81.5347

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:45 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5

Hi Elaine
Email 5
Cogeco has no issues or concerns with this application.
Thanks

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

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

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

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

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

Privacy Policy and Anti-spam Commitment

- [Contact us](#)

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

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:56 AM

To: Doug Crown

Subject: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5



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

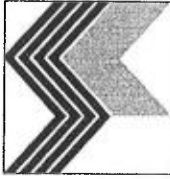
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-58/18 (60.81.5348) &
A-59/18 (60.81.5349)**

11 Export Drive & 115 Dieppe Road

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-58/18
A-59/18

File: 60.81.5348
60.81.5349

Subject: 11 Export Avenue
115 Dieppe Road

Recommendation

That Submission **A-58/18** by The Canadian Red Cross Society and **A-59/18** by MHT Holdings Inc., as outlined in the Notice of Hearing, be approved, conditional on the following:

1. Applicant submit a solicitors undertaking to merge 11 Export Avenue and 115 Dieppe Road; and,
2. The permission for 40% of the total glfa for retail sale space be specific to this property for the purposes of an Automotive Sales and Service Centre use only.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that applications **A-58/18** and **A-59/18** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

Proposed Development

Applications **A-58/18** and **A-59/18** are requesting to vary the Zoning By-law, as amended for an increase of the percentage of retail sale space from 15% of the total glfa to 40% of the total glfa for the purpose of facilitating development of a Pre-Owned Automotive Sales and Service Centre.

Location and Site Description

The subject properties are located on the northwest corner of Dieppe Road and Export Avenue. The sites are surrounded by a mix of commercial buildings in all directions, as well as open green space to the north.

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 General Employment as per Schedule E3 of the GCP. The General Employment designation is intended to provide for a full range of industrial operations, industrial service uses, knowledge based employment and business opportunities, together with a limited range of retail, service commercial, entertainment, recreation, institutional and office uses primarily intended to serve and support the businesses and employees within the immediate employment area.

Zoning By-law (2013-283)

The subject lands are zoned General Employment (E2). The E2 zone permits a variety of principle uses including adult oriented entertainment establishments, bulk fuel depots, car wash, contractor's yard, heavy equipment sales and service, heavy industry, light industry, motor vehicle gas stations, motor vehicle repair garages, research facilities, and transportation depots. The E2 zone also permits a number of accessory uses which include animal care establishments, offices, indoor recreation facilities, retail store, restaurant and service commercial.

Variance Applications A-58/18 and A-59/18

Applications **A-58/18** and **A-59/18** are requesting an increase of the percentage of retail sale space allowable from 15% of the total glfa to 40% of the total glfa for the purpose of facilitating development of a Pre-Owned Automotive Sales and Service Centre.

In a General Employment (E2) zone, the total glfa of all accessory uses shall not exceed 15% of the total glfa of the principal use(s) on the lot. In this instance, the current zoning restricts how much of the gross leasable floor area can be for retail operations, however the permitted amount would not be sufficient for the proposed Pre-Owned Automotive Sales and Service Centre. The applicant is requesting the increase in the allowable retail square footage to accommodate for the nature of the proposed business operation which requires adequate showroom space for vehicle sales. The restriction of maximum retail space area would not provide sufficient space to operate a profitable automotive sales centre in concert with the service centre use.

Many of the commercial uses in the surrounding area have been established for a number of years and do not necessarily reflect the requirements of the General Employment zoning of which they are classified. The proposed use also includes a vehicle service function in addition to vehicle sales. The vehicle service function is a permitted use in the existing E2 zoning. Allowance for this variance would not be out of character with surrounding uses.

It is important to note that this allowance would be a localized, context specific permission for the particular use proposed. In other Employment areas across the City, this use and

the increase in percentage of retail sales area would not be a suitable option for certain areas. In this location in particular, permission for an increase of this nature has a significantly lessened impact due to the forms of commercial and employment uses in the immediate surrounding area, making it a suitable place for this proposal as opposed to other employment lands in the City.

The nature of vehicle sales implies a larger retail sales space than other types of retail uses. Staff consider the requested variance to be acceptable given the already established retail character of the area.


Conclusion

Staff are satisfied that the variances requested through Submission **A-58/18** and **A-59/18**, are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested 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

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5348

Re: 11 Export Ave

In response to your correspondence date May 2, 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:

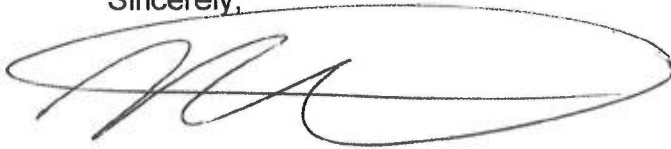
- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra 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.
- Developers to acquire an easement, if required.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

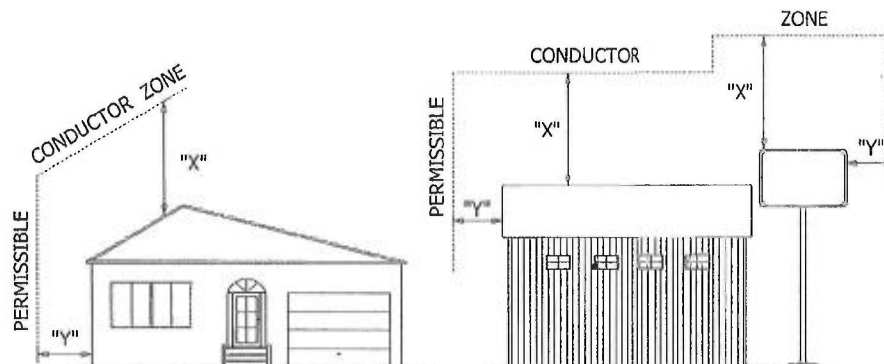
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - 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, horizontal oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET #

1

REVISION #

0

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5349

Re: 115 Dieppe Rd

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

We would also like to stipulate the following:

Alectra Utilities Corporation

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

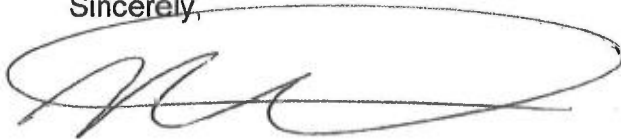
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

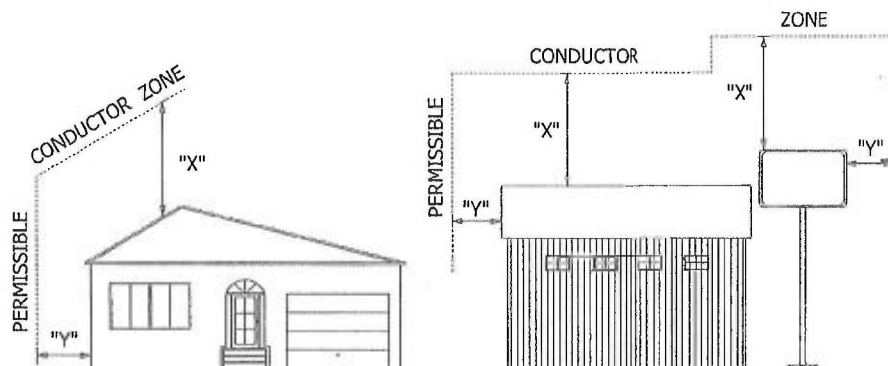
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- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
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 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System
 - C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact 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 over a horizontal line.

Mark Jakubowski
Supervisor, Design, Customer Capital



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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5a

11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348
115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349

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

Sent: Wednesday, May 02, 2018 2:46 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5a

Hi Elaine

Email 5a

Cogeco has no issues or concerns with this application.

