
Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held May 30, 2018
6. Application:
 1. 63 Main Street, Consent Application, B-45/18SC – 60.84.2188
 2. 1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
 3. 20 Walker Street, Consent Application, B-38/18SC – 60.84.2181
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
 4. 121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182
121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361
125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362
 5. 24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357
 6. 35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358
 7. 594 Scott Street, Consent Application, B-41/18SC – 60.84.2184
590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363
592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364
 8. 2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368
2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369
 9. 260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185
 10. 37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365
 11. 1 Dunn Street, Consent Application, B-46/18SC – 60.84.2189
3 Dunn Street, Consent Application, B-47/18SC – 60.84.2190
3 Dunn Street, Minor Variance Application, A-78/18 – 60.81.5367
 12. 47 Regent Drive, Minor Variance Application, A-77/18 – 60.81.5366
 13. 32 Briarfield, Minor Variance Application, A-81/18 – 60.84.5370
 14. On Highland Avenue
99 South Drive, Consent Application, B-48/18SC – 60.84.2191
99 South Drive, Consent Application, B-49/18SC – 60.84.2192
99 South Drive, Consent Application, B-50/18SC – 60.84.2193
99 South Drive, Consent Application, B-51/18SC – 60.84.2194
99 South Drive, Consent Application, B-52/18SC – 60.84.2195
99 South Drive, Consent Application, B-53/18SC – 60.84.2196
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
On Ridgewood Road
99 South Drive, Consent Application, B-54/18SC – 60.84.2197
99 South Drive, Consent Application, B-55/18SC – 60.84.2198
99 South Drive, Consent Application, B-56/18SC – 60.84.2199
99 South Drive, Consent Application, B-57/18SC – 60.84.2200

Note: Planning Reports will be available by Monday, June 25, 2018.

15. New Business:
16. Date of next Hearing: July 25, 2018
17. Adjournment

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

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

COMMENTS

B-45/18SC (60.84.2188)

63 Main Street

DATE OF HEARING:
June 27, 2018

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

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



June 21, 2018

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

E-mail Only: Elaine Munro emunro@stcatharines.ca

Subject: Application for Consent B-45/18SC
63 Main Street
St. Catharines
Bell File: 905-18-256

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

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

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

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

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

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

Yours truly,

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

Charleyne Hall
Right of Way Associate

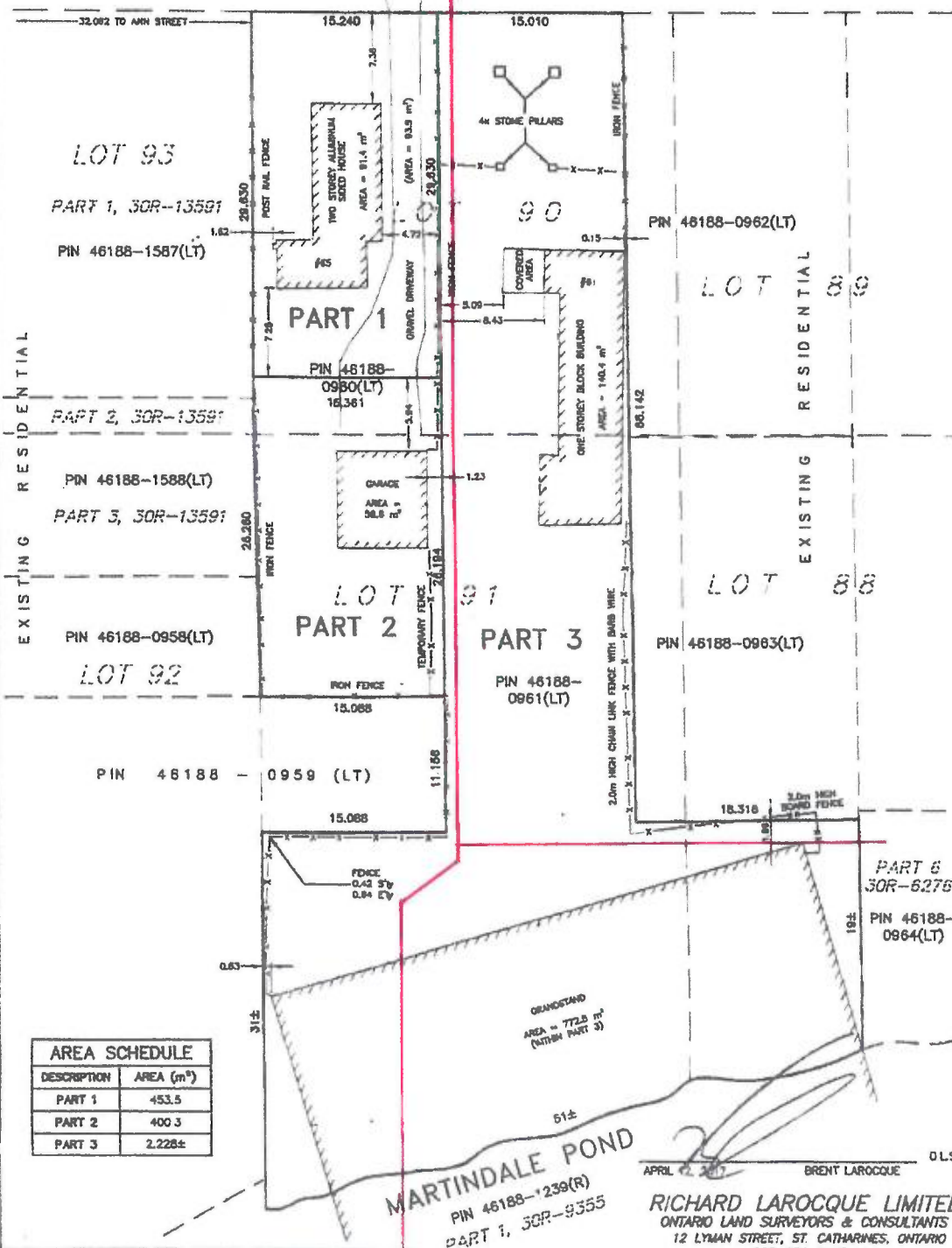


PRELIMINARY SKETCH TO ACCOMPANY APPLICATION UNDER THE PLANNING ACT
PART OF LOTS 88, 90 & 91, REG'D PLAN No. TP7
CITY ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:300 METRIC
 5m 0 5m 10m 15m 20m

MAIN STREET

(BY REGISTERED PLAN No. 177)
 (20.117 WIDE, TRAVELLED ROAD)
 PIN 46195-0106(LT)



AREA SCHEDULE	
DESCRIPTION	AREA (m ²)
PART 1	453.5
PART 2	400.3
PART 3	2,228±

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NOTE: THE LOT DIMENSIONS ILLUSTRATED HEREON WERE OBTAINED FROM PLANS AND DOCUMENTS ON FILE AT THE LAND REGISTRY OFFICE

MARTINDALE POND
 PIN 46188-1239(R)
 PART 1, 3OR-9355

APRIL 12, 2017 BRENT LAROCQUE O.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 & ALL DIMENSIONS ARE TO BE CONFIRMED BY SURVEY METRIC NOTE DISTANCES SHOWN ON THIS PLAN ARE IN METRES & CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DRAWN BY: D.B. CHECKED BY: B.L. DATE: APR. 12, 2017 FILE: 2016-077-03

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

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

Sent: Friday, June 08, 2018 11:09 AM

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

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine,

The subject property (65 Main Street) does not contain any NPCA regulated lands.

