

Risi, Rosa

Subject: RE: 85 Scott Street

From: Nick Murphy
Sent: Thursday, May 03, 2018 2:36 PM
To: Butler, Aaron <abutler@stcatharines.ca>
Subject: 85 Scott Street

At the end of the public meeting (April 9), the City Solicitor agreed to review the Declaration and Description registered with the City for 81 and 85 Scott Street land use.

The City is in possession of Chown Cairns Lawyers legal submission dated March 16, 2018.

A comparison of the highlighted portion of Plan 30R-6344 and the ACK Preliminary Site Plan shows a total disregard for City parking requirements and the Condominium Act.

I trust that the Planning recommendation will be coordinated with the City Legal Department's review of the Condominium Act Sections 7, 8, 8(1) (b).

Nick Murphy

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SCHEDULE "A"
LEGAL DESCRIPTION

ALL AND SINGULAR that certain parcel and tract of land and premises situate, lying and being in the City of St. Catharines, in the Regional Municipality of Niagara, in the Province of Ontario, being composed of Part of Lot 20, in Concession 3, Geographic Township of Grantham designated as Parts 1 to 34 inclusive, 65 to 67 inclusive, 73, 98 and 99 on a plan of survey deposited in the Land Registry Office for the Land Titles Division of Niagara North at St. Catharines, as Plan 30R-6344, hereinafter referred to as the aforesaid lands.

SUBJECT TO a storm sewer easement described in Instrument No. 559847 in favour of the Corporation of the City of St. Catharines, its successors and assigns to enter on and construct, repair, replace, operate and maintain a municipal storm sewer over part of the said Lot 20, designated as Parts 7, 8, 9, 10, 11, 12, 34, 66 and 73 on Reference Plan 30R-6344;

SUBJECT TO a right-of-way for emergency vehicles only described in Instrument No. 559848 in favour of the Corporation of the City of St. Catharines, its successors and assigns over Part of said Lot 20 designated as Parts 3, 17, 18, 21, 22, 30, 32, 34, 98 and 99 on Reference Plan 30R-6344.

RESERVING the following easements as set out in paragraphs 1 to 4, inclusive, in favour of the owner from time to time of Parts 35 to 64 inclusive and Part 96 and 97 on Plan 30R-6344 and in favour of the owner from time to time of Parts 68 to 72, inclusive and 74 to 95 inclusive on Plan 30R-6344 and their respective successors and assigns and their tenants, guests, servants, invitees and other permitted occupants from time to time:

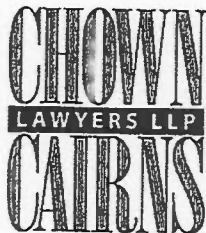
1. reserving an easement, a right and a right in the nature of an easement, in, over and along those parts of the aforesaid lands designated as Parts 2, 3, 4, 6, 7, 12, 14, 20, 22, 24, 29, 30, 31, 73 and 99 on Plan 30R-6344 for the purposes of vehicular access and egress and including access and egress for pick-up and deliveries;
2. reserving an easement, a right and a right in the nature of an easement, in, over and along those parts of the aforesaid lands designated as Parts 1, 26 and 28 on Plan 30R-6344 for the purposes of pedestrian traffic including access and egress from recreational areas for the full use and enjoyment of the landscaped grounds, pitch and putt, barbecue and picnic facilities;

3. reserving an easement, a right and a right in the nature of an easement, in, over and along those parts of the aforesaid lands designated as Parts 2, 3, 4, 6, 7, 12, 14, 20, 22, 24, 29, 30, 31, 73 and 99 on Plan 30R-6344 of the aforesaid lands for the purposes of vehicular and pedestrian access and egress by the servants, agents or contractors for the purposes of allowing the maintenance, repair, replacement, servicing or inspection of any part of the building and appurtenances owned by the owners and the successors and assigns of Parts 35 to 64 inclusive, 96 and 97 on Plan 30R-6344 and the owner of Parts 68 to 72 inclusive, and 74 to 95 inclusive on Plan 30R-6344.
4. reserving an easement, a right and a right in the nature of an easement, in, over and along those parts of the aforesaid lands designated as Parts 1 to 8 inclusive, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28 to 34 inclusive, 65 to 67 inclusive, 73, 98 and 99 on Plan 30R-6344 for the purposes of maintaining, altering, replacing, repairing, installing or inspecting roadways, sidewalks, lighting and underground storm and sanitary sewers, water and/or gas pipes, and electrical conduits, cables, wires and lines, together with all appurtenances thereto as may from time to time be necessary or convenient to provide adequate storm and sanitary sewers or drainage, water supplies, gas service, electrical cable, television and/or telephone cable, hydro electric for heating services to any parts of the buildings owned by the successors and assigns of Parts 35 to 64 inclusive, 96 and 97 on Plan 30R-6344 and the owners or successors and assigns of Parts 68 to 72 inclusive and Parts 74 to 95 inclusive on Plan 30R-6344;
5. reserving an easement, a right and a right in the nature of an easement, in, over and along those parts of the aforesaid lands designated as Parts 1, 26, and 28, on plan 30R-6344 for the purposes of maintaining, altering, replacing, repairing, installing or inspecting the landscaped grounds, pitch and putt, barbecue areas, picnic facilities and swimming pool used and enjoyed by the owners and the successors and assigns of Parts 35 to 64 inclusive, 96 and 97 on Plan 30R-6344 and the owners and successors and assigns of Parts 68 to 72 inclusive and 74 to 95 inclusive on Plan 30R-6344.

TOGETHER WITH the following easements as set out in paragraphs 1, 2, 3 and 4 inclusive hereof in favour of Corporation A and the owners from time to time, their successors and assigns, their tenants, guests, invitees and other permitted occupants from time to time.