Thanks

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

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

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

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

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

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

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

Privacy Policy and Anti-spam Commitment

- Contact us

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

From: Munro, Elaine [mailto:emunro@stcatharines.ca]

Sent: Wednesday, May 2, 2018 9:57 AM

To: Doug Crown

Subject: FW: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 5a

Email 5a



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-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	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-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 –
60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 –
60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

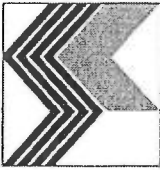
Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read 'James R. Denham', with a long horizontal flourish extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



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

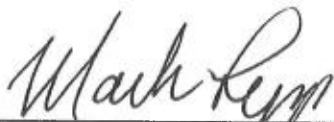
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 17, 2018

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

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A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
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A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
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A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-34/18SC (60.84.2178), A-65/18
(60.81.5354) & A-66/18 (60.81.5355)**

52 Merigold Street

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Meeting: May 30, 2018

Submission(s): B-34/18SC
A-65/18
A-66/18

File: 60.84.2178
60.81.5354
60.81.5355

Subject: 52 Merigold Street
52A Merigold Street
52B Merigold Street

Recommendation

That Submission **B-34/18SC** by Phase 2 Capital Management Inc., as outlined in the Notice of Hearing, be approved subject to the following condition:

1. 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;
2. Pay the fee for City crews to locate the sewer and water laterals servicing the existing building. The sewer and water services must be independent and not cross an abutting and/or future property line. If either or both sewer and water services cross onto abutting and/or other parts, separate services must be installed to the satisfaction of the City Engineer;
3. That a road widening dedication of approximately 0.86 metres along the frontage of Merigold Street be conveyed gratuitously to the City of St. Catharines. The land is to be conveyed free and clear of any mortgages, lines or encumbrances; and,
4. Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway.

That Submission **A-65/18**, by Phase 2 Capital Management Inc., as outlined in the Notice of Hearing, be approved.

And that Submission **A-66/18**, by Phase 2 Capital Management Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-34/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-65/18** and **A-66/18** are minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Background

The building permit for this semi-detached dwelling was issued under section 2.15.1.1 of the zoning by-law (By-law 2013-283) which permits various dwelling types permitted by the applicable zone, on existing undersized lots (under the required lot frontage and under the required lot area as per the zoning by-law). Staff recognized this permission was resulting in overdevelopment of undersized lots and recommended to Council an amendment to the zoning by-law to limit the permitted dwelling types on an existing undersized lot to only single detached dwellings (By-law 2017-295). The zoning amendment was adopted by Council but appealed to the Local Planning Appeal Tribunal (LPAT, formerly the Ontario Municipal Board (OMB)). That appeal has not yet been heard and until such time as the appeal is decided upon, the original zoning permissions prevail.

In addition, the Committee should be aware that in the near future, Council will consider a further amendment to the zoning by-law requiring lots to be created *prior to the issuance of a building permit* for a semi-detached dwelling. Should Council approve this zoning amendment, the Committee will have to approve the severance of a lot for each half of the semi, prior to a building permit being issued.

The Proposal

Application **B-34/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 296m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 52B Merigold Street for the purpose of severing one-half of a semi-detached dwelling. A 296m² remnant parcel (Part 1) of the other half of the semi-detached dwelling would be retained for residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There are concurrent minor variance applications **A-65/18** and **A-66/18**.

Application **A-65/18** is requesting to vary Zoning By-law 2013-283 for a reduction of the minimum lot frontage from 7.5 metres to 6.17 metres and for a reduction of the minimum front yard setback to the garage from 6.0 metres to 5.24 metres (Part 1), to facilitate the concurrent consent **B-34/18SC** to sever the semi-detached dwelling and a proposed road widening.

Application **A-66/18** is requesting to vary Zoning By-law 2013-283 for a reduction of the minimum lot frontage from 7.5 metres to 6.17 metres (Part 2) to facilitate the concurrent consent **B-34/18SC** to sever the semi-detached dwelling.

Location and Site Description

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

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings as well as private road developments. This property is further subject to Section 2.15.1.1, the 'Existing Lots –Transition' clause of the zoning by-law, currently under appeal to the LPAT.

Consent Application B-34/18SC

Application **B-34/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 296m² of land (Part 2) creating a new lot to be known as 52B Merigold Street for the purpose of severing one-half of a semi-detached dwelling currently under construction. A 296m² remnant parcel (Part 1) with the other half of the semi-detached dwelling would be retained for residential use.

Part F, Section 16.11. 3. of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

The suggested lots are appropriate for the use proposed as they will each contain one half of a semi-detached dwelling, which are currently under construction. The function of the dwelling units will not change and no adverse impacts on the surrounding area are anticipated. The proposed lots are smaller in width and area than those adjacent, they still maintain similar shape and depth to those abutting the property. The consent would allow each unit of the semi-detached dwelling to be owned and/or sold separately. As such, the consent represents a compatible means of infill housing within an existing residential neighbourhood. The proposal demonstrates development that is compatible with the existing streetscape and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

The City's Development Engineering Section noted that Merigold Street is designated a Local road per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width along the frontage is deficient at 16.20m ±, however the City has decided an 18.0m right-of-way is more acceptable in these instances. Therefore, the Owner shall dedicate a 0.86m road widening along the frontage of the subject property to the City to be known as Merigold Street.

Design Review Panel (DRP)

The Design Review Panel (DRP) provides design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Consent applications received after September 14, 2017 to create new, vacant residential lots are required to first go before the DRP prior to submitting the complete application. The subject property was granted building permits to construct a new semi-detached dwelling on one lot on December 1, 2017, and is now applying to sever each lot post-construction. Therefore, the subject application was exempt from review by the DRP.

Variance Application A-65/18

Application **A-65/18** requests to reduce the minimum lot frontage and for a reduction of the minimum front yard setback to the garage on Part 1, whereas Application **A-66/18** requests to reduce the minimum lot frontage of Part 2, in order to facilitate the concurrent consent application **B-34/18SC**.

The variances requested to reduce the minimum lot frontage on both lots from 7.5 metres to 6.17 metres, and to reduce the minimum front yard setback to the garage from 6.0 metres to 5.24 metres on Part 1, will not significantly impact the subject or surrounding properties. The intent of the lot frontage is to ensure that a dwelling unit will fit comfortably on a parcel of land ensure compatibility with the surround neighbourhood. The intent of the front yard setback is to ensure that there is adequate amenity space in the front yard, as well as enough space for a vehicle to be parked in front of the dwelling. There is sufficient space demonstrated for amenities, as well as a parking area in front of both proposed dwelling units. 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.

Staff is supportive of the proposed variances.

Conclusion

Staff are satisfied that the consent requested through application **B-34/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff is satisfied that the variances requested through submissions **A-65/18** and **A-66/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consents and variances be approved.

Prepared by:

Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

May 10, 2018

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

Attention: Elaine Munro

File# 60.84.2178, 60.81.5354 & 60.81.5355

Re: 52, 52A & 52B Merigold St

In response to your correspondence dated May 2, 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.
- 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.

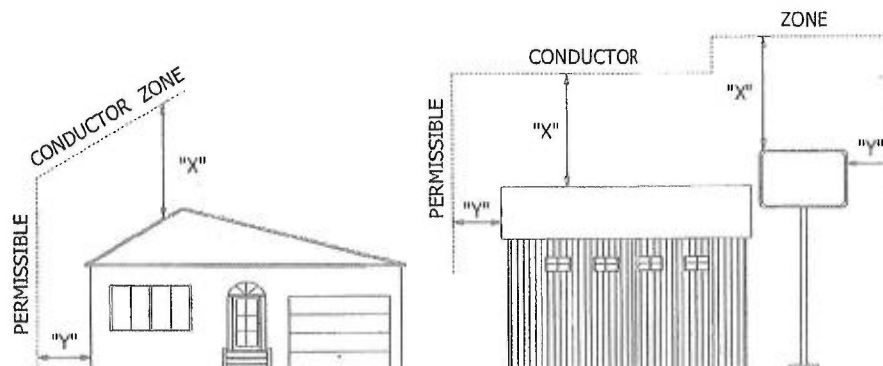
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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, appearing to read 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

To: Doug Crown
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 6

52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355
350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:47 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 6

Hi Elaine
Email 6
Cogeco has no issues or concerns with this application.
Thanks

*
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 Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

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

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From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:51 AM
To: Doug Crown

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, May 03, 2018 10:21 AM
To: Munro, Elaine
Subject: 905-18-201 - Consent Application B-34\18SC - 52 Merigold Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B-34/18SC regarding 52 Marigold Street.