63 Main Street is located adjacent to Martindale Pond and impacted by the associated valley slope, wetland and fish habitat. As such, this property would be subject to the Authority's "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).

The subject application is for a boundary adjustment only, no new lot is being created, and no development or site alterations are proposed within the limit of any identified regulated feature or its associated buffer as a result of the subject application. In addition, the proposed boundary adjustment ensures there will be sufficient room on each lot outside of the required setbacks to accommodate any future development without negatively impacting the regulated features.

NPCA staff have no concerns with this proposal.

Sarah Mastroianni
Watershed Planner

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

63 Main St.
20 Walker St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:10 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine
Email 1 . Cogeco has no issues or concerns

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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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-39/18SC – 121 Rykert Street- cont.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14 and 9.10.15 of the 2012 Ontario building code for the south and west faces of the existing dwelling on Part 1.
- The applicant shall satisfy the Chief Building Official of the City of St. Catharines that the south face of the existing garage on Part 1 meets the construction requirements of a 45-minute fire resistance rating.

B-41/18SC – 594 Scott Street

Comment:

- Be advised that a building permit is required for the proposed dwelling on part 2

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.
- The existing detached garage with overhang on Parts 1 and 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-42/18SC – 260 Dunkirk Road

Comment:

- No Comment

Condition:

- No Comment

B-43/18SC – 1629 Third Avenue

Comment:

- No Comment

Condition:

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

B-44/18SC – 1605 Third Avenue

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east and south faces of the existing dwelling on Part 3
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north and west faces of the existing dwelling on part 6

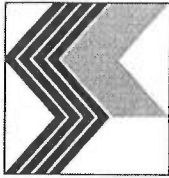
B-45/18CS – 63 Main Street

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the northeast and southeast faces of the existing dwelling on Part 1



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

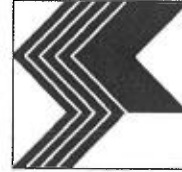
1. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-45/17SC



June 5, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: Canadian Henley Rowing Corporation

Location: 63 Main Street

MUNICIPAL SERVICES

Main Street

Water: 150mm (6") C.I.

Sanitary Sewer: 450mm (18")
400mm (16")

Storm Sewer: None. Combined sewer.

Sidewalks: Yes – currently encroach onto private property

Road Allowance Width: 20.12m± (66') Regional

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

Comment(s): It is noted that the Applicant proposes to sever and retain the existing dwelling on Part 1, leaving remnant parcels (Parts 2 & 3) with the existing grandstand and detached garage in place.

Roads

Main Street designated a Regional Arterial road per the City's Official Plan with a desired right-of-way width of 26.2m. Its current width along the Applicant frontage is deficient at 20.12m ±, however since the road is under the jurisdiction of the Region, any widening requirements shall be at their discretion.

Please be advised that the municipal sidewalk along the frontage appears to encroach onto private property, and the Region should consider obtaining a widening along this section to obtain half of the desired right-of-way width for Main Street to eliminate any existing encroachments onto private properties.

Engineering Services

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.

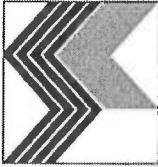
Condition(s): Prior to the severance finalization the Owner shall;

- 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
- If determined servicing conflicts exist, the Owner complete works on private property to achieve individually serviced lots at their cost

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-43/18SC (60.84.2186), B-44/18SC
(60.84.2187) & A-82/18 (60.81.5371)**

1605 & 1629 Third Avenue Louth

**DATE OF HEARING:
June 27, 2018**

VIA EMAIL ONLY

June 18, 2018

File: D.06.08.CS-18-038

Elaine Munro
Secretary-Treasurer
Committee of Adjustment
P.O. Box 3012
50 Church Street
St. Catharines, ON L2R7C2

Dear Ms. Munro:

Re: Regional and Provincial Comments
Consent Application B-44/18SC (Your File No. 60.84.2187)
Surplus Farm Dwelling
Peter Sikking Farms Inc.
1605 Third Avenue
City of St. Catharines

Regional Planning and Development Services staff has reviewed the above-noted consent application, which proposes to sever 4,050m² (1.0 acre) parcel of land (Parts 4, 5, 6 & 7) for the disposal of a surplus farm dwelling known as 1605 Third Avenue Louth subject to an easement in perpetuity over 58.6m² of land (Part 5) for the purpose of having a direct connection to an irrigation pipe and subject to an easement in perpetuity over 166.8m² of land (Part 7) for access purposes to benefit the northerly abutting lot known as 1609 Third Avenue Louth (Part 3). The submitted consent application represents a surplus farm dwelling severance.

Regional staff notes that there was no formal pre-consultation meeting held for this proposal. However, Regional staff had the opportunity to meet with the applicant's agent as well as City Staff (separately) regarding this matter. The following Provincial and Regional comments are provided to assist the Committee in considering this application.

Regional and Provincial Policy

The Provincial Policy Statement (PPS) designated the subject lands as within a "prime agricultural area," and more specifically as a "specialty crop area." Such lands shall be protected for long-term use for agriculture, with specialty crop areas being given the highest priority for protection. Similarly, the Greenbelt Plan designates the lands as a specialty crop areas as part of the policies for the Protected Countryside (Tender Fruit and Grape Lands). These specialty crop area designations allow for a full range of agricultural, agriculture-related and secondary uses.

According to the Regional Official Plan (ROP), the subject lands are located outside of the Urban Area Boundary for the City of St. Catharines, and are designated within the Unique

Agricultural Area. In conformity with Provincial policies, the ROP states that the highest priority is given to preserving Unique Agricultural Areas, with agriculture being the predominant use. Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. As such, the ROP restricts lot creation in designated Unique Agricultural Areas, except for severances that meet one of the following criteria:

- 1) The consent to convey is for an agricultural use where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 40 acres (16.2 hectares).
- 2) Residences surplus to a farming operation as a result of a farm consolidation provided that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance.
- 3) Minor boundary adjustments or easements which do not result in a new residential lot and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

Regional staff notes the subject property currently contains two dwelling units (1605 and 1609 Third Avenue). No information was submitted to confirm if the second dwelling was legally established (identified previously as a farm building). Further, no information was submitted to support the surplus farm dwelling application (i.e. purchasing farmer's residence, acres farmed, consolidation of lands etc.) The proposed consent application has been submitted for the purpose of disposing of the surplus farm dwellings which would result in two separate parcels containing dwellings. As outlined in the second criterion above, the ROP provides for the severance of residences rendered surplus to a farming operation as a result of a farm consolidation provided that a residential dwelling is not permitted in perpetuity on the retained lot of farmland (Part 3) created by this severance. The retained lot containing the second dwelling does not conform to this policy requirement.

This proposal does not meet the intent of Regional policies. It is also Regional staff's opinion that if one house is deemed surplus to the farmers needs, both dwellings should be considered surplus to the farmers needs.