1. TOGETHER WITH an easement a right or a right in the nature of an easement in, on, over or along those parts of that part of the said Lot 20, Concession 3, designated as Parts 37 to 39 inclusive, 49, 51, 61, 72, 74, 75 and 87 on Plan 30R-6344 for the purposes of vehicular access and egress.
2. TOGETHER WITH an easement a right or a right in the nature of an easement in, on, over or along those parts of that part of the said Lot 20, Concession 3, designated as Parts 53, 55, 56 and 57, Parts 70, 71, and 76 to 81 inclusive; Parts 83, 85, 93 and 95 on Plan 30R-6344 for the purposes of pedestrian traffic, including access and egress from the recreational areas and/or pedestrian access for the full use and enjoyment of the landscaped grounds, swimming pool, walkways, pitch and putt areas, barbecues and tennis courts.
3. TOGETHER WITH an easement a right or a right in the nature of an easement in, on, over or along those parts of that part of the said Lot 20, Concession 3, designated as Parts 35 to 42 inclusive, 44 to 49 inclusive, 51, 53, 55, 56, 57, 61 to 64 inclusive, 68 to 72 inclusive, 74 to 81 inclusive, 83, 85, 87, 93 and 95 Plan 30R-6344 for the purposes of maintaining, altering, repairing, replacing and inspecting the underground storm and sanitary sewers, water and/or gas pipes, and electrical conduits, cables, wires and lines, together with all appurtenances thereto as may from time to time be necessary or convenient to provide adequate storm and sanitary sewers or drainage, water supplies, gas service, electrical cable, television and/or telephone cable, hydro electric for heating services to any part of the building owned by this Condominium Corporation and its successors and assigns.
4. TOGETHER WITH an easement a right or a right in the nature of an easement in, on, over or along those parts of that part of the said Lot 20, Concession 3, designated as Parts 53, 55, 56 and 57, 70, 71 and 76 to 81 inclusive, Parts 83, 85, 93 and 95 on Plan 30R-6344 for the purposes of maintaining, altering, repairing, replacing and inspecting the recreational areas, landscaped grounds, swimming pool, walkways, pitch and putt areas, barbecues and tennis courts enjoyed and used by this condominium corporation and its successors and assigns.

BEING PART OF PARCEL 20-1, SECTION CONCESSION 3, ST.
CATHARINES



80 King Street
Suite 900
PO Box 760
St. Catharines
Ontario L2R 6Y8

(905) 688-4500

Facsimile
(905) 688-0015

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S.E. Quinn
S. Pershad

R. Cairns, QC
(1925-2011)

M.A. Chown, QC
(1921-1983)

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(1934-1998)

*Certified Specialist
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City of St. Catharines
Legal and Clerks Services
City Clerk's Division
City Hall
50 Church Street
Box 3012
St. Catharines, ON
L2R 7C2

March 16, 2018

HAND DELIVERED

Re: 85 Scott Street - Public Hearing - Zoning Amendment - File 60.35.1017

We are the solicitors for Niagara North Condominium Corporation No. 62.

We have noted the Public Meeting to take place on April 9, 2018 regarding a Zoning By-law Amendment for the construction of 2 condominium buildings at 85 Scott Street which are adjacent to our client's property. Please consider this a submission to the Public Meeting.

Niagara North Condominium Plan No. 62 was registered in 1990 as part of a very intricate Reference Plan (Plan 30R-6344) setting out the footprints of the building on Niagara North Condominium Plan No. 62 and the 2 further buildings to be constructed and setting out easements back and forth between the first condominium building and the remaining 2 buildings to be developed.

Plan 30R-6344 is much too large to enclose herewith. I therefore enclose a copy of a relevant portion of the plan with Part 27 being the footprint of the existing building and Parts 54 and 90 being the proposed footprints of the 2 buildings remaining to be built.

I also enclose a copy of pages 15-17 being Schedule "A" of the registered Declaration of Niagara North Condominium Plan No. 62. This created various registered easements back and forth between Niagara North Condominium Plan No. 62 and the lands on which the further two condominiums are to be constructed.

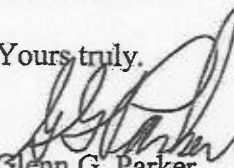
Schedule "A" sets out, *inter alia*, easements for vehicular ingress and egress; pedestrian ingress and egress and enjoyment of recreational and landscape amenities; shared storm and sanitary sewers; hydro telephone and electrical cabling and their connections and inspection and repair of same.

The Site Plan submission drawing by ACK Architects dated September, 2017 shows the proposed new condominium buildings with different orientations than as set out on Plan 30R-6344. Also, the Site Plan submission does not contain measurements, other than building areas, and does not relate the proposed buildings to the existing registered easements contained on Plan 30R-6344. There is no way of telling from the submission for the Zoning By-law Amendment if the proposal would interfere with any of the existing registered easements.

Niagara North Condominium Corporation No. 62, therefore requests that the City make it a condition of any By-law Amendment and/or subsequent Site Plan Agreement that the applicant submit a plan showing existing easements and the proposed construction in relation thereto and show there is no interference with any easements presently enjoyed by Niagara North Condominium Corporation No. 62. We request that the City further require that such plan be supplied to Niagara North Condominium Corporation No. 62. for comment before any approval is granted.

We request notification of the decision made on this application.

Yours truly,


Glenn G. Parker

GGP/pt
encls.

cc: Niagara North Condominium Corporation No. 62
c/o Shabri Properties Limited
Attn: John Rousel.

Part of Plan 30R-6344



Risi, Rosa

From: Nick Murphy
Sent: Sunday, May 20, 2018 12:01 PM
To: Butler, Aaron
Subject: 85 Scott Street

Thank you for the update on materials delivered to your office by the proponent after the public meeting of April 9, 2018.

I would like to offer my Peer Review of the applicant's Planning Justification Report for 85 Scott Street.

INTENSIFICATION AND DENSITY

The proponent's consultants assert many times that since 1985 "there have been significant changes to the overall policy planning regime." What hasn't changed, however, is the two eight story ordered by the OMB still meet these changes and still meet 2018 City intensification and density targets.

The development on this site was constituted by the applicant as three separate and distinct condominium corporations. This has been defined in the Declaration authored by the applicant. Each building must stand by itself. This is the law (Condominium Act). As currently zoned the density is 96 and 99 units/ha.

One planning issue that has changed is the City's inventory of high density residential opportunities. There are many and there are many locations like the Downtown, GO station, vacant hospital and manufacturing sites that need development, want development and meet the definition of Smart Growth. The proponent wants us to believe that the inventory "is severely restricted" and 85 Scott Street is the answer to the City's growth problem.

85 Scott as presently zoned meets and exceeds R4 density criteria and more than doubles the City intensification targets for vacant properties.