Thank you,

Char Hall
External Liaison
Bell Canada Right of Way
P: 705-722-2264
F: 705-726-4600
1-888-646-4817
charleyne.hall@bell.ca

Bell

140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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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: May 7, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 30, 2018 hearing - File No.: 300-036

B-33/18SC – 106A Eastchester Avenue

Comment:
- No Comment

Condition:
- No Comment

B-34/18SC – 52 Merigold Street

Comment:
- No Comment

Condition:
- No Comment

B-35/18SC – 78 Townline Road West

Comment:
- No Comment

Condition:
- No Comment

B-36/18SC – 104A Eastchester Avenue

Comment:

- No Comment

Condition:

- No Comment

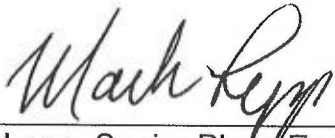
B-37/18SC – 614 Niagara Street

Comment:

- Be advised that a building permit is required for the construction of the proposed semi-detached dwelling.

Condition:

- No Comment



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



Memorandum

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

Cc: B. Thiessen, 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

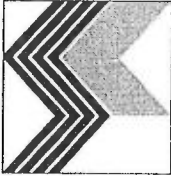
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 –
60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 –
60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

JD/jd

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-34/17SC



May 9, 2018

ENGINEERING FILE 300-36

Hearing Date: May 30, 2018

Applicant: Phase 2 Capital Management Inc.

Location: 52 Merigold Street

MUNICIPAL SERVICES

Merigold Street

Water: 150mm (6") P.V.C.

Sanitary Sewer: 450mm (18") ~3.5m deep
400mm (16") ~2.0m deep

Storm Sewer: None. Combined sewer.

Sidewalks: Yes – currently encroach onto private property

Road Allowance Width: 20.12m± (66')

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 52B Merigold Street for the purpose of severing one-half of a semi-detached dwelling. Part 1 of the other half of the semi-detached dwelling would be retained for residential use. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately.

Roads

Merigold Street designated a Local road per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width along the Applicant frontage is deficient at 16.20m ±, however the City has decided an 18.0m right-of-way is more acceptable in these instances, therefore the Owner shall dedicate a 0.86m road widening along the frontage of the subject property to the City to be known as Merigold Street.

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does exist on Merigold Street, sump pump flows shall be discharged to a storm lateral to be paid and provisioned to the property at the cost of the Owner through the Building Permit process.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they does not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future potential lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit so as not to continue private service crossings over abutting and/or future lot lines, and pay the City the fees to provide new services within the road allowance to the property lines in order for each property to be serviced individually.

Condition(s):

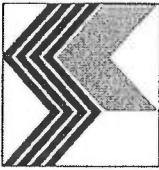
Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate the sewer and water laterals servicing the existing building. The sewer and water services must be independent and not cross an abutting and/or future property line. If either or both sewer and water services cross onto abutting and/or other parts, separate services must be installed to the satisfaction of the City Engineer; and
- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Eastchester Avenue to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway



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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-63/18 (60.81.5352)

350 Scott Street

DATE OF HEARING:
May 30, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-63/18

File: 60.81.5352

Subject: 350 Scott Street

Recommendation

That Submission **A-63/18** by La Belle Vie Canada Inc., 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-63/18** 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-63/18** requests the following variances for the proposed construction of a drive-thru restaurant:

1. A reduction of the minimum landscape strip beside the lay-by lane from 3 metres to 2.3 metres.
2. A reduction of the minimum landscape strip at the "pinch point" at the eastern parking lot from 3 metres to 1.879 metres.

There is a concurrent Site Plan Application 60.51.970.

Location and Site Description

The subject property is located on the south side of Scott Street, west of Vine Street. The subject property is located on the same site as a commercial plaza, surrounded by an elementary school and church to the west, another church, detached dwellings and some commercial buildings to the north, commercial uses and a dentist office to the east, and an apartment building located directly behind the plaza to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Commercial as per Schedule D1 of the Garden City Plan (GCP) and further designated Community Commercial as per Schedule E3 of the GCP. The Low Density Residential designation permits a range of uses, excluding auto dealerships, adult oriented uses and hotels. Other uses permitted include institutional, civic, cultural, indoor recreation, entertainment and residential apartment dwelling units.

Zoning By-law (2013-283)

The subject land is zoned Community Commercial (C2). The C2 zone permits animal care establishments, apartment buildings, car wash, commercial parking structures, cultural facilities, day cares, apartment dwelling units, emergency service facilities, motor vehicle gas stations and motor vehicle repair garages.

Variance Application A-63/18

Application **A-63/18** requests a reduction of the minimum landscape strip beside the lay-by lane and a reduction of the minimum landscape strip at the “pinch point” at the eastern parking lot.

Variance 1 requests a reduction of the minimum landscape strip beside the lay-by lane from 3 metres to 2.3 metres, and variance 2 requests a reduction to the minimum landscape strip at the “pinch point” at the eastern parking lot from 3 metres to 1.879 metres. Landscaping design enhances the visual appeal of a development; it provides seasonal variation in form, colour, texture and representation, and creates an attractive environment for pedestrian movement and complements the existing natural landscape. For variance 1, with the required dimensions, and the addition of the lay-by lane at the request of City Staff, only 2.3 metres can be provided for landscaping. The lay-by lane adds functionality to the drive thru lane and cannot be reduced to provide more landscape area. Regarding variance 2, the 1.879 metre dimension between the “pinch point” of the property line and the curb proposed cannot be expanded to provide the 3.0 metre strip required by the Zoning By-law, as it would compromise the proposed fire access route from Ricci Avenue. The landscape area quickly expands past this point to meet the required dimensions as per the Zoning By-law.

The reductions are considered minor in nature, as they will not substantially impact the subject or surrounding properties and are in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Staff recommend that the proposed variances be approved.

Conclusion

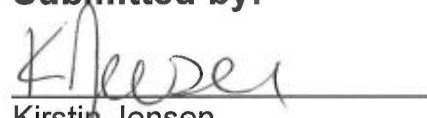
Staff are satisfied that the variances requested through Submission **A-63/18** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and appropriate and desirable for the use of the land. It is staff’s recommendation that the requested variances be approved.

Prepared by:



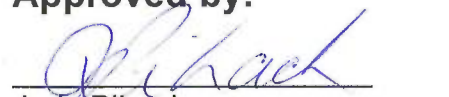
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5352

Re: 350 Scott St

In response to your correspondence date May 2, 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:

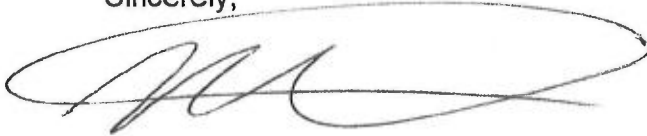
- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra 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.
- Developers to acquire an easement, if required.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

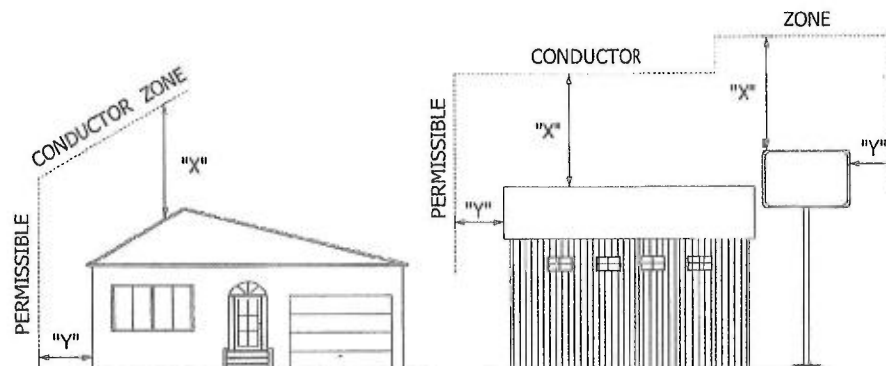
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - 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 over a large, light-colored oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES *Looking beyond...*

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #

3-105

SHEET #

1

REVISION #

0

Munro, Elaine

To: Doug Crown
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 6

52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355
350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:47 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 6

Hi Elaine
Email 6
Cogeco has no issues or concerns with this application.
Thanks

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

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

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

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- [Contact us](#)
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3

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From: Munro, Elaine [mailto:emunro@stcatharines.ca]
Sent: Wednesday, May 2, 2018 9:51 AM
To: Doug Crown



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

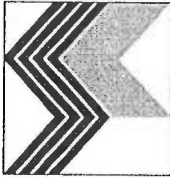
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.