Further, information submitted by the applicant's agent indicates the possibility of a new dwelling being constructed at 1605 Third Avenue. Regional staff discussed this with the agent and confirmed that this does not meet the intent of preserving farmland in the Unique Agricultural Area and that, at minimum, some limitation be placed on the parcel to prohibit future construction and removal of active farmland. In order to achieve this, and to meet policy requirements, Regional staff have notified the agent and City that as an alternative, a revised consent application showing both houses on one lot and the retained lot of farmland (Part 3) be rezoned to "Agricultural Purposes Only" (in order to prohibit the future construction of a residential dwelling) shall be submitted.

Private Servicing

Regional Private Sewage Systems inspection staff have reviewed the proposal and conducted a site inspection. Staff notes that the proposed severed parcel (Parts 4, 5, 6, 7) contains a residential dwelling (1609 Third Ave) which had a new sewage system installed in January 2018. The application at that time indicated that the system installed was to service a Farm Help House (20 workers). The sewage system is wholly contained within the parcel and there is

enough usable land for a replacement septic system and 100% spare area in the future when required. No defects were found with the newly installed sewage system at the time of our inspection. Regional planning staff notes that farm help houses are not meant to become permanent dwellings and should be of temporary nature until no longer needed by the agricultural operation. The Region will not consider the severance of a farm help house as a "surplus farm dwelling".

The retained parcel (Part 3) contains a residential dwelling (1605 Third Ave). No records were found for the existing sewage system servicing the dwelling and no defects were observed at the time of our inspection. There is an existing shed on the property which may be encroaching on the tile bed and it is noted if a replacement system is required in the future, the minimum Building Code setback of 5 metres to any structure must be achieved. However, after excavation of the septic tank and tile bed, it appears the existing system will meet the minimum Building Code setback requirement of 3 metres to the proposed new lot line. Therefore, the existing sewage system will be wholly contained within the retained parcel and there will be enough usable land for replacement septic and 100% spare area when required in the future.

Conclusion

As mentioned above, staff confirm that the proposed surplus farm dwelling consent does not meet the Provincial and Regional policy intent of residences surplus to a farming operation, as a residential dwelling is not permitted in perpetuity on the retained lot of farmland (Part 3) created by this severance. Regional staff have notified the agent and City that we are willing to consider a revised consent application showing both houses on one lot and the retained lot of farmland (Part 3) be rezoned to "Agricultural Purposes Only" (in order to prohibit the future construction of a residential dwelling) would be considered as an alternative and should be added as a condition of Consent.

Regional staff notes the concurrent consent application B-43/18SC for the adjacent lands will be subject to conditions of consent approval by which Part 2 be merged in title with Part 3. Please note Committee's decision on either application may warrant a review of conditions imposed for both applications (B-43/18SC and B-44/18SC) (i.e. If Part 3 is be rezoned to APO and further private sewage systems review to ensure compliance of any new lot line proposed).

If you have any questions or wish to discuss these comments, please contact me at extension 3387. Please send a copy of the staff report from the City and notice of the Committee's decision on this application.

Sincerely,



Lindsay Earl, MCIP, RPP
Senior Development Planner

cc. Ms. Caitlin Wood, Private Sewage Systems Inspector, Niagara Region

VIA EMAIL ONLY

June 18, 2018

File: D.06.08.CS-18-037

Elaine Munro
Secretary-Treasurer
Committee of Adjustment
P.O. Box 3012
50 Church Street
St. Catharines, ON L2R7C2

Dear Ms. Munro:

**Re: Regional and Provincial Comments
Consent Application B-43/18SC (Your File No. 60.84.2186)
Surplus Farm Dwelling
Peter Sikking
1629 Third Avenue
City of St. Catharines**

Regional Planning and Development Services staff has reviewed the above-noted consent application, which proposes to sever a 0.431 hectare (1.06 acre) parcel of land (Part 1) for the disposal of a surplus farm dwelling known as 1629 Third Avenue Louth. A 6.852 hectare (16.26 acres) (Part 2) remnant parcel is to merge with the abutting easterly parcel of land known as 1605 Third Avenue Louth (Part 3). The submitted consent application represents a surplus farm dwelling severance.

Regional staff notes that there was no formal pre-consultation meeting held for this proposal. However, Regional staff had the opportunity to meet with the applicant's agent as well as City Staff (separately) regarding this matter. The following Provincial and Regional comments are provided to assist the Committee in considering this application.

Regional and Provincial Policy

The Provincial Policy Statement (PPS) designated the subject lands as within a "prime agricultural area," and more specifically as a "specialty crop area." Such lands shall be protected for long-term use for agriculture, with specialty crop areas being given the highest priority for protection. Similarly, the Greenbelt Plan designates the lands as a specialty crop areas as part of the policies for the Protected Countryside (Tender Fruit and Grape Lands). These specialty crop area designations allow for a full range of agricultural, agriculture-related and secondary uses.

According to the Regional Official Plan (ROP), the subject lands are located outside of the Urban Area Boundary for the City of St. Catharines, and are designated within the Unique Agricultural Area. In conformity with Provincial policies, the ROP states that the highest priority is given to preserving Unique Agricultural Areas, with agriculture being the predominant use.

Provincial and Regional policies recognize that agricultural land is a valuable asset that must be properly managed and protected. As such, the ROP restricts lot creation in designated Unique Agricultural Areas, except for severances that meet one of the following criteria:

- 1) The consent to convey is for an agricultural use where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 40 acres (16.2 hectares).
- 2) Residences surplus to a farming operation as a result of a farm consolidation provided that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance.
- 3) Minor boundary adjustments or easements which do not result in a new residential lot and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

The proposed consent application has been submitted for the purpose of disposing of a surplus farm dwelling. As outlined in the second criterion above, the ROP provides for the severance of residences rendered surplus to a farming operation as a result of a farm consolidation. The PPS, Greenbelt Plan, and ROP define farm consolidation as "the acquisition of additional farm parcels to be operated as one farm operation." Given that the remnant parcel is to merge with the abutting easterly parcel of land known as 1605 Third Avenue Louth (Part 3), Regional staff are satisfied that the proposal meets the criteria for a residence

The ROP states that new lots in Unique Agricultural Areas shall not exceed an area of 0.4 hectares (1 acre), "except to the extent of any additional area deemed necessary to support a well and private sewage disposal system." The proposed lot is 0.431 hectares (1.06 acres) in order to accommodate the placement of the existing dwelling and accessory structures as well as on-site private water and sewage services. There is no new building lot created through the application. The proposal, however, is subject to the following comments regarding natural heritage features on the subject lands, and private servicing.

Private Servicing

Regional Private Sewage Systems inspection staff have reviewed the proposal and conducted a site inspection. Staff notes that the proposed severed parcel (Part 1) contains a residential dwelling (1629 Third Ave) and a large storage building located north of the dwelling. No records were found for the existing sewage system and no defects were observed at the time of our inspection. However, it appears that a pool may be encroaching on the tile bed and it is noted if a replacement system is required in the future, the minimum Building Code setback of 5 metres to any structure must be achieved. The existing sewage system will be wholly contained within the new parcel and there will be enough usable land for replacement septic and 100% spare area when required in the future. A replacement sewage system design has been submitted to our department which shows that a shallow buried trench system can be installed on the property in the future.