LEGAL CONSIDERATIONS

The proponent's Justification Report concedes the constraints defined in the Declaration and Description, eleven times to be exact. The application recognizes the building siting restraint but ignores the restrictions affecting surface parking, garage accesses to name a few.

So why is there a Condominium Act and a Declaration and Description? It is to ensure that investors in the first phase have a contractual description of future construction phases. The building heights and number of units that were to follow at 85 Scott is clear. The number of units that current owners expect to share facilities and common areas with is also clear.

PUBLIC MEETINGS

Many have been held, small and large, by the applicant and by the City. There is no support for increased heights or density over what is currently zoned and defined in the OMB order. None. Many emails and letters from the area residents all against. The public does not support this application.

SUMMARY

There is no justification to increase building heights in this neighborhood.

Nick Murphy

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Risi, Rosa

To: Butler, Aaron
Subject: RE: 85 Scott

From: Suzie

Sent: Saturday, April 14, 2018 3:33 PM

To: Mayor's Administration ; Garcia, Carlos <cgarcia@stcatharines.ca>; Williamson, Bruce <bwilliamson@stcatharines.ca>; Butler, Aaron <abutler@stcatharines.ca>; Phillips, Bill <bphillips@stcatharines.ca>; [REDACTED] Kushner, Joe <jkushner@stcatharines.ca>; Bellows, Sandie <sbellows@stcatharines.ca>; Sorrento, Sal <ssorrento@stcatharines.ca>; Haywood, David <dhaywood@stcatharines.ca>; Stevens, Jennifer <jstevens@stcatharines.ca>; Harris, Matthew <mharris@stcatharines.ca>; Britton, Mike <mbritton@stcatharines.ca>; Sorrento, Sal <ssorrento@stcatharines.ca>; Elliott, Mark <melliott@stcatharines.ca>; Siscoe, Mathew <msiscoe@stcatharines.ca>; Eric Allan [REDACTED] Doug Kelly [REDACTED]; Dana Rogers [REDACTED]; GERRY SABOURIN [REDACTED]
Subject:

Mr. Mayor and City Councilors,

Along with my husband, I attended the April 9, 2018 City Council meeting at which the application for a zoning change at 85 Scott Street was heard.

On a few occasions, the Councilors asked where the Board of Directors stood on this application.

I am Suzie Neff, the President of our Condominium Corporation (NNCC 62). When Mr. Doug Kelly and Ms. Dana Rogers, both Board Members, spoke at the Council Meeting, they were speaking as individual condominium owners.

When Mr. Kelly declared that the position of the Board members was unanimous, it was that each of the 5 Board members as individual condominium owners is opposed to the proposed amendment.

The Board has not taken a formal position on this application.

- ☐ The Board has taken the position that it is their job to run our building.
- ☐ As volunteers, this is already a pretty time consuming endeavor.
- ☐ As long as there is no impact on the operation, the Board takes no position. It is the obligation of each owner to take issue with potential changes in the neighbourhood that may impact them. The Board cannot reasonably presume that all residents either object to the proposed changes, or are even impacted by the proposed changes.
- ☐ Where there is a possibility that an external change might impact certain rights afforded to all of the residents, the Board seeks counsel.
 - o In this case, there is a possibility that depending on the actual footprint of the new buildings, certain "pedestrian and vehicular" rights contained on our Declaration may be encroached upon. To this end, Mr. Glen Parker of Chown Cairns has written to the Planning Department on behalf of our Condominium Corporation to advise that the use of the subject lands are not fully under the control of the developer. A copy of that letter is attached and other referenced documents is attached.
 - o Since there is not a detailed site plan for the potential project, it cannot be determined at this time, whether any encroachment exists.

I trust that this letter will clarify why there was neither a position statement, nor a presentation by the Board of Directors at 81 Scott Street.

Yours Truly,

Suzie Neff

Sent from Mail for Windows 10

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Risi, Rosa

Subject: RE: re 85 Scott st. development

From: Liz Nowak

Sent: Friday, May 11, 2018 1:37 PM

To: Butler, Aaron <abutler@stcatharines.ca>

Cc: Garcia, Carlos <cgarcia@stcatharines.ca>; Williamson, Bruce <bwilliamson@stcatharines.ca>; Britton, Mike <mbritton@stcatharines.ca>; Sorrento, Sal <ssorrento@stcatharines.ca>; Elliott, Mark <melliott@stcatharines.ca>; Siscoe, Mathew <msiscoe@stcatharines.ca>; Harris, Matthew <mharris@stcatharines.ca>; Kushner, Joe <jkushner@stcatharines.ca>; Haywood, David <dhaywood@stcatharines.ca>; Stevens, Jennifer <jstevens@stcatharines.ca>; Bellows, Sandie <sbellows@stcatharines.ca>; Phillips, Bill <bphillips@stcatharines.ca>; mayoradminsitrati@stcatharines.ca

Subject: re 85 Scott st. development

Hi Aaron, maybe you can answer these questions for me... Again I have no problem with the developer sticking to the original plans of 2 - 8 storey buildings.. **I do oppose** him trying to build 12 and 15 storey buildings on a small parcel of land which the land can't accommodate ..

1. 2.3 the developer cannot use the current buildings 81 Scott parking... It is exclusive land use to 81 Scott. (pdf attached.)
2. how is the developer going to remove the trees and roots along TimberLane housing without interfering with the properties?? What is the city going to do to guarantee it will not happen .
3. in the developer's shadow study ... how will the 11 storey building create less shadow than a 14 storey ??
4. What is the building in the shade study.. did the developer bought the back of the church ??and planning a 6 storey buildings??

Also, 1. I would like to point out that Present health Care system cannot accommodate growth in population. the hospital is running on overfull as it is.. therefore the proximity to the hospital is irrelevant

Thank you Liz Nowak 81 Scott [REDACTED] St. Catharines

Begin forwarded message:

From: Liz Nowak

Date: May 11, 2018 at 12:21:58 PM EDT

To: "Liz (Elizabeth) Nowak"

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

Risi, Rosa

Subject: RE: Reviewing some documents

From: Dana Rogers
Sent: Wednesday, May 09, 2018 9:25 AM
To: Butler, Aaron <abutler@stcatharines.ca>
Cc: Mayor's Administration ; Garcia, Carlos <cgarcia@stcatharines.ca>
Subject: Reviewing some documents

Hi Aaron,

Thank you for the email.