17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections

18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-64/18 (60.81.5353)

140 Glendale Avenue

DATE OF HEARING:
May 30, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): A-64/18

File: 60.81.5353

Subject: 140 Glendale Avenue

Recommendation

That Submission **A-64/18** by Marc Torelli and Antonette Torelli, as outlined in the Notice of Hearing, be approved as follows:

1. Variance 1 be approved subject to the following condition:
 - i. The garage facades are to be flush with or recessed from the front façade of the dwelling units;
2. Variance 2 be approved subject to the following condition:
 - i. Rear yard decks on both units be limited in height to 0.6 metres;
3. Variance 3 be denied;
4. That a development agreement be entered into to address the comments of the Design Review Panel, as follows:
 - i) The roof design resemble a cottage style roof and follow the slope of the gables on the garage façade; and,
 - ii) Landscaping be provided in the rear yard to provide sufficient height and a year round landscape buffer to support the privacy of neighbouring yards.
5. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-64/18** 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-64/18** is requesting to vary Zoning By-law 2013-283 for the following in order to facilitate the proposed construction of a semi-detached dwelling:

1. A reduction of the minimum front yard setback to the garage from 7 metres to 6.12 metres for Part 2.
2. A reduction of the minimum rear yard setback from 7.5 metres to 5.49 metres (Parts 1 & 2).
3. A reduction of the minimum setback from the rear lot line to the platform structure (deck) that is 1.2 metres above grade from 4.5 metres to 3.0 metres for Part 1.

Location and Site Description

The subject property is located on the south side of Glendale Avenue, east of Wakil Drive. The subject property is surrounded by townhouses, detached dwellings and green space to the north, and detached dwellings to the east, south and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E8 of the GCP. The Low Density Residential 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 (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings as well as private road developments.

Application A-64/18

Application **A-64/18** proposes a reduction of the minimum front yard setback to the garage, a reduction of the minimum rear yard setback to the dwelling, and a reduction of the minimum setback from the rear lot line to the platform structure (deck).

Variance 1 requests a reduction of the minimum front yard setback to the garage from 7 metres to 6.12 metres (Part 2) and variance 2 requests a reduction of the minimum rear yard setback from 7.5 metres to 5.49 metres (Parts 1 & 2). These requested variances are not expected to significantly impact the subject or surrounding properties. The purpose of a front yard setback is, in part, to ensure adequate amenity space is provided on a lot, as well as enough space for a vehicle to be parked in front of the garage. The

purpose of a minimum rear yard setback is to ensure adequate amenity space is provided onsite, and that there is sufficient rear yard distances between neighbouring houses so new buildings do not impose on surrounding lots. The reduction of the front yard setback to the garage (Variance 1) and the rear yard setback to the dwelling (Variance 2) will not substantially limit the amount of amenity space available for the dwellings, and are also a result of the restrictive shape of the lot. Both the front and rear yard amenity space proposed will serve the dwelling effectively.

Design Review Panel

On May 8, 2017, Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. Feedback from the Panel is advisory in nature.

An application for future consent of the subject property was submitted to the DRP for review at the meeting of May 1st, 2018. The DRP considered the proposal to demolish the existing single detached dwelling on the lot and to sever the property into two lots for the purpose of constructing two semi-detached dwellings with access from Glendale Avenue. In the near future, all semi-detached dwelling applications to Planning and Building Services will be required to first undergo the severance process to ensure each unit is built on its own individual lot prior to receiving a building permit. With the knowledge that this property will eventually be severed in the future, the applicant was encouraged to submit the proposal to the Design Review Panel for input and guidance on the design of the semi-detached building.

The Panel was generally supportive of the proposal. However, there were concerns expressed with the raised decks on each unit and the overlook it would have into neighbouring yards. The Panel suggested removing the raised decks to instead have patios on grade, which would have also served to remove the need for one of the requested variances. The Panel had no concerns with the other variances. The Panel considered the semi-detached dwelling to be an appropriate use of the site, but also suggested that the central portion of the two units be moved forward about a half the distance of the garages to reduce the impact of the garage façades on the street, and to provide more amenity space in the rear. The Panel encouraged the owner to plan for landscaping in the rear with large shrubs and trees at a sufficient height to provide privacy and reduce impacts on the neighbours, especially with a reduced rear yard area. Additionally, it was suggested that the roof be slightly redesigned to reduce the visual impacts of the dwelling; the roof shape should follow the slope of the gables by removing the hard edges from the corners, in order to resemble more of a cottage roof style.

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

context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of this application.

Therefore, where Variance 3 requests a reduction of the minimum setback from the rear lot line to the platform structure (deck) that is 1.2 metres above grade, from 4.5 metres to 3.0 metres (Part 1), it is staff's recommendation that this variance be denied in order to ensure the feedback received from the DRP is reflected in the building plans for the proposed semis. The requested variance would allow a raised deck to be built on the rear of the new dwelling units, but due to the fact that the rear yard is also being requested to be reduced, the variance has the potential to negatively impact the surrounding properties and impose on neighbouring rear and side yards.

Niagara Region Staff have advised that due to the fact that the subject property has frontage on Regional Road 89 (Glendale Avenue) which typically carries a significant volume of traffic, reversing out of driveways creates safety concerns on the roadway. It has been advised that the design of the properties be revised to incorporate an area where vehicles can turn on-site to avoid reversing out of driveways. City staff do not support on-site turnarounds for vehicles as being contrary to the established character of the street, contrary to "complete street" objectives, and contrary to zoning provisions regulating driveway widths.

Staff is not recommending this be a condition of consent.

Staff are supportive of the requested variances for a reduced rear yard setback to the dwelling, and a reduced front yard setback to the garages, however do not support the requested variance to reduce the setback from the rear lot line to the deck. Conditions are recommended to ensure the feedback received from the Design Review Panel will be addressed.

Conclusion

Staff are satisfied that variances 1 and 2 requested through Submission **A-64/18** 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. Staff are not satisfied that variance 3 achieves the same. Therefore it is staff's recommendation that the requested variances 1 and 2 be approved, and variance 3 be denied.

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 # 60.81.5353 140 Glendale Ave St Catharine's, Submission # A64118

From: Kevin Martone [mailto:]

Sent: Thursday, May 10, 2018 7:30 AM

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

Subject: File # 60.81.5353 140 Glendale Ave St Catharine's, Submission # A64118

Hello,

I'm writing today to inform you that I would like to have all information sent to me in regards to any decision that is made in regards to this property.

I am the owner of 138 Glendale (neighbour) and this change and new building will affect me greatly.

My concerns/comments are as follows:

- I am against the application to do any variance to what is law now in regards to this property. If the plot of land is 2 small then adjust the building being built. This new structure will already out size and over take my property. Why would/should we make any exceptions to this. I loose my clean back yard to a house and windows staring at me already as the new building will already be set back further then the current structure and the height will allow the new tenants to stare directly into my back yard or even into my bay windows.
- ie. why does a variance need to be made for a deck, don't elevate it and leave it at ground level and there is no issue. Again have the house adjusted to match what is available. Second why again would I want people sitting on a deck 1.32 meters in the air right in the back corner staring over the fence into my back yard.
- Also in the plan it shows the new driveway to be 1.2 meters from the property line. Currently there is a retaining wall there as my property is higher. How and who will ensure that my property does not erode away into the new driveway.

There are several more concerns that I have but this is enough to show that I am not happy with the applications and how this is going to impact the street and our property values.

Please make whom ever aware that no one at any time is allowed to bring any equipment thru or on my property for this as well as walk around for construction. Also there are 2 brand new Maple trees that were planted and I better not see any damage made to them during the construction and demolish of this location as they are located between the houses.

I would also like to see the survey stakes in place prior to starting this project to ensure they match up with the survey that I had complete so that there are no discrepancies ounce this project begins. This will also ensure accuracy if a new fence is put in. I want to ensure the location is correct.

Thank you for your time and look forward to your response.

Kevin Martone
138 Glendale Ave

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

VIA E-MAIL ONLY

May 7, 2018

Elaine Munro
Secretary-Treasurer, Committee of Adjustment
50 Church Street, P.O.Box 3012
St.Catharines, Ontario, L2R 7C2

Application for Minor Variance B-A64/18
Applicant: Marc Torelli and Antonette Torelli
Proposal: Minor Variance for 140 Glendale Ave for proposed Semi-detach dwelling
In the City of St. Catharines
Our File: MV18-033

Niagara Region Development Services Division has completed a review of the proposed minor variance for the above-noted property and provides the following comments:

1) Regional Road Allowance

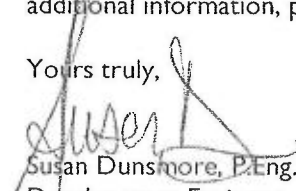
The subject property has frontage along Regional Road 89 (Glendale Avenue). This road carries a significant volume of traffic reversing out of driveways creates safety concerns on the roadway. We would therefore require that the design of the properties incorporate an area where vehicles can turn on-site to avoid reversing out of the driveways.