Conclusion

Regional Development Services staff has no objections to the proposed consent application as the application is consistent with Provincial and Regional policies for surplus farm dwelling severances. Regional staff requests that the 6.852 hectare (16.26 acres) (Part 2) remnant

parcel merge in title with the abutting easterly parcel of land known as 1605 Third Avenue Louth (Part 3) be a condition of Consent.

If you have any questions or wish to discuss these comments, please contact me at extension 3387. Please send a copy of the staff report from the City and notice of the Committee's decision on this application.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Earl".

Lindsay Earl, MCIP, RPP
Senior Development Planner

cc. Ms. Caitlin Wood, Private Sewage Systems Inspector

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Friday, June 08, 2018 10:22 AM
To: Munro, Elaine
Subject: 905-18-263 - Consent Application B43/18SC - 1629 Third Avenue

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B43/18SC, regarding 1629 Third 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

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Munro, Elaine

To: Doug Crown
Subject: RE: Outstanding Applications for 1629 & 1605 Third Avenue RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 6

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, June 06, 2018 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Outstanding Applications for 1629 & 1605 Third Avenue RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 6

Hi Elaine
Email 6.
Cogeco has no issues or concerns

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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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-43/18SC – 1629 Third Avenue

Comment:

- No Comment

Condition:

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

B-44/18SC – 1605 Third Avenue

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east and south faces of the existing dwelling on Part 3
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the north and west faces of the existing dwelling on part 6

B-45/18CS – 63 Main Street

Comment:

- No Comment

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the northeast and southeast faces of the existing dwelling on Part 1



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

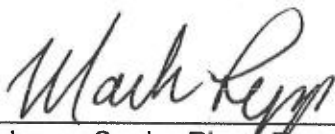
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

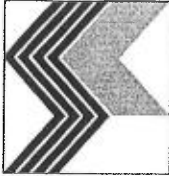
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.

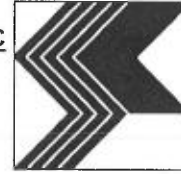
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-43&44/17SC



June 5, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: Peter Sikking & Peter Sikking Farms Inc.

Location: 1629 & 1605 Third Avenue Louth

MUNICIPAL SERVICES

Third Avenue Louth

Water: No local services exist

Sanitary Sewer: No local services exist

Storm Sewer: No local services exist other than road side ditching

Sidewalks: None

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 1 for the disposal of a surplus farm dwelling known as 1629 Third Avenue Louth. Part 2 shall become a remnant parcel and merge with the abutting easterly parcel Part 3 known as 1605 Third Avenue Louth. Parts 4, 5, 6 & 7 are proposed to be severed for the disposal of the same surplus farm dwelling subject to an easement in perpetuity over Part 5 for a direct connection to an irrigation pipe and subject to an easement in perpetuity over Part 7 for access/egress purposes to benefit the northerly property known as 1609 Third Avenue Louth.

Roads

Third Avenue Louth is designated a Local road per the City's Official Plan with a desired right-of-way width of 20.12m. Its current width along the Applicant frontage is sufficient, therefore no widening requirements are sought by the City at this time.

Engineering Services

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 necessary 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 buildings to the private septic and cistern systems. The sewer and water services must be independent and

- not cross an abutting and/or future property line; and
- If determined servicing conflicts exist, the Owner shall be responsible to complete works on private property through a Plumbing Only permit necessary for each property to be serviced individually



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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

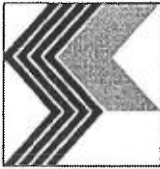
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-38/18SC (60.84.2161), A-70/18
(60.81.5359) & A-71/18 (60.81.5360)**

20 Walker Street

**DATE OF HEARING:
June 27, 2018**

Munro, Elaine

Subject: RE: A NO vote for 22 Walker ave.

From: Larry [mailto:]
Sent: Monday, June 11, 2018 8:50 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: A NO vote for 22 Walker ave.

Good Morning Elaine, my wife and I live at 45 Glen Park Rd. we have strong concerns about the proposed changes with property known as 20 Walker Ave....

We are not in favour of a new dwelling to be built on this corner lot as 2 rental property's which will intern make this corner 4 rental units.

With this said 20 Walker has been a rental for a year now and it shows in it's parking issues, yard care, snow removal(sidewalks) as well snow plows and traffic concerns at the stop sign in front of this house... As we have seen in the past those who rent do not take pride in their homes, we have always done our best to maintain our property in order to maintain it's value.....

We feel these changes will have a negative impact on our property values as well as those around us.

As for parking the lot known as 20 & 22 Walker shows 4 driveways to be placed on a corner lot, the parking today at 20 walker has daily 4 cars and often a 5th on the boulevard, now how do we add 2 new rental units that may also bring the equivalent number of vehicles????

Please note we are a complete NO vote on the proposed changes of 20 Walker Ave..

Regards Larry & Joanne Puffer
45 Glen Park Rd.

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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

63 Main St.
20 Walker St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:10 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 1

Hello Elaine
Email 1 . Cogeco has no issues or concerns

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Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

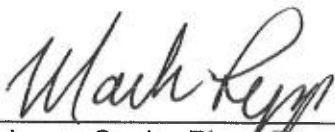
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

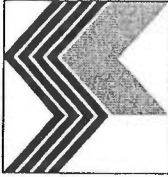
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
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A-75/18	592 Scott Street	No Comment
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A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
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A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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

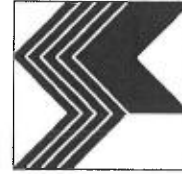
1. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-38/18SC



June 5, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: Kaushik Nanubhai and Nikki Tajinder Dhaliwal

Location: 20 Walker Avenue

MUNICIPAL SERVICES

Walker Avenue

Water: 150mm (6") Cast Iron
Sanitary: 200mm (8") ~2.7m (9') Depth
Storm: None
Sidewalks: Yes
Road Allowance: 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 22 Walker Avenue for the purposes of building a new single detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use.

Roads

Walker Avenue is designated a Local road in the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width meets the required Official Plan designation, therefore road widenings will not be required at this time.

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 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 Walker Avenue, foundation weeping tile flows shall be collected via sump pump and discharged to grade at the front yard towards Walker Avenue. The cost for servicing fees for sewer and water lateral provisions shall be paid through the Building Permit process, in accordance with the City's current Schedule of Rates & Fees.

The Owner shall also be responsible to pay the City the fee to locate and trace the existing sewer and water laterals from the existing home to

ensure they does not cross future potential and existing adjacent neighbouring lot lines. If it is determined that these existing services cross future potential and/or abutting lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit to provide new services within the road allowance 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 and trace the sewer and water laterals servicing the existing building on Part 1 in accordance with the current Schedule of Rates and Fees. The sewer and water services for Part 1 must be independent and not cross a future or an existing adjacent property line. The Owner shall be required to provide separate services in order for each property to be serviced individually.