Just a few things I have noticed so far in the reports

Tree study: there are trees set to be removed from our exclusive land and past the barrier of the pool. This cannot happen according to our declaration. Also, be aware there are some very rare trees In our pool enclosure that we treat and take good care of because of their rarity.

Residential marketing page 8 2.3 *** integrate the two new buildings with the existing condominium, in terms of site access and visitor parking.

*** our visitor parking is ours. On our land. This cannot be integrated.

For an updated study these studies seem to have the same property issues as the old ones and I am just skimming through them. It is painfully apparent that the size of this development cannot occurs without violating our property rights and condo declaration.

Dana

Risi, Rosa

Subject: RE: 85 Scott Street - Application to Amend Zoning By-law - Studies and Reports

From: Christine Verilli

Sent: Tuesday, May 08, 2018 9:52 AM

To: Butler, Aaron <abutler@stcatharines.ca>

Subject: Re: 85 Scott Street - Application to Amend Zoning By-law - Studies and Reports

Good morning,

We are still opposed to the number of units in this amended proposal. The original application for 8 storeys would be acceptable.

Christine and Jerry Verilli
81 Scott St.

Sent from my BlackBerry 10 smartphone on the Koodo network.

s spam.

Risi, Rosa

From: Christine Verilli
Sent: Wednesday, May 23, 2018 12:11 PM
To: Risi, Rosa
Subject: Re: Public Meeting Notice - Zoning By-Law Amendment - 85 Scott Street - File No.: 60.35.101

Dear Sir;

We are not in favour of this application. We have signed petitions requesting this proposal not be accepted. The original 8 storey buildings are the only acceptable buildings we would consider.

We have sent letters to the city several times noting our concerns.

Thank you.

Christine and Jerry Verilli

██████ 81 Scott st.

Sent from my iPad
Christine

One letter Previously sent to Julie Hughes and councillors:

April 22, 2017

To whom this may concern

My husband and I have recently relocated to St. Catharines, specifically to 81 Scott Street.

We have moved away from the hustle and bustle of GTA traffic to the serene life of retirement and the beautiful Niagara region.

We have been informed that it is being considered to build two extra high apartment buildings, which is out of the ordinary for this area, and are extremely concerned that this is not what was previously planned for and change the landscape. We understood that housing was to be expected, but the numbers of apartments and residences are much higher in this new proposed plan. We DO NOT agree that such large numbers will work well for this area. The traffic already at Lake St and Scott St/Meadowvale is so busy at the present time, and will dramatically increase with all the units proposed.

Changing the landscape here with these extraordinary high buildings in such a tight space will have an impact on our peaceful surroundings and why we moved here. The traffic will have to be dealt with as well.

We would urge you to reconsider, as many of the tenants are retirees, and would be severely impacted with the car noise, traffic, lights, and potential accidents in the tight space with the volume of people that is expected with such an increase. Would the city please keep the unit numbers lower regarding the new builds proposed so no potentially harmful situations occur to residents in the area and they do not become a burden to the city.

As we are expecting the original zoning for less stories, which is reasonable, will we see improvements and benefits for existing residents with the added revenue the city will get even with the original numbers that we are zoned for.

Many residents here are extremely concerned.

PLEASE DO WHAT IS Right FOR US!

Christine and Jerry Verilli
81 Scott Street resident

On May 22, 2018, at 8:27 AM, Risi, Rosa <rrisi@stcatharines.ca> wrote:

Please see notice of the continuation of the Public Meeting for above noted address.

City of St. Catharines Confidentiality Notice

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PETITION

FILE: 60.35.1017

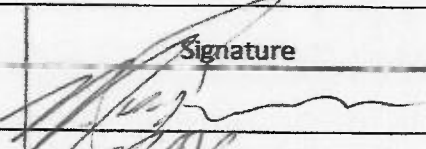
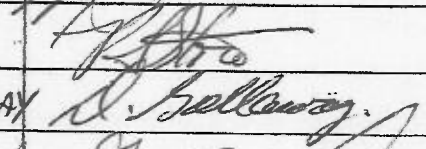
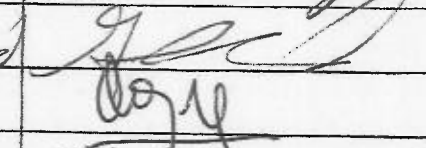
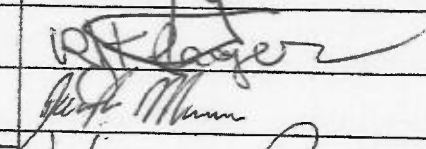
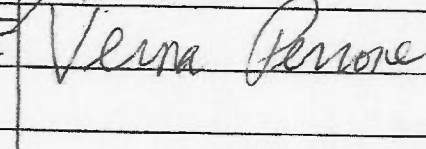
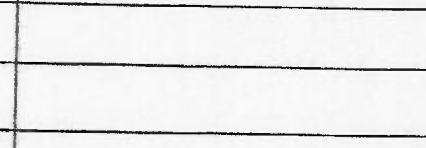
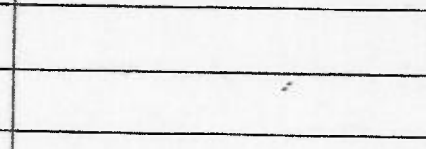
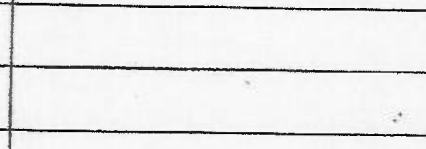
To the City of St. Catharines Planning Department and the City of St. Catharines Council

We live in the North end of the City of St. Catharines. A request has been made to the City of St. Catharines Planning Department to change the zoning for 85 Scott Street, the Phase II and Phase III buildings, that would complete the complex known as Meadowvale Green at 81 Scott Street.

The request by "1393792 Ontario Limited" is to have the existing zoning for this property (By-Law 6035.1017) amended to remove the 25-metre height restriction currently in place, permitting the construction of one 11 story building (36.5 metres high) and one 14 story building (47.2 metres high). In order to fit such tall structures on the property, additional concessions to the mandated set-backs will be required.

We purchased our properties with the understanding that zoning established in 1985, and re-affirmed in 2013 would be honoured for any construction on these vacant lands.