Prior to any construction or entrance construction taking place within the Regional Road allowance, a Regional Construction and Entrance Construction Permit must be obtained from the Transportation Services Division, Public Works Department. Applications can be made through the Region's website using the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

In conclusion, Regional staff does not object to the minor variance application subject to any local planning issues. Please send notice of any decision regarding this application. Should you have any further questions or need additional information, please contact me or Britney Fricke, Planner, at extension 3518.

Yours truly,

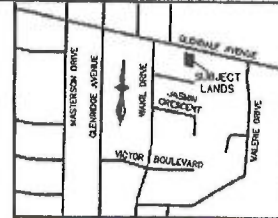

Susan Dunsmore, P.Eng.

Development Engineer
Planning and Development Services

L:\D.21 Development Planning\Inrfswrkgrp\PW_DEVIENGINEERING APPROVALS\Developments\St.Kits\MV-18-034 - 140 Glendale Ave\May 7 2018 letter for MV.docx

Ecc. B. Fricke, MCIP, RPP, Planner, Niagara Region
L.Lipiec, Corridor Technician Permits

PRELIMINARY SKETCH TO ACCOMPANY AN APPLICATION UNDER THE PLANNING ACT
LOT 3 AND PART OF LOT 4
REGISTERED PLAN No. 486
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA



KEY PLAN
NOT TO SCALE

RECEIVED BY

MAY - 2 2018

**PLANNING AND
DEVELOPMENT SERVICES**

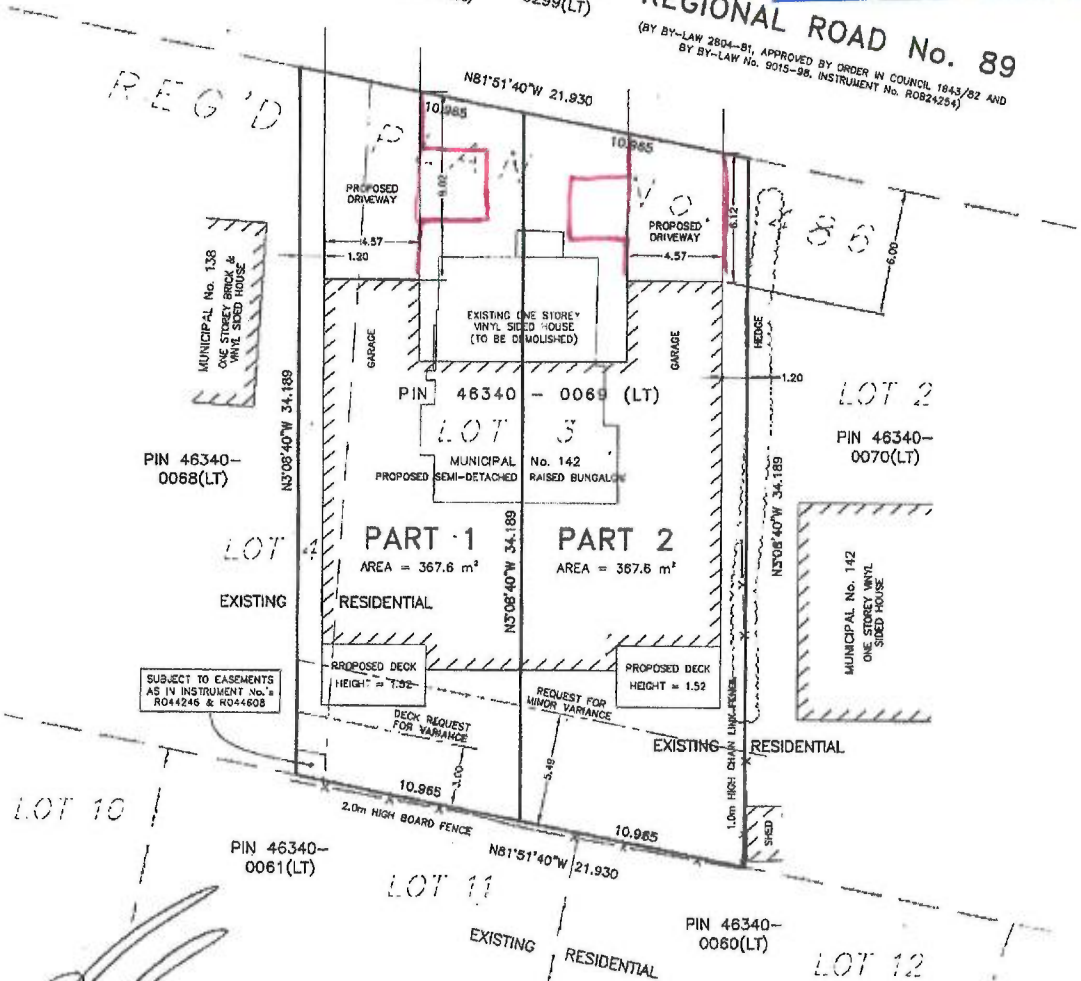
GLENDALE AVENUE

(BY BY-LAW No. 61-129, INSTRUMENT No. R068378)

PIN 46339-0299(LT)

REGIONAL ROAD No. 89

(BY BY-LAW 2804-81, APPROVED BY ORDER IN COUNCIL 1843/82 AND BY BY-LAW No. 9015-88, INSTRUMENT No. R0824254)



APRIL 12, 2018 BRENT LAROCQUE D.L.S.

RICHARD LAROCQUE LIMITED
 ONTARIO LAND SURVEYORS & CONSULTANTS
 12 LYMAN STREET, ST. CATHARINES, ONTARIO
 905-688-1413
 6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO
 905-358-8400
 www.larocquegroup.ca

THIS SKETCH IS PREPARED FOR AN APPLICATION UNDER THE PLANNING ACT AND ALL DIMENSIONS ARE TO BE CONFIRMED BY SURVEY.

NOTE: THE LOT DIMENSIONS ILLUSTRATED HEREON WERE OBTAINED FROM PLANS AND DOCUMENTS ON FILE AT THE LAND REGISTRY OFFICE

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

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 No person may copy, reproduce or alter this plan in whole or in part without the written permission of RICHARD LAROCQUE LIMITED

DRAWN BY:
D.B.

CHECKED BY:
B.L.

DATE:
APRIL 12, 2018

FILE:
2018-011
DWG. FILE: 2018-011-02

Cr

May 15, 2018

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

Attention: Elaine Munro

File# 60.81.5353

Re: 140 Glendale Ave

In response to your correspondence date May 2, 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.
- Developers to acquire an easement, if required.
- Current service location fed from rear lot. New services to be fed from Glendale Ave.


We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.