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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

24 Yates Street, A-68/18
35 Ramsey Street, A-69/18
22 & 23 Walker Street, A-70 & 71/18
121 & 125 Rykert Street, A-72 & 73/18
590 & 592 Scott Street, A-74 & 75/18
37 Chaplin Avenue, A-76/18
47 Regent Drive, A-77/18
3 Dunn Street, A-78/18
2C & 2A Lloyd Street, A-79 & 80/18
32 Briarfield Crescent, A-81/18
1605 Third Avenue, A-82/18
114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

must be prepared by a qualified Engineer or Ontario Land Surveyor. This grading plan must be submitted to City Staff for review and approval. The drainage design shown on the grading plan must demonstrate how the subject lands and related structures will drain while at the same time not negatively impact adjacent properties. If the drainage design indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

22 & 23 Walker Street, A70 & 71/18:

Development Engineering issues (culvert, grading, servicing) will be dealt with at the building permit stage.

121 & 125 Rykert Street, A72 & 73/18:

Development Engineering issues are being dealt with through the Site Plan Process.

47 Regent Drive, A77/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent properties with the proposed reduction in side yard to 0.4m. A proposed grading plan for the entire property must be prepared by a qualified Engineer or Ontario Land Surveyor and submitted to City Staff for review and approval prior to granting this minor variance.

Condition(s):

Prior to granting final approval the following conditions must be met;

24 Yates Street, A68/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.
3. If the grading plan indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

47 Regent Drive, A-77/18:

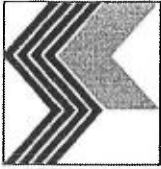
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-39/18SC (60.84.2182), A-72/18
(60.81.5361) & A-73/18 (60.81.5362)**

121 & 125 Rykert Street

**DATE OF HEARING:
June 27, 2018**

June 11, 2018

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

Attention: Elaine Munro

File# 60.84.2182

Re: 121 Rykert St

In response to your correspondence dated June 6, 2018, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- 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 advantageous 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 read 'Mark Jakubowski', with a large, sweeping loop at the end.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Friday, June 08, 2018 10:21 AM
To: Munro, Elaine
Subject: 905-18-262 - Consent Application B39/18SC - 121 Rykert Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B39/18SC, regarding 121 Rykert 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

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

Munro, Elaine

To: Doug Crown
Subject: RE: Outstanding Applications for 121 & 125 Rykert Street: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 7

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Wednesday, June 06, 2018 1:24 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Outstanding Applications for 121 & 125 Rykert Street: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 7

Hi Elaine
Email 7.
Cogeco has no issues or concerns.
Thanks

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

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Cogeco 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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-39/18SC – 121 Rykert Street- cont.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14 and 9.10.15 of the 2012 Ontario building code for the south and west faces of the existing dwelling on Part 1.
- The applicant shall satisfy the Chief Building Official of the City of St. Catharines that the south face of the existing garage on Part 1 meets the construction requirements of a 45-minute fire resistance rating.

B-41/18SC – 594 Scott Street

Comment:

- Be advised that a building permit is required for the proposed dwelling on part 2

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.
- The existing detached garage with overhang on Parts 1 and 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-42/18SC – 260 Dunkirk Road

Comment:

- No Comment

Condition:

- No Comment



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

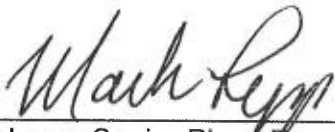
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker 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 construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**
No comment.
5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**
No comment.
6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**
121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361
125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362
Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.
7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**
590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363
592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

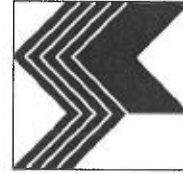
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

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

8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**
2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369
No comment.
9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**
No comment.
10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**
Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-39/18SC



June 7, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Owner: 2575115 Ontario Inc.

Location: 121 Rykert Street

MUNICIPAL SERVICES

Rykert Street

Water: 200mm (8") P.V.C.

Sanitary Sewer: 200mm (8") A.C.

Storm Sewer: 1050mm (36") Concrete

Sidewalks: None

Existing Road Allowance Width: +/-25.0m

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

Comment(s): It is noted that the applicant wishes to sever Part 1 on the attached sketch creating a new lot to be known as 121 Rykert Street with the existing single detached dwelling and detached garage. A remnant parcel with the remaining lot (Parts 2 & 3) will be retained for a future private road development.

Roads

Rykert Street is currently designated a Local Collector road per the City's Official Plan, with a desired right-of-way width of 26.2m (86'). The City has previously taken 0.91m (3') widenings along Rykert Street, therefore the City shall require a 0.91m (3') road widening along the Applicant frontage, in accordance with Parts 7 & 8 Plan 30R-8591 to be dedicated gratuitously, free and clear of any encumbrances as Public Highway to be known as Rykert Street.

Municipal Services

A sidewalk shall be required along the entire frontage length at a 1.5m width to the satisfaction of the City. A cash-in-lieu payment for a future 1.50m wide concrete sidewalk to be constructed through a future City contract shall be paid, the fee in accordance with the City's current Schedule of Rates and Fees upon payment, plus an added 20% contingency allowance.

The Owner shall pay a fee to have City crews locate and trace the existing water service and sanitary sewer lateral from the existing dwelling to ensure they do not cross future property lines or existing abutting property lines. The size and condition of the existing services shall also be confirmed at that time to determine suitability for reuse. The fee charged for this investigation shall be in accordance with the City's current

Schedule of Rates & Fees and payment shall be made as a condition of severance.

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

CONDITION (s):

Prior to the finalization of this severance the Owner shall;

- Pay to the City the fee to locate and trace the existing water service and sanitary sewer lateral to the existing home to ensure they do not cross any future lot lines; and
- Pay to have City crews relocate, if necessary, any existing sewer laterals or water services within the right-of-way identified to cross future and/or abutting property lines; and
- Prepare a draft reference plan for the City's review and approval identifying the proposed parts to be dedicated to the City as Public Highway known as Rykert Street; and
- Dedicate to the City free and clear of any encumbrances a 0.90m (3') road widening to be declared as Public Highway known as Rykert Street; and
- Pay to the City a cash-in-lieu payment for the future construction of a 1.5m wide concrete sidewalk along the entire frontage of Parts 1, 2 & 3, the fee based on the City's current Schedule of Rates & fees plus a 20% contingency added



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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

must be prepared by a qualified Engineer or Ontario Land Surveyor. This grading plan must be submitted to City Staff for review and approval. The drainage design shown on the grading plan must demonstrate how the subject lands and related structures will drain while at the same time not negatively impact adjacent properties. If the drainage design indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

22 & 23 Walker Street, A70 & 71/18:

Development Engineering issues (culvert, grading, servicing) will be dealt with at the building permit stage.

121 & 125 Rykert Street, A72 & 73/18:

Development Engineering issues are being dealt with through the Site Plan Process.

47 Regent Drive, A77/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent properties with the proposed reduction in side yard to 0.4m. A proposed grading plan for the entire property must be prepared by a qualified Engineer or Ontario Land Surveyor and submitted to City Staff for review and approval prior to granting this minor variance.