We, the undersigned ask the Planning Department and the City Council to maintain the zoning as the existing "R4 with a Cap" along with the associated other set-back restrictions currently in place for this property.

Address	Name	Signature
■ Dorothy Street	Matthew Burton	
■ DOROTHY STREET	PAUL STONE	
■ DOROTHY ST	DOUGLAS GALLAGHER	
■ Dorsethyst	Grieb Richard	
■ Wolfdale Pl.	Andy Lenz	
■ Wolfdale Pl.	ROSS KLAGER	
■ Wolfdale Pl.	Joe Marrone	
■ Bethany Ct.	VERNA PERRONE	

PETITION

FILE 60.35.1017

To the City of St. Catharines Planning Department and the City of St. Catharines Council

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Address	Name	Signature
[REDACTED] THROLDSTONE RD Niagara Falls, ON	Alicia McNeill	Alicia McNeill
[REDACTED] SHERMAN DR	Peter Berkin	Peter Berkin
[REDACTED] TIMBER LANE	Judy Mantler	Judy Mantler
[REDACTED] TIMBER LN	Vic Mantler	Vic Mantler
[REDACTED] FENWICK	JANET WAINMAN	Janet Wainman
[REDACTED] FENWICK	GARY WAINMAN	Gary Wainman
[REDACTED] Fenwick	J. Mantler	J. Mantler
	Karen Lizzotti	Karen Lizzotti
	John Lizzotti	John Lizzotti
[REDACTED] Dorothy St	Bob Mallen	Bob Mallen
[REDACTED] Dorothy St.	Rodrigo Flores	Rodrigo Flores
[REDACTED] Dorothy St	MARK LIDGETT	Mark Lidgett
[REDACTED] Dorothy St	Mary KLIMCHUK	Mary Klimchuk
[REDACTED] Dorothy St.	Maura Moore	Maura Moore
[REDACTED] Dorothy St	BRIAN Wilcoy	Brian Wilcoy
[REDACTED] Dorothy	Marilyn Breda	Marilyn Breda

PETITION

FILE: 60.35.1017

To the City of St. Catharines Planning Department and the City of St. Catharines Council

We live in the North end of the City of St. Catharines. A request has been made to the City of St. Catharines Planning Department to change the zoning for 85 Scott Street, the Phase II and Phase III buildings, that would complete the complex known as Meadowvale Green at 81 Scott Street.

The request by "1393792 Ontario Limited" is to have the existing zoning for this property (By-Law 6035.1017) amended to remove the 25-metre height restriction currently in place, permitting the construction of one 11 story building (36.5 metres high) and one 14 story building (47.2 metres high). In order to fit such tall structures on the property, additional concessions to the mandated set-backs will be required.

We purchased our properties with the understanding that zoning established in 1985, and re-affirmed in 2013 would be honoured for any construction on these vacant lands.

We, the undersigned ask the Planning Department and the City Council to maintain the zoning as the existing "R4 with a Cap" along with the associated other set-back restrictions currently in place for this property.

Address	Name	Signature
Stephen St.	Ron Simpson	[Signature]
Stephen St	Shirley Simpson	S. Simpson
Dawn Rd.	Jake Coughler	[Signature]
DAWN RD	RANDY COUGHLER	Randy Coughler
TRINITY CIR	Gord Allen	[Signature]
Joseph St.	Sharon Schell	Sharon Schell
Joseph St.	Michael Schell	M. Schell
Timberlane	Nancy Wilson	[Signature]
Timberlane	Scott Wilson	[Signature]
Timberlane	zt Zhavery	[Signature]
Scott St	Dore McLean	[Signature]
Scott St	VERA MCLEAN	Vera McLean
Stephen St	Shanna Santry-Rohaly	Shanna-Rohaly
Stephen St	Barry Rohaly	[Signature]
Stephen St	Brandon Pinder	[Signature]
Stephen St	Antoinette Pinder	[Signature]

Address	Name	Signature
Timber lane	Rick Abrams	Rick Abrams
TIMBER LANE	ANGELA ABRAMS	A. Abrams
Elma St.	Pina D'Achille	P. D'Achille
Timber Lane	Jessica Abrams	J. Abrams
Huntington lane	Dahlen Cook	Dahlen Cook
MAIN Street.	Brandon Brousseau	Brandon Brousseau
Station St.	Mamaw Jayce	Mamaw Jayce
TIMBER LANE	NANDY KIRKPATRICK	Nandy Kirkpatrick
Timber Lane	S Valerie Plata	Valerie Plata
Dorothy St.	Margaret Foster	M. Foster
Joseph St.	Tyler Holmes	Tyler Holmes
Stephen St.	Darrell Mason	Darrell Mason
Stephen St	DENNIS SAWYER	Dennis Sawyer
Stephen St.	Cody Simpson	Cody Simpson
Stephen St	RB Dally	RB Dally
Stephen St.	SABRINA BASIC	S. Basic
Stephen St	Maria Basic	Maria Basic
STANMARY DRIVE	GERALD JEAN	Gerald Jean
Stephen St	Trena Sieber	Trena Sieber
Stephen St	Vera Cockle	Vera Cockle
Dawn St	Ada En	Ada En
DAWN ROAD	Anna Melan	Anna Melan
Dawn Rd.	Terry Grocock	Terry Grocock
DAWN Rd.	RICK STEELE	Rick Steele
Dawn Rd	Kelli Steek	Kelli Steek
Dawn Rd	Colin Halsworth	Colin Halsworth
Dawn Rd	Lindsay Male	Lindsay Male
Dawn Rd	KAY HILLIER	Kay Hillier
Dawn Road	J. Coughler	Jois Coughler