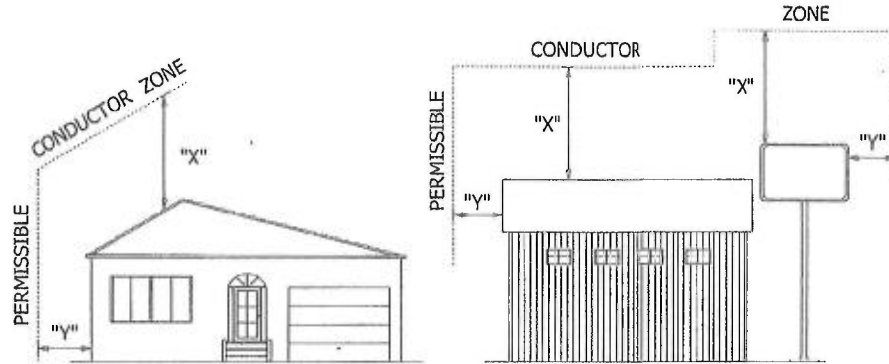
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, 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 over a large, light-colored oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon UTILITIES <i>Looking beyond...</i>	DRAWING STATUS	BY	DATE DD/MM/YY	MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS (EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)	REFERENCE DRAWINGS:		DRAWINGS NOT TO SCALE	
	REDRAWN:	JM	12/05/07		DRAWING #	3-105	SHEET #	REVISION #
	CHECKED:	ND	26/04/05				1	0
	APPROVED:	CR	26/04/05					

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 7 - Last email

140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:50 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: FW: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 7 - Last email

Sorry
Hi Elaine
Email 7
Cogeco has no issues or concerns with this application.
Thanks

.
Ce courriel provient de Doug.Crown@cogeco.com . Pour assurer la livraison de futurs envois, veuillez inclure la présente adresse courriel à votre carnet d'adresses ou votre liste d'expéditeurs autorisés.
Si vous ne souhaitez plus recevoir de messages promotionnels de la part de Cogeco, veuillez transférer ce courriel à desabonnement@cogeco.com. Merci!
[Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam](#) – [Contactez-nous](#)
Cogeco Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3
--

This email is from Doug.Crown@cogeco.com . To ensure the delivery of future emails, please add the current email address to your address book or safe senders list.
If you no longer wish to receive promotional emails from Cogeco, please forward this message to unsubscribe@cogeco.com. Thank you!
Privacy Policy and Anti-spam Commitment
- [Contact us](#)
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3
*

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From: Doug Crown
Sent: Wednesday, May 2, 2018 2:49 PM
To: 'Munro, Elaine'



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

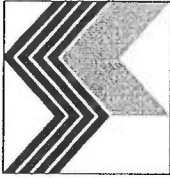
NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	Be advised that a reduction in the required yard will have spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.



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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

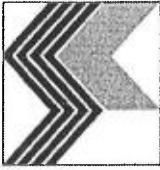
Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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-35/18SC (60.84.2180) &
A-67/18 (60.81.5356)**

614 Niagara Street

**DATE OF HEARING:
May 30, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: May 23, 2018

Date of Hearing: May 30, 2018

Submission(s): B-37/18SC
A-67/18

File: 60.84.2180
60.81.5356

Subject: 614 Niagara Street
614B Niagara Street

Recommendation

That Submission **B-37/18SC** by 766298 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the owner dedicate 4.94 metres on the north end of the property and 4.88 metres on the south end widening along Niagara Street. (Shown as Part 3 on sketch), to the Regional Municipality of Niagara along the frontage of Regional Road 48 (Niagara Street) to the satisfaction of the Niagara Region Planning & Development Department. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant;
2. That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser;
3. 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;
4. Pay the fee for City crews to locate the sewer and water laterals servicing the existing building. The sewer and water services must be independent and not cross an abutting and/or future property line. If either or both sewer and water services cross onto abutting and/or other parts, separate services must be installed to the satisfaction of the City Engineer; and,
5. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Parts 1 and 2), to address the following conditions:
 - a. Building Permit Plans be subject to review and approval by PBS demonstrating:

- i. That the southerly unit has been brought forward by approximately 2 metres to enlarge the rear yard and improve the streetscape alignment; and,
 - ii. That the retention of perimeter trees is maximized through the completion of a Tree Protection Plan by a qualified arborist to identify perimeter trees that are worthy of retaining, and that the recommended protection measures of the Protection Plan be implemented through the Development Agreement.
6. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.

That Submission **A-67/18** by 766298 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-37/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-67/18** 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 **B-37/18SC** is made for consent to sever 291.6m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 614B Niagara Street to construct one-half of a semi-detached dwelling. A 388.3m² remnant parcel (Part 2) would be retained to construct the other half of the semi-detached dwelling. Part 3 is to be dedicated to the Region of Niagara for a road widening. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There is a minor variance application **A-67/18**.

Application **A-67/18** requests to vary Zoning By-law 2013-283 for a reduction of the minimum front yard setback to the garage from 7.0 metres to 5.56 metres and for an increase in the minimum front yard setback to the dwelling from 6 metres to 3.54 metres in order to facilitate the concurrent consent **B-37/18SC** to sever the lands to construct a semi-detached dwelling.

Location and Site Description

The subject property is located on the northeast side of Niagara Street, north of Linwell Road. The subject property is surrounded by detached dwellings to the north, south and west and an apartment building to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 and Low Density Residential as per Schedule E2 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 land is zoned Low Density Residential (R1). The R1 zone permits detached, semi-detached, quadruplex and townhouse dwellings as well as private road developments.

Consent Application B-37/18SC

Application **B-37/18SC** is made for consent to sever 291.6m² parcel of land (Part 1), creating a new lot to be known as 614B Niagara Street for the purpose constructing one-half of a semi-detached dwelling. A 388.3m² remnant parcel (Part 2) would be retained to construct the other half of the semi-detached dwelling. Part 3 is to be dedicated to the Region of Niagara for a road widening.

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

The suggested lots are appropriate for the use proposed as they will each contain half of a semi-detached dwelling, which are not yet currently under construction. The function of the dwelling units will not change and no adverse impacts on the surrounding area are anticipated. Parts 1 and 2 of the submitted sketch are slightly smaller than most of the existing lots in the surrounding area, however they still provide adequate lot size to fit a dwelling unit on each while abiding by the provisions of the Zoning By-law. The proposal demonstrates development that is compatible with the existing streetscape in terms of spacing and building setback. The lot sizes will not have any notable or negative impact on the established character of the neighbourhood. The proposal is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Niagara Region Staff have advised that due to the fact that the subject property has frontage on Regional Road 48 (Niagara Street) which typically carries a significant volume of traffic, reversing out of driveways creates safety concerns on the roadway. It has been advised that the design of the properties be revised to incorporate an area where vehicles

can turn on-site to avoid reversing out of driveways. City staff do not support on-site turnarounds for vehicles as being contrary to the established character of the street, contrary to “complete street” objectives, and contrary to zoning provisions regulating driveway widths.

Staff is not recommending this be a condition of consent.

Design Review Panel (DRP)

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

The subject application was submitted to the DRP for review at the meeting of April 3, 2018. The DRP considered a proposal to demolish the existing single detached dwelling on the lands and to sever the lands into two equal lots for the purpose of constructing two semi-detached dwellings.

The Panel acknowledged that the proposed semis meet most zoning requirements, with the exception of the minimum lot area and garage setback for the northerly unit. The Panel was generally supportive of the proposed severance and acknowledged that the required variances were largely a function of the angled lot configuration. The Panel had no concerns with the variances. The Panel considered the semi to be an appropriate use of the site but suggested that the south half of the semi be pulled closer to Niagara Street to provide a more consistent street wall. The panel encouraged the owner to retain the perimeter trees, if possible.

The DRP moved to endorse support for the proposed lot creation for the purpose of constructing a semi-detached dwelling, subject to two conditions as reflected in the Recommendation.

In consideration of Council’s direction to routinely require Development Agreements as a condition of approval, it is staff’s opinion that such an agreement is necessary to ensure the requested setback of the proposed dwelling by the DRP is maintained, as well as the protection of the mature boulevard tree, as directed by the PRCS. Should the application be approved, a Development Agreement should be registered on title in order to address conditions for the street tree and future development design of the site. The Development Agreement recommended includes tree protection measures including a defined Tree Protection Zone, pruning, boring for utilities and services (no trenching), a watering and fertilization schedule, and security deposits, all to the satisfaction of the City. This Development Agreement must be finalized prior to the final approval of the application.

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

Variance Application A-67/18

Application **A-67/18** (Part 1) requests a reduction to the minimum lot area, a reduction in the minimum front yard setback to the garage, and a reduction of the front yard setback to the dwelling, in order to facilitate the concurrent consent application **B-37/18SC**.

The minimum lot area requirement of the by-law is to ensure that a building envelope can fit comfortably on a property while still providing adequate amenity space and to ensure the dwelling will not overwhelm the lot or neighbouring properties. The requested variance is a result of the irregular lot shape and the diagonal frontage along Niagara Street, and the applicant has demonstrated the semi-detached dwelling can fit suitably on the whole of the lot. The variance requested to reduce the minimum front yard setback to the garage from 7.0 metres to 5.56 metres and to reduce the front yard setback to the dwelling from 6 metres to 4.54 metres are considered minor in nature, as they will not significantly impact the subject or surrounding properties. The intent of the front yard setback is to ensure adequate amenity space, and proper provision of parking in front of the dwelling. Both variances are also a result of the irregular lot shape. The applicant has provided the required space for a parking area in front of the proposed dwelling unit, which is similar to the driveway placements on properties in the adjacent area, as well as sufficient amenity space. 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.