Condition(s):

Prior to granting final approval the following conditions must be met;

24 Yates Street, A68/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.
3. If the grading plan indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

47 Regent Drive, A-77/18:

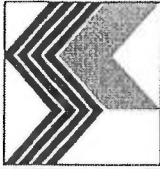
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-68/18 (60.81.5357)

24 Yates Street

DATE OF HEARING:
June 27, 2018

Barry and Carol Millward
18 Yates Street
St. Catharines, Ontario L2R 5R2

June 20, 2018

DELIVERED BY HAND

Elaine Munro, Secretary-Treasurer
Committee of Adjustment, City Hall
P. O. Box 3012 – 50 Church Street
St. Catharines, Ontario L2R 7C2

Dear Ms. Munro:

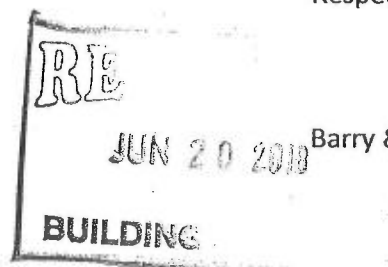
RE: File No. 60.81.5357 - Submission No. A-68/18 – 24 Yates Street

We are the owners and residents of 18 Yates Street and are concerned that this application will set a precedent to allow minor variances when building projects are undertaken without the necessary permits in violation of municipal by-law setback requirements. We recently built a garage on our property and followed all the necessary regulations, as any responsible property owner should be required to do.

We have yet to obtain complete information as to whether the Planning Department will recommend the granting of the variances and encroachment applied for with respect to 24 Yates Street, but given that the June 20th deadline for written submissions is upon us, we had to submit our concerns without full information. Kirsten Jensen at the Planning Department did indicate that a building permit was required, and it appears that none was applied for. In addition, we have the same concerns with respect to the proper permits and inspection of any gas or hydro installations. We have a call into the By-Law Enforcement Department, but have yet to speak to the person in charge.

By-laws exist to protect adjoining and abutting neighbours, as well as the actual owners of a property. Variances have an impact on the use and future value of those affected properties as well as those of the surrounding neighbourhood. Although we do not yet have all the facts in this case, we still wish to insure that no precedent will be established that allows owners to simply assume that minor variances will be readily available to remedy zoning by-law infractions, whether intentional or not.

Respectfully submitted,



Barry & Carol Millward

CM

Munro, Elaine

Subject: RE: Construction at 24 Yates; File No. 60.81.5357; Submission No. A-68/18

From: Jason Saxon [mailto:]

Sent: Monday, June 11, 2018 6:52 PM

To: CitizensFirst <CITIZENSFIRST@stcatharines.ca>; Munro, Elaine <emunro@stcatharines.ca>; Siscoe, Mathew <msiscoe@stcatharines.ca>

Cc: Athena Colman [REDACTED]

Subject: RE: Construction at 24 Yates; File No. 60.81.5357; Submission No. A-68/18

Re: Notice of Hearing; File No. 60.81.5357; Submission No. A-68/18
Attention Elaine Munro, Secretary-Treasurer Committee of Adjustment.

Thank you for your attention to our concern. I have attached some additional detail for your consideration.

I have attached the survey for the affected neighbourhood. In the attached PDF, The green highlighted 'Part 2' has constructed a cabana (center) which encroaches on three properties including my property (subject land), The blue highlighted 'Part 1' and 'Part 3'. Notably, 'Part 3' has the same owner as 'part 2' which means they may be encroaching on their own property. Attached is also the first page of the 'Notice of Hearing'.

This substantial construction which includes gas, electric, and foundation work was started in Autumn of 2017, and according to any details I can attain, was done without permit from either the city or the Yates Heritage people. Construction of the cabana was halted after we contacted the city. 6-months later, the roof and electrical work remain incomplete from the outside.

There is now an application to "recognize the existing cabana" and decrease the interior side yard set back to 0.0 meters to accommodate.

While I think that there should be a summary denial of such an application on its own merits, I feel I need to engage further to communicate the impact this construction has on my property.

Attached are some pictures to help visualize the problem. From the three pictures the south facing views from my living room and outside patio are clearly obscured by this new cabana which is attached to, and overlaps, my fence.

We have just moved into this home a year ago and I know this building would have affected my perception of the property value. It was also clear from my rudimentary understanding of building code at that time that no such building would ever take this place as a 2-ft setback would disallow any reasonable structure.

An email thread from the neighbour 'Part 1 – blue highlighted' expresses some of their concern and their perspective of losing the Eastern horizon.

I feel the most appropriate measure would be to force the removal of all construction, then allow the pursuit of proper permits to allow for legal construction only after approvals from both Yates heritage and the city of St Catharines. I recognize the significant impact to the homeowner with this decision, but anything else will reward the attitude that seeks forgiveness rather than permission. Even if ignorance of the law or contractor deceit is their reason, this should be no excuse. This variance should only be considered from a state of clean hands.

At a minimum, I hope to see enforcement of By-law 2013-283 and disallowing of this application

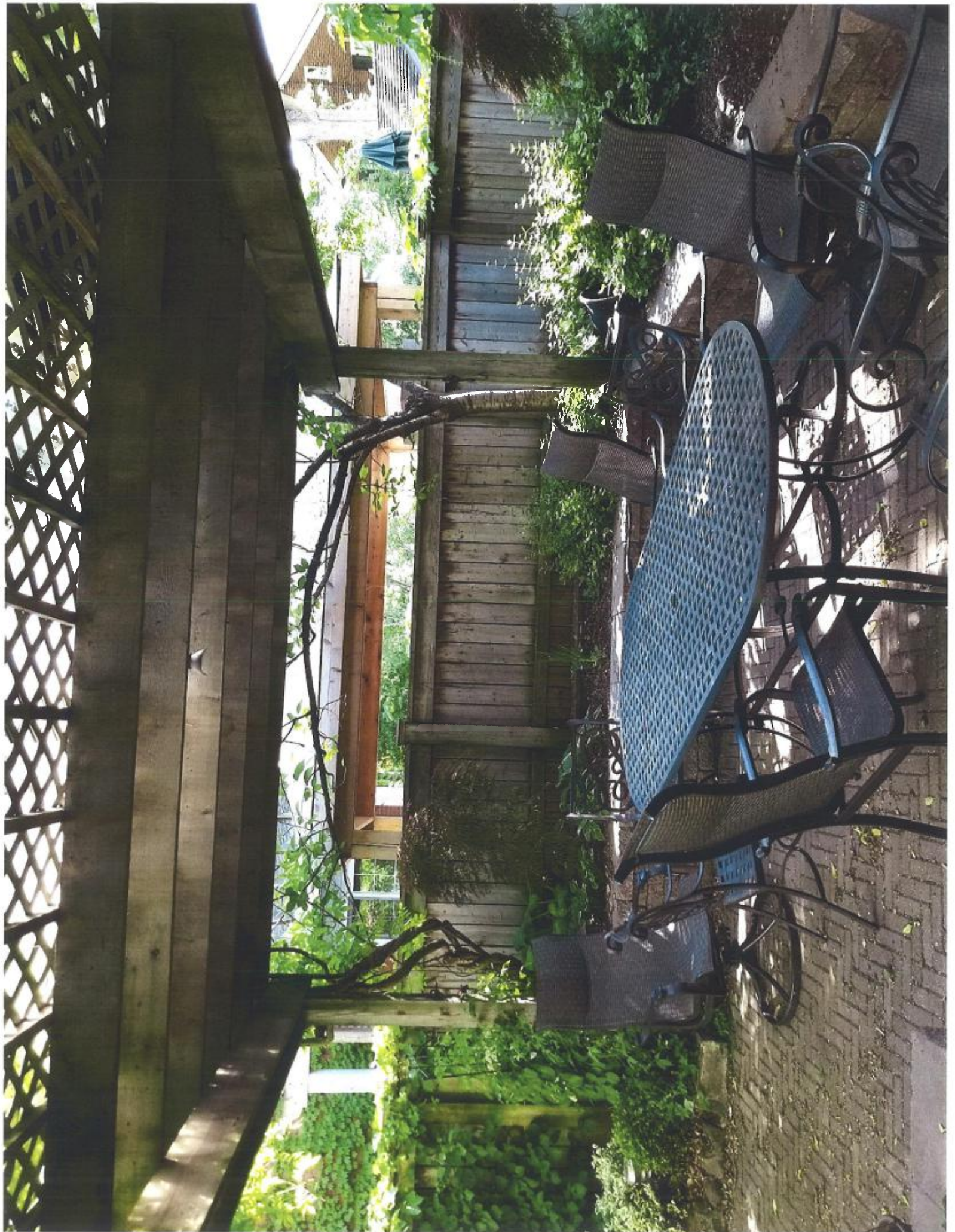
Between the myriad of broken rules, the intrinsic fire hazard of eliminating setbacks between fireplaces and wooden fences, and the imposing aesthetic impact on the neighbors, it seems this cannot and should not be approved.