Address	Name	Signature
Claine Ct	Kyle McDonald	Kyle McDonald
Lafayette	Brad Dearborn	Brad Dearborn
CLAINES COURT	JOHN MC CRATH	John McCrath
ALTMAR CRT	Karmen Plantic	Karmen Plantic
A Haver	Joy Pezzullo	Joy Pezzullo
Altmar Ct	Chris Grubb	Chris Grubb
Altmar Crt	Fallon Grubb	Fallon Grubb
Altmar Crt	Brock Gilmore	Brock Gilmore
Altmar Crt	Alissa Pickston	Alissa Pickston
Altmar Crt	Ann Gossen	Ann Gossen
Altmar Court	Brian Gossa	Brian Gossa
CLAYTON CRT	MIKE/LOU O'Brien	Mike/Lou O'Brien
Clayton Crt	Lou Cristine	Lou Cristine
Clayton Ct	Ted Harris	Ted Harris
Clayton Crt.	Wilma Harris	Wilma Harris
TIMBER LANE	Jacob Towner	Jacob Towner
TIMBER LANE	Pat Towner	Pat Towner
TIMBER LANE	S. Miele	S. Miele
Timber Ln	Alex BATEEV	Alex Bateev
Timber Ln	Alexandra BATEEV	Alexandra Bateev
Timber Ln	Shirley Lail	Shirley Lail
MASTERSON DR	Randy Masters	Randy Masters
Timber Lane	Glenn Tona	Glenn Tona
Timber Lane	Loraine Parisotto	Loraine Parisotto
Timber Lane	Mark + Nick Parisotto	Mark + Nick Parisotto
Timberlane	Richard Nie	Richard Nie
Timberlane	Carol Langdon	Carol Langdon
Timber Lane	Don G Jones	Don G Jones
Timberlane	Tim Jones	Tim Jones

FILE 60.35.107

[illegible]

P.D.S.	
SEARCHED TO	INIT.
Rosa Bisi	
APR - 6 2018	SCAN <input type="checkbox"/>
FILE NO	

Mrs. Diane Graham
[REDACTED] Scott Street
St. Catharines, L2N 1G8

4th April 2018

File 60.35.1017, 85 Scott Street

Unfortunately I shall not be attending the public meeting on April 9 because, as a senior, I no longer go to events in the evening, and in any case I would not feel comfortable speaking publicly, but I should like to lodge my objection to these two proposed apartment buildings.

Firstly there's the traffic problem.

This short stretch of Scott Street between the Service Road and Lake Street already provides access to Elma Street, Dorothy Street, Meadowvale Green Apartments; my own Tabitha Homes Seniors Apartments; St. Catharines Place/Heatherwood; Calvary Church and School; Trinity Church; Howard Johnsons; Toys R Us (or whoever takes over that building); two car-sales businesses; a carwash; a car-repair business, and quite a lot of private homes.

When St. Catharines Place built the Heatherwood addition, there was a marked increase in traffic and on-street parking, both of which contribute to a less-safe environment.

If access for another 250 apartments is needed, I foresee definite problems. Many of the occupants will have more than one car, plus their visitors will need parking ... and all of these vehicles will be adding to the traffic-volume on this short stretch of road.

Then there's the noise situation.

Unfortunately many people are not considerate of their neighbours, and - with a possible extra 700-or-so residents and their visitors in these proposed buildings - I believe the noise situation may well be very intrusive, especially in the summer. Air-conditioning will be a necessity and, whether it's central or window, the motors will make noise. Also, I hear there's a possibility that a rooftop activity-area may be included, and anyone with half a brain knows that summer-time parties on the roof would include alcohol, which means that there will be noise ... be it music, singing, or shouting ... probably well into the night, especially at weekends.

Resolution of actual noise problems could also be difficult.

If these are to be rental units, presumably there will be just ONE person or board of directors to whom noise-or-other complaints could be made but, if they're to be individually-owned units, it might be necessary for affected neighbours to try to find out the exact location/ownership details, and make complaints to individual owners ... something which would be a most daunting task for the average layperson!

And of course, prior to occupation of these buildings, they have to be BUILT! I don't know how long this would take, but it certainly wouldn't be just a month or two, especially as such tall buildings presumably will need extra-deep footings etc. to take care of the height, which would involve extra-deep excavation. The effects of this work on the surrounding area for an extensive period of time is certainly cause for alarm.

I do understand that people are resistant to change, myself included, but my concerns are more than just this. I foresee the possibility/probability of a really negative effect on daily life for people currently living in this area. It's already fairly high-density, but I should like to remind Council that people who have to live in high-density areas are still entitled to enjoyment of their daily lives, and I fear that erection of these two very tall buildings would badly and negatively affect such enjoyment ... hence my letter.

I should like to be notified of any decision(s) made in this matter, either now or in the future, please.

Yours truly

D. Graham

(Mrs.) Diane Graham

February 28, 2018

We live in the North end of the City of St. Catharines. A request has been made to the City of St. Catharines Planning Department to change the zoning for 85 Scott Street, the Phase II and Phase III buildings, that would complete the complex known as Meadowvale Green at 81 Scott Street.

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[illegible]

Site Plan September 2017

Logical Description

PART LOT 20 CONCESSION 3
PARTS 1-34 65-07, 73, 98+ 99
ON REFERENCE PAN 30R-6344

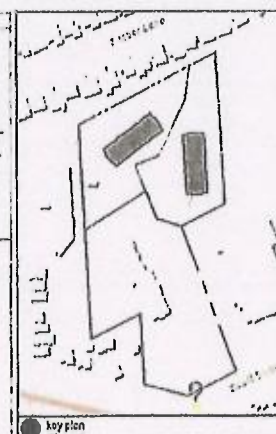
BURNING # 2 AREA			
CUMULATIVE CALCULATIONS			
DATE:	TIME	TEMP	WIND
10/21/78	10:00	1475	10:00
10/21/78	11:00	1475	10:00
10/21/78	12:00	1475	10:00
10/21/78	13:00	1475	10:00
10/21/78	14:00	1475	10:00
10/21/78	15:00	1475	10:00
10/21/78	16:00	1475	10:00
10/21/78	17:00	1475	10:00
10/21/78	18:00	1475	10:00
10/21/78	19:00	1475	10:00
10/21/78	20:00	1475	10:00
10/21/78	21:00	1475	10:00
10/21/78	22:00	1475	10:00
10/21/78	23:00	1475	10:00
10/21/78	24:00	1475	10:00

[illegible]

Category	Sub-category	Value	Unit	Value	Unit
Fertilizer	Chemical	1000	kg	1000	kg
	Organic	500	kg	500	kg
	Other	200	kg	200	kg
	Total	1700	kg	1700	kg
Fertilizer	Chemical	1000	kg	1000	kg
	Organic	500	kg	500	kg
	Other	200	kg	200	kg
	Total	1700	kg	1700	kg