Staff is supportive of the proposed variances.

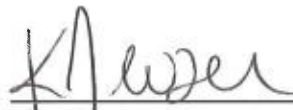
Conclusion

Staff are satisfied that the consent requested through application **B-37/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff are satisfied that the variance requested through submission **A-67/18** 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. Staff recommend that the requested consent and variance be approved, subject to the conditions outlined in the recommendation.

Prepared by:

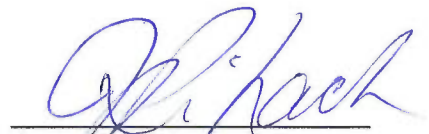
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner 1

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

VIA E-MAIL ONLY

May 7, 2018

Elaine Munro

Secretary-Treasurer, Committee of Adjustment

50 Church Street, P.O.Box 3012

St.Catharines, Ontario, L2R 7C2

Application for Consent B-37/18SC and A-67/18

Applicant: 766298 Ontario Inc.

Proposal: To sever Part 1 from Part 2 (614 Niagara Street)
In the City of St. Catharines

Our File: CS-18-032 and MV18-033

Niagara Region Development Services Division has completed a review of the proposed consent for the above-noted property and provides the following comments:

1) Regional Road Allowance

The subject property has frontage along Regional Road 48 (Niagara Street). This section of road has a substandard road allowance. The designated road allowance is 26.2 meters as identified in the Regional Official Plan.

Therefore, the applicant is required to gratuitously grant the following widening to the Region:

- A 4.94 metres on the north end of the property and 4.88 metres on the south end widening along Niagara Street. (shown as Part 3 on the sketch)

The actual width of the required widening must be confirmed by an Ontario Land Surveyor. This is only an approximation of the requirement.

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The widening portion of the Plan will be the responsibility of the owner to order. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Regional Contact information:

Norma Price, Law Clerk, Legal & Court Services, (905) 980-6000 extension 3339. E-mail norma.price@niagararegion.ca (Inquiries -specific to the transfer of property to the Region)

Normans Taurins, Manager, Regional Surveys & Property Information, (905) 980-6000 extension 3325, E-mail normans.taurins@niagararegion.ca

The subject property has frontage along Regional Road 48 (Niagara Street). This road carries a significant volume of traffic reversing out of driveways creates safety concerns on the roadway. We would therefore require that the design of the properties incorporate an area where vehicles can turn on-site to avoid reversing out of the driveways.

As well the driveways should meet the road at a perpendicular angle if possible the design guidelines call for +or- 20 degrees from perpendicular in accordance with Figure 2.3.1.4. TAC manual. A sketch showing an example of a location for the occupants to turnaround on site is attached for the applicants information and use.

Prior to any construction or entrance construction taking place within the Regional Road allowance, a Regional Construction and Entrance Construction Permit must be obtained from the Transportation Services Division, Public Works Department. Applications can be made through the Region's website using the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

In conclusion, Regional staff does not object to the consent application subject to any local planning issues. Please send notice of any decision regarding this application. Should you have any further questions or need additional information, please contact me or Britney Fricke, Planner, at extension 3518.

Yours truly,



Susan Dunsmore, P.Eng.

Development Engineer
Planning and Development Services

L:\D.21 Development Planning\Infrswrkgrp\PW_DEVENGINEERING APPROVALS\Developments\St.Kits\CS-18-032 614 Niagara Street\CS-18-032 May 7 2018.docx

- c. B. Fricke, MCIP, RPP, Planner, Niagara Region
N. Taurins, B.Sc., O.L.S., O.L.I.P., Manager, Regional Surveys & Property Info, Niagara Region
N. Price, Law Clerk, Legal & Court Services
L.Lipiec, Corridor Technician Permits

Appendix
614 Niagara Street
CONSENT CONDITIONS

- I. That the owner dedicate 4.94 metres on the north end of the property and 4.88 metres on the south end widening along Niagara Street. (shown as Part 3 on the sketch), to the Regional Municipality of Niagara along the frontage of Regional Road 48 (Niagara Street) to the satisfaction of the Niagara Region Planning & Development Department. All costs for the providing the necessary survey plan and all related documents are the responsibility of the applicant.

SKETCH TO SHOW
PART OF LOT 45
CORPORATION PLAN No. 5
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200



KIRKPUR MASCOE URE SURVEYING LTD.
ONTARIO LAND SURVEYORS



NIAGARA
STREET
48 - 21st WIDE

EXISTING REGISTERED PLANT 220

LINWELL ROAD

LOT 35
REGISTERED PLAN 577
RESIDENTIAL

LOT
REGISTERED PLAN 1228
RESIDENTIAL

172*
8925

PROPOSED DWELLING
AREA=125.3m²

PROPOSED
DWELLING
AREA=115.3m²

LOT 4
FERED PLAN 128
RESIDENTIAL

PART 1
AREA=291.0m²



5

229

444

KEY PLAN
NOT TO SCALE

© No person may copy, reproduce or alter this sketch in whole or in part without written permission from KIROUJ MASOOD LEE SURVIVOR

NOTE

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

METRIC NOTE

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

GREEN SPACE AREA	
PART 1 =	119.3 m ² (40.8%)
PART 2 =	198.7 m ² (51.1%)

RECEIVED E

MAY - 2 2018

PLANNING AND DEVELOPMENT SERVICE

APRIL 19, 2018
DATE

ROY S. KIRKUP
ONTARIO LAND SURVEYOR

KIRKUP • MASCOE • URE
SURVEYING LTD.
17 EASTCHESTER AVENUE, ST. CATHARINES, ONTARIO L2R 2Y6
TEL: (905) 682-5721, FAX: (905) 681-4434
E-MAIL: info@kirkupmascoue.com

JOB No. 16-0275

FILE: 1A-9275-114

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Wednesday, May 02, 2018 1:24 PM
To: Munro, Elaine
Subject: 905-18-202 - Consent Application B-37/18SC - 614 Niagara Street

Good afternoon Elaine,

Bell Canada has no concerns with Application for Consent B-37/18SC. The engineer, however, had the following comments: We do have a pedestal near the northeast lot line, but it is clear of the proposed driveway. If the driveway layouts change and the pedestal needs to be relocated, the owners can contact Crystal Chevalier at 905-988-1256. Construction charges will apply.

Thank you,

Char Hall
External Liaison
Bell Canada Right of Way
P: 705-722-2264
F: 705-726-4600
1-888-646-4817
charleyne.hall@bell.ca



140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 7 - Last email

140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, May 02, 2018 2:50 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: FW: Committee of Adjustment Notices and Applications for the May 30/18 CofA Hearing, City of St. Catharines - Email 7 - Last email

Sorry
Hi Elaine
Email 7
Cogeco has no issues or concerns with this application.
Thanks

*
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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[Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam](#) – [Contactez-nous](#)
Cogeco Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3
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- [Contact us](#)
Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3
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From: Doug Crown
Sent: Wednesday, May 2, 2018 2:49 PM
To: 'Munro, Elaine'



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: May 7, 2018.

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – May 30, 2018 hearing - File No.: 300-036

B-33/18SC – 106A Eastchester Avenue

Comment:
- No Comment

Condition:
- No Comment

B-34/18SC – 52 Merigold Street

Comment:
- No Comment

Condition:
- No Comment

B-35/18SC – 78 Townline Road West

Comment:
- No Comment

Condition:
- No Comment

B-36/18SC – 104A Eastchester Avenue

Comment:

- No Comment

Condition:

- No Comment

B-37/18SC – 614 Niagara Street

Comment:

- Be advised that a building permit is required for the construction of the proposed semi-detached dwelling.

Condition:

- No Comment



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



Memorandum

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

Cc: B. Thiessen, 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

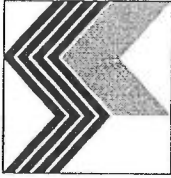
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 25, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-49/17	104A Eastchester Ave.	No Comment
A-43/18	55 Oakdale Drive	No Comment
A-47/18	12 Hampstead Place	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-48/18	179 Louth Street	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. Be advised that a building permit is required for the proposed long term care facility.
A-49/18	45 Manhattan Court	No Comment
A-50/18	58 Manhattan Court	No Comment
A-51/18	50 Jefferson Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed addition and covered porch.
A-52/18	7 Abbey Avenue	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed rebuild/renovation to the existing cottage.