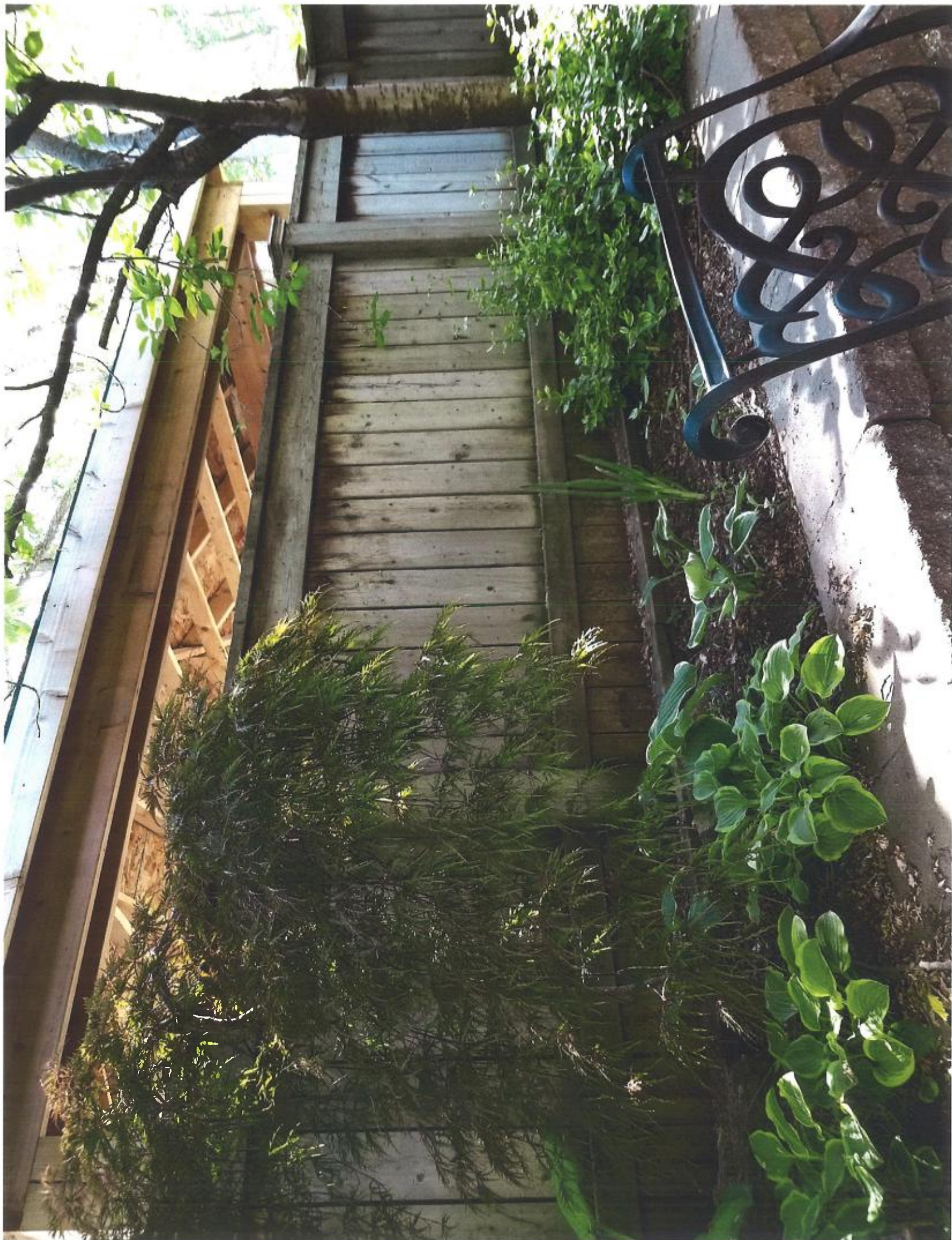
Neither what was done, nor how it was done, should be acceptable.

Thank you again for your time.

Jason Saxon & Athena Colman
14 Trafalgar St
St Catharines, ON
L2R 7N9

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







Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

24 Yates St.
35 Ramsey St.
2A & C Lloyd St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:12 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine
Email 2 . Cogeco has no issues or concerns

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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

Munro, Elaine

Subject: RE: Committee of Adjustment Notice and Application - 24 Yates for the June 27/18 CofA Hearing, City of St. Catharines

From: Vasko, Dennis
Sent: Thursday, June 07, 2018 8:01 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notice and Application - 24 Yates for the June 27/18 CofA Hearing, City of St. Catharines

Hi Elaine,

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

Dennis

Dennis Vasko
Fill Site Technician
Email: dvasko@stcatharines.ca
Tel: 905.688.5601 x2163

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, 24 Yates Street

From: Blozowski, Kevin
Sent: Friday, June 08, 2018 11:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Riddell, Jim <jriddell@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, 24 Yates Street

Elaine

The property is within the Yates Street and Area Heritage Conservation District. The heritage district designation was approved in 1995. 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 Yates Street and Area Heritage Conservation District Study District Plan (1995). The Yates Street Heritage Conservation District Study Background Report (1994) provides background information that supported the district designation. These documents are available on the City's website or on request.

The main dwelling on the lands was built around 1844. The red brick structure has Greek Revival influences on the main façade. The cabana, which is the subject of this application, is located to the rear and interior side of the dwelling.

The Garden City Plan does not provide guidance regarding accessory structures or cabanas. The District Plan (Section 5.3.9) states that garages and other outbuildings (eg. sheds) should be located preferably to the rear of the main building or to the side of the main building well back of the front façade. Garages and outbuildings should be relatively plain in treatment or co-ordinated with the style and detailing of the main building. .