Category	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
2004-2005	100	100	100	100	100
2005-2006	100	100	100	100	100
2006-2007	100	100	100	100	100
2007-2008	100	100	100	100	100
2008-2009	100	100	100	100	100

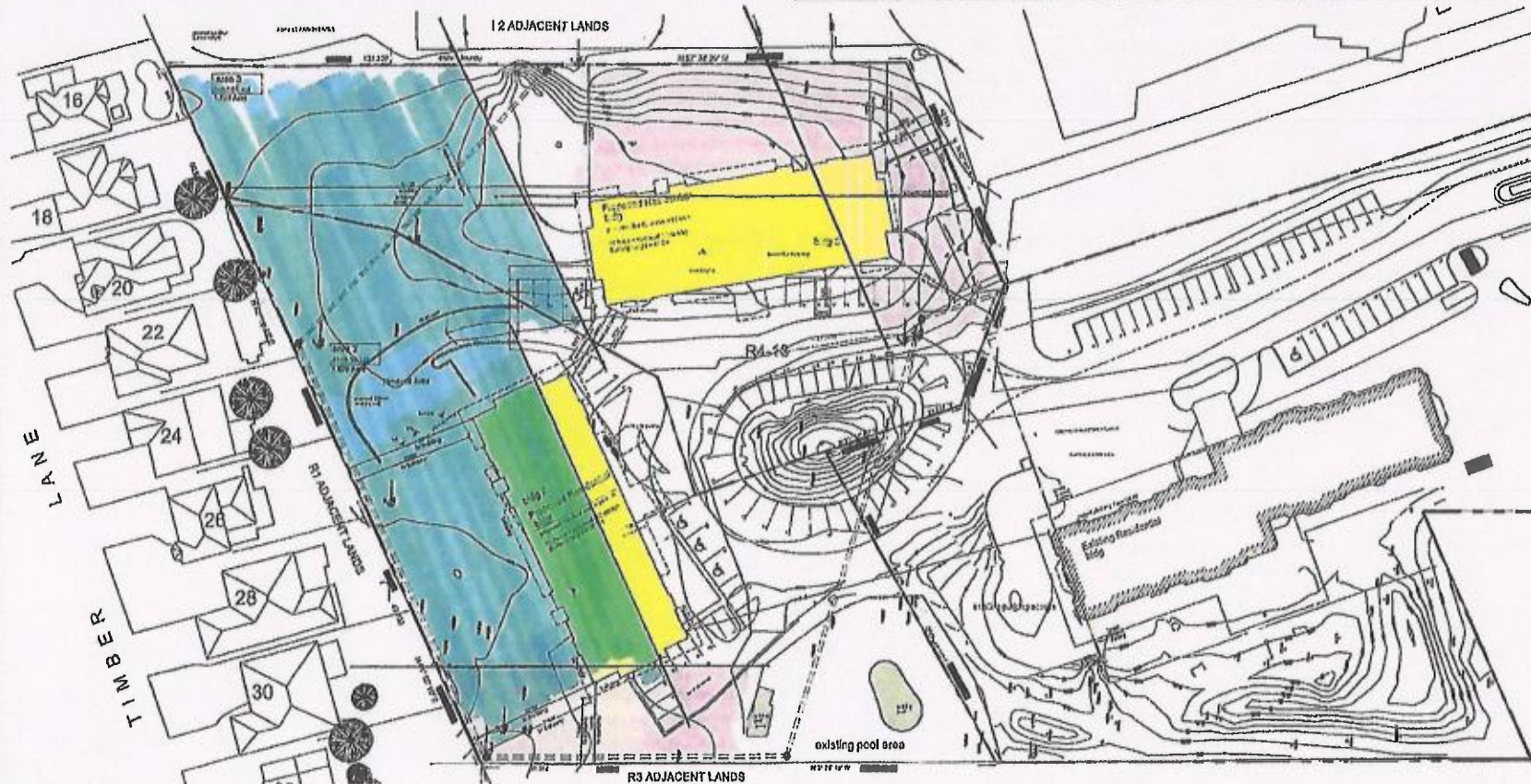
Tabelle 1		
Gruppe 1 (n=8)	100%	0,82 ± 0,15 (n=8)
Gruppe 2 (n=10)	100%	0,81 ± 0,14 (n=10)
Gruppe 3 (n=12)	100%	0,83 ± 0,16 (n=12)
Gruppe 4 (n=15)	100%	0,84 ± 0,17 (n=15)
Gruppe 5 (n=18)	100%	0,85 ± 0,18 (n=18)
Gruppe 6 (n=20)	100%	0,86 ± 0,19 (n=20)
Gruppe 7 (n=25)	100%	0,87 ± 0,20 (n=25)
Gruppe 8 (n=30)	100%	0,88 ± 0,21 (n=30)
Gruppe 9 (n=35)	100%	0,89 ± 0,22 (n=35)
Gruppe 10 (n=40)	100%	0,90 ± 0,23 (n=40)
Gruppe 11 (n=45)	100%	0,91 ± 0,24 (n=45)
Gruppe 12 (n=50)	100%	0,92 ± 0,25 (n=50)
Gruppe 13 (n=55)	100%	0,93 ± 0,26 (n=55)
Gruppe 14 (n=60)	100%	0,94 ± 0,27 (n=60)
Gruppe 15 (n=65)	100%	0,95 ± 0,28 (n=65)
Gruppe 16 (n=70)	100%	0,96 ± 0,29 (n=70)
Gruppe 17 (n=75)	100%	0,97 ± 0,30 (n=75)
Gruppe 18 (n=80)	100%	0,98 ± 0,31 (n=80)
Gruppe 19 (n=85)	100%	0,99 ± 0,32 (n=85)
Gruppe 20 (n=90)	100%	1,00 ± 0,33 (n=90)

[illegible]

5213 SAL 5076

Setback Requirement to North Lot Line:
Equal to the height of the building
36.5 m for bldg 2 and 47.2 m for bldg 3

**Setback Requirement to East, West & South lot lines
Equal to half of the height of the building
18.25 m for bldg 2 and 23.6 m for bldg 3**

[illegible]

COMMISSION

Handmade Green Glass

Figure 2.9.12. Catabolism

A C K
architects
www.ackarchitects.com

Preliminary
Site Plan

NAME	JOHN DOE
DATE	10/10/2023
TIME	14:30
LOCATION	Room 101
STATUS	OK
REMARKS	See S1.