NO.	ADDRESS	COMMENTS
A-53/18	106A Eastchester Ave	No Comment
A-54/18	106B Eastchester Ave	No Comment
A-55/18	999 Pelham Road	No Comment
A-56/18	16 Prince Charles Drive	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed detached garage.
A-57/18	61A Village Road	Be advised that a building permit is required for the proposed 4 Storey Condominium.
A-58/18	11 Export Ave	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-59/18	115 Dieppe Road	Be advised that a demolition permit is required for the existing building. Be advised that a building permit is required for the proposed Automotive sales and service centre.
A-60/18	78A Townline Rd W.	No Comment
A-61/18	78B Townline Rd W.	No Comment
A-62/18	104B Eastchester Ave	No Comment
A-63/18	350 Scott Street	Be advised that a building permit is required for the proposed restaurant.
A-64/18	140 Glendale Ave	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.
A-65/18	52A Merigold Street	No Comment
A-66/18	52A Merigold Street	No Comment
A-67/18	614B Niagara Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed semi-detached dwelling.

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: May 7, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 12 Hampstead Place, Minor Variance Application, A-47/18 – 60.81.5336
No comment.
2. 55 Oakdale Avenue, Minor Variance Application, A-43/18 – 60.81.5330
No comment.
3. 179 Louth Street, Minor Variance Application, A-48/18 – 60.81.5337
No comment
4. 45 Manhattan Court, Minor Variance Application, A-49/18 – 60.81.5338
No comment
5. 59 Manhattan Court, Minor Variance Application, A-50/18 – 60.81.5339
No comment
6. 50 Jefferson Drive, Minor Variance Application, A-51/18 – 60.81.5340
PRCS offers no objections to the requested variance provided that the edge of the driveway is located no closer than 1.5m from the south lot line.
7. 7 Abbey Avenue, Minor Variance Application, A-52/18 – 60.81.5341
PRCS offers no objections in principle to the requested variances. Staff note that the parallel parking space and lined bump out are located within the municipal boulevard. This parking space is a public parking space. PRCS recommends that the bump out be re-instated with landscaping.
8. 104A Eastchester Avenue, Consent Application, B-36/18SC – 60.81.2176
106A Eastchester Avenue, Minor Variance Application, A-49/17 – 60.81.5218
104B Eastchester Avenue, Minor Variance Application, A-62/18 – 60.81.5342

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

9. 106A Eastchester Avenue, Consent Application, B-33/18SC – 60.84.2177
106A Eastchester Avenue, Minor Variance Application, A-53/18 – 60.81.5343
106B Eastchester Avenue, Minor Variance Application, A-54/18 – 60.81.5344

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

10. 78 Townline Road West, Consent Application, B-35/18SC – 60.84.2179
78A Townline Road West, Minor Variance Application, A-60/18 – 60.81.5350
78B Townline Road West, Minor Variance Application, A-61/18 – 60.81.5351

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

11. 999 Pelham Road, Minor Variance Application, A-55/18 – 60.81.5345
No comment. Requirements associated with this development have been addressed through previous approvals.
12. 16 Prince Charles Drive, Minor Variance Application, A-56/18 – 60.81.5346
PRCS offers no objection to the request variance provide that the driveway is located a minimum of 2.0m from the west lot line and that there is no further widening of the curb cut at Prince Charles Drive.
13. 61A Village Road, Minor Variance Application, A-57/18 – 60.81.
No objections. A 3.0m landscape strip is consistent with the current landscaping standards established in the Zoning By-law and can support sufficient vegetation.
14. 11 Export Drive, Minor Variance Application, A-58/18 – 60.81.5348

115 Dieppe Road, Minor Variance Application, A-59/18 – 60.81.5349
No comment.

15. 52 Merigold Street, Consent Application, B-34/18SC – 60.84.2178
52A Merigold Street, Minor Variance Application, A-65/18 – 60.81.5354
52B Merigold Street, Minor Variance Application, A-66/18 – 60.81.5355

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

16. 350 Scott Street, Minor Variance Application, A-63/18 – 60.81.5352
No objections. The Site Plan Agreement will address overall landscaping of the site.
17. 140 Glendale Avenue, Minor Variance Application, A-64/18 – 60.81.5353
No Objections
18. 614 Niagara Street, Consent Application, B-35/18SC – 60.84.2180
614B Niagara Street, Minor Variance Application, A-67/18 – 60.81.5356
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of the severance:

That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

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

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: May 8th, 2018

Hearing Date: May 30th, 2018

Subject: Engineering Comments to C of A Minor Variance File No's:

55 Oakdale Avenue, A-43/18
12 Hampstead Place, A-47/18
179 Louth Street, A-48/18
45 Manhattan Court, A-49/18
59 Manhattan Court, A-50/18
50 Jefferson Drive, A-51/18
7 Abbey Avenue, A-52/18
104 Eastchester Avenue A-49/17 & A-62/18
106 Eastchester Avenue, A-53 & 54/18
78 Townline Road West, A-60 & 61/18
999 Pelham Road, A-55/18
16 Prince Charles Drive, A-56/18
61 Village Road, A-57/18
11 Export Drive, A-58/18
350 Scott Street, A-63/18
140 Glendale Avenue, A-64/18
52 Merigold Street, A-65 & 66/18
614B Niagara Street, A-67/18

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;

55 Oakdale Avenue A43/18:

Development Engineering issues will be dealt with at the SPA stage.

12 Hampstead Place A47/18:

Drainage concerns related to the side yard reductions can be dealt with at the Building Permit stage.

61 Village Road A57/18:

Development Engineering issues will be dealt with at the SPA stage.

350 Scott Street A63/18

Development Engineering issues will be dealt with at the SPA stage.

Condition(s):

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

JD/jd

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-37/18SC



April 26, 2018

ENGINEERING FILE 300-36

Hearing Date: May 30, 2018

Applicant: 766298 Ontario Inc.

Location: 614 Niagara Street

MUNICIPAL SERVICES

Niagara Street

Water: 150mm (6")

Sanitary: 750mm (29") ~5.3m (18') deep – east lane
250mm (10") ~2.7m (9') deep – west lane

Storm: None

Sidewalks: Yes

Road Allowance: 23.0m± (75')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 for the purpose of constructing a semi-detached dwelling to be known as 614A Niagara Street. A remnant parcel of land would be retained (Part 2) for the other ½ of the proposed semi-detached residential dwelling construction.

Roads

Niagara Street is designated a Regional Arterial road in the City's Official Plan with a desired right-of-way width of 26.0m (86'). The road along the frontage of the property appears deficient at 23.0m±, however Niagara Street is under the jurisdiction of the Regional Municipality of Niagara, therefore any road widening requirements shall be at their discretion.

Engineering Services

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


Sump pump flows typically discharge to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since storm sewers do not exist on Niagara Street along the frontage of the applicant property, foundation weeping tile flows shall be collected via sump pump and discharged to grade towards Niagara Street. Additional servicing fees for sewer and water service laterals, shall be paid at the Building Permit stage in accordance with the City's current Schedule of Rates & Fees.

The Owner shall be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they does not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future potential lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit so as not to continue private service crossings over abutting and/or future lot lines, and pay the City the fees to provide new services within the road allowance to the property lines in order for each property to be serviced individually.

Condition(s):

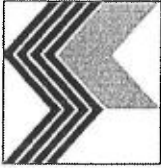
Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate the sewer and water laterals servicing the existing building. The sewer and water services must be independent and not cross an abutting and/or future property line. If either or both sewer and water services cross onto abutting and/or other parts, separate services must be installed to the satisfaction of the City Engineer; and



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: May 2, 2018

Subject: Committee of Adjustment
Public Hearings – May 30, 2018
File No. 305-17-01

A-052/18 – 7 Abbey Avenue

No concerns with the proposal. On the plan it notes a painted area on the boulevard. Since it's on the boulevard, whether the area is to be painted is at the discretion of the City. If we deemed it necessary or desirable to paint the area, the work would be undertaken by the City. At this time we see no reason to paint a "hatched" area on the boulevard. The standard 1.5 metre driveway clearance, as outlined in the Traffic and Parking By-law, would be applicable.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/