S1.

From: Suzie [mailto: [REDACTED]]

Sent: Tuesday, April 10, 2018 1:39 PM

To: Mayor's Administration <mayor'sadministration@stcatharines.ca>; Garcia, Carlos <cgarcia@stcatharines.ca>; Williamson, Bruce <bwilliamson@stcatharines.ca>; Knutson, Amanda <aknutson@stcatharines.ca>; Dana Rogers <[REDACTED]>; Doug Kelly <[REDACTED]>; [REDACTED]; gerryandjo [REDACTED]

Subject: City Council Meeting on April 9 th

Good morning, I attended the City Council meeting last night and was very disappointed. We were told that we could not give a presentation and that we each were limited to five minutes. Yet the Developer and his team were given free range to have as much time as they wanted and they could provide several presentations. I would have liked the opportunity to speak after the Developer spoke. I am very surprised that he claimed to have someone out there that was not confirmed and no evidence to support the claim that people on Timberlane and the Condos at 81 Scott St would be interested in purchasing his new Condos. The Developer was asked a question by Ms Bellows and skirted around the question my making up something about a fictitious person saying it was true without evidence, because there isn't any. I think that his answer should have been challenged at the time. Who is "He"??? He said? Waiving some folder in the air hardly makes a statement credible!

When Mr. Atilck was at our Condo previously giving us a presentation I personally asked him, why he didn't just build the two eight story buildings that were originally planned. Mr Atilick said that was what his Mother said, and I told him he should listen to his Mom and that I was totally in agreement with his Mother. So even his own Mother sees that this is a ridiculous plan. I have to wonder if the need to have the tallest building in the city is behind the whole idea.

I would like to bring attention to the Fire Trucks in St. Catharines and the fact that their ladders are only capable of going up seven stories. I hope the Mayor and the City Council and the City Planning Department can guarantee that if there is a fire in the upper floors of these potential buildings that every single person would get out of the upper floors without any casualties, especially learning that the Developer was delinquent in installing working smoke and carbon monoxide detectors in a single family home where there are children, that he apparently owns. That was very disturbing news I must say. His reputation should be crystal clear if he is planning on taking on such a large project. Especially with the safety of our potential neighbours at stake.

No one can dispute the two eight story buildings because we were aware of the potential buildings going up that were capped at 25 metres. We knew that when we purchased our Condos. We are totally ok with that. No one wants to have hard feelings with the Developer or his team or with the new potential neighbours that may purchase in the new buildings, we just want to live our lives and go forward in harmony. It's just not in keeping with the neighbourhoods in the North End.

We do have rights to that land as owners of 81 Scott and I am of the understanding people are not willing to give up those rights. It is part of the declaration that we all were given. The parcels of land are clearly documents on the shared services agreement and I believe are registered on title.

Please consider how this outrageous monstrosity will affect your tax payers. There are so many other properties that would be better suited for the project. Why not let the Developer build the 19 stories that he has currently been approved to build downtown. Please consider a downtown structure, go crazy down there, you could make it another Toronto, go 30 stories or 40!!! But Please not in the North End in a quiet residential area.

We are asking you to have our backs on this issue and decline the request to remove the height restriction that is currently in place on this property. Please maintain the current R4 zoning with a cap of 25 metres.

Suzie Neff
81 Scott. St
St. Catharines

Sent from my iPad

RECEIVED

APR 09 2018

To the City of St. Catharines Planning Department and the City of St. Catharines Council

CITY CLERK'S OFFICE
ST. CATHARINES, ONTARIO

We live in the North end of the City of St. Catharines. A request has been made to the City of St. Catharines Planning Department to change the zoning for 85 Scott Street, the Phase II and Phase III buildings, that would complete the complex known as Meadowvale Green at 81 Scott Street.

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We, the undersigned ask the Planning Department and the City Council to maintain the zoning as the existing "R4 with a Cap" along with the associated other set-back restrictions currently in place for this property.

Address	Name	Signature
81 Scott - [REDACTED]	H Beath	[Signature]
81 Scott St [REDACTED]	Sh Rutledge	[Signature]
81 Scott St [REDACTED]	J McIntosh	[Signature]
81 Scott St [REDACTED]	Orlando Arick	[Signature]
81 Scott St [REDACTED]	Rosalee Tomiak	[Signature]
81 Scott St [REDACTED]	A. MacDonald	[Signature]
81 Scott St [REDACTED]	R. MACDONALD	[Signature]
		DISTRIBUTION
		Original to: [Signature]
		Copy sent to:
		Mayor: [Signature]
		CAO: [Signature]
		Department:
		[Signature]
		[Signature]
		[Signature]

February 28, 2018

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[illegible]

60.35.1017

RECEIVED

APR 09 2018

CITY CLERK'S OFFICE
ST. CATHARINES

To the City of St. Catharines City Council
Attention: Kristen Sullivan

We live at 81 Scott St. St. Catharines, Ont

We live on the upper floors of 81 Scott Street. This is Phase 1 of what was envisioned as a 3-phase project. Prior to the construction of this building, there was a order by the OMB that restricted the height of the remaining 2 phases to 25 metres, or 8 stories.

We purchased our Condo in good faith that any future development of the vacant lands of Phase 11 and Phase 111 would have to abide by the rules that were already established.

Construction of 25 metre tall buildings would not change this, construction of 36.5 metre and 47.2 metre tall buildings will change our vista from that of St. Catharines to peering into the living room of the new neighbours. This will dramatically reduce the desirability of our property, impact its resale value and extend the time needed to market it when the time comes to sell

This height of the proposed buildings is completely out of keeping with the surrounding area. They are dramatically taller than the existing Phase 1 building, and much taller than any building in the north end of St. Catharines. This on what is actually a small piece of land. We are worried about the additional parking required and the congestion, the trees that would be removed and the tax on the sewer systems as well the possible loss of some of our visitors parking spaces. The increase of up to 250 plus cars will cause problems at the Scott St. island and the service rd.

We are 100% opposed to this new application to amend zoning bylaw 2013-283 at 85 Scott St. St. Catharines

The planning and building services should keep to the existing by-laws.

Frank + Reta Prokator

DISTRIBUTION

Original to: PBS

Copy sent to:
Mayor: distributed
CAO: to Council

Department: Apr. 9/18

Clerks - file