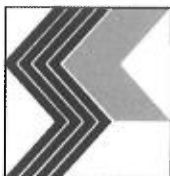
The existing cabana is located in the rear yard away from the front façade. It is open concept in design with the roof supported by timber posts. This is consistent with the District Plan.

Heritage permit approval (HPA) should these applications 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 District Plan. HPA is granted by the PBS . There is a \$152.85 fee for HPA (2018).

Regards

Kevin

Kevin Blozowski M.C.I.P., R.P.P.
Heritage Planner



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker 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 construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**
No comment.
5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**
No comment.
6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**
121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361
125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362
Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.
7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**
590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363
592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**
2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369
No comment.
9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**
No comment.
10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**
Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

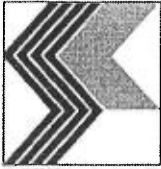
Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
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- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-69/18 (60.81.5358)

35 Ramsey Street

DATE OF HEARING:
June 27, 2018

Munro, Elaine

Subject: RE: Notice of Hearing - 35 Ramsey Street

From: JoAnne and Robert Ely [mailto:]
Sent: Tuesday, June 12, 2018 2:39 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Hearing - 35 Ramsey Street

Re: File No. 60.81.5358
Submission No. A-69/18
35 Ramsey Street, St. Catharines

Dear Ms. Munro

This email is in response to Notice of Hearing received re above property. We are informing you that we will be attending the Hearing on June 27th at 5:00pm. We strongly oppose more renovation to this house. #35 was bought last year and was renovated to accommodate rental units. I believe the owner is from out of town. I understand permits were not pulled and renovations were not up to code. Currently, there are approximately 4-5 renters living in this house. This has caused the neighbourhood great inconvenience. Adding another living space will only make matters worse.

How will the issue of parking be addressed? Cars from this house are routinely parked on the street for days. Cars are parked in areas designated No Parking. They block our driveways. We already have parking issues caused by local soccer teams playing at Linlake Park.

How will the issue of maintaining the house be addressed? This spring the tenants allowed the grass to get quite long before it was finally cut. It was quite unsightly.

We have lived on Ramsey Street for just over 26 years. Several neighbours around us have been on this street as long or longer. It has always been a lovely middle class street. We plant flowers in the spring, our lawns are well maintained. Our yards are clean. We respect each other's property and look out for each other as well. Having a rental unit or more likely a boarding house will decrease our property value. When #35 started their renovation, the owners next door at 37 Ramsey put their house for sale. They saw a second hydro meter being installed and knew it was going to be a rental unit. They did not want to live next door to boarders.

My husband and I do not want to sell our house. We were married in this house. I fought cancer and kidney failure in this house. Children were raised here. Neighbourhood kids grew up in our pool and still drop by for a visit. We have put thousands and thousands of dollars into our own renovations to make our home the beautiful place it is. This is heartbreaking to allow people to come from out of town, buy up our homes, turn them into boarding houses, sit back and collect the money while we suffer.

A petition has been started and will be brought to the meeting on June 27th. We cannot allow this to happen. Even if Mr. Berazategui sells #37, the likelihood of it being turned back to a single family home is almost nil. It will always remain a rental. We cannot allow this house to become larger. What's to stop them next from turning it into a two storey.

I apologize for the length of this email but I am very emotional about this. We would like to be informed of the outcome of the Hearing and we, as well as several other residents will be attending the Hearing. Thank you for your time.

Regards,

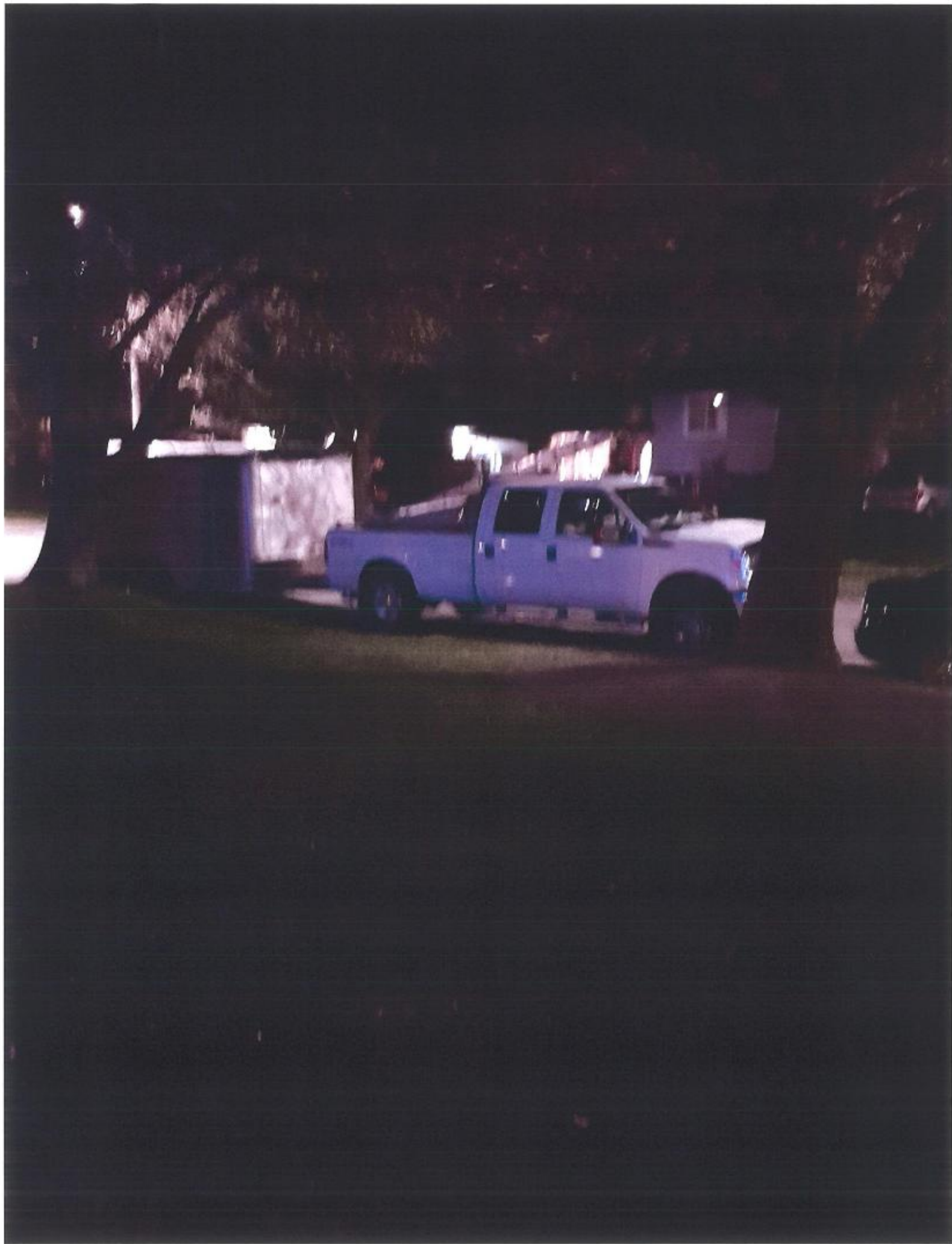
Robert Ely & JoAnne Biamonte-Ely,
39 Ramsey Street, St. Catharines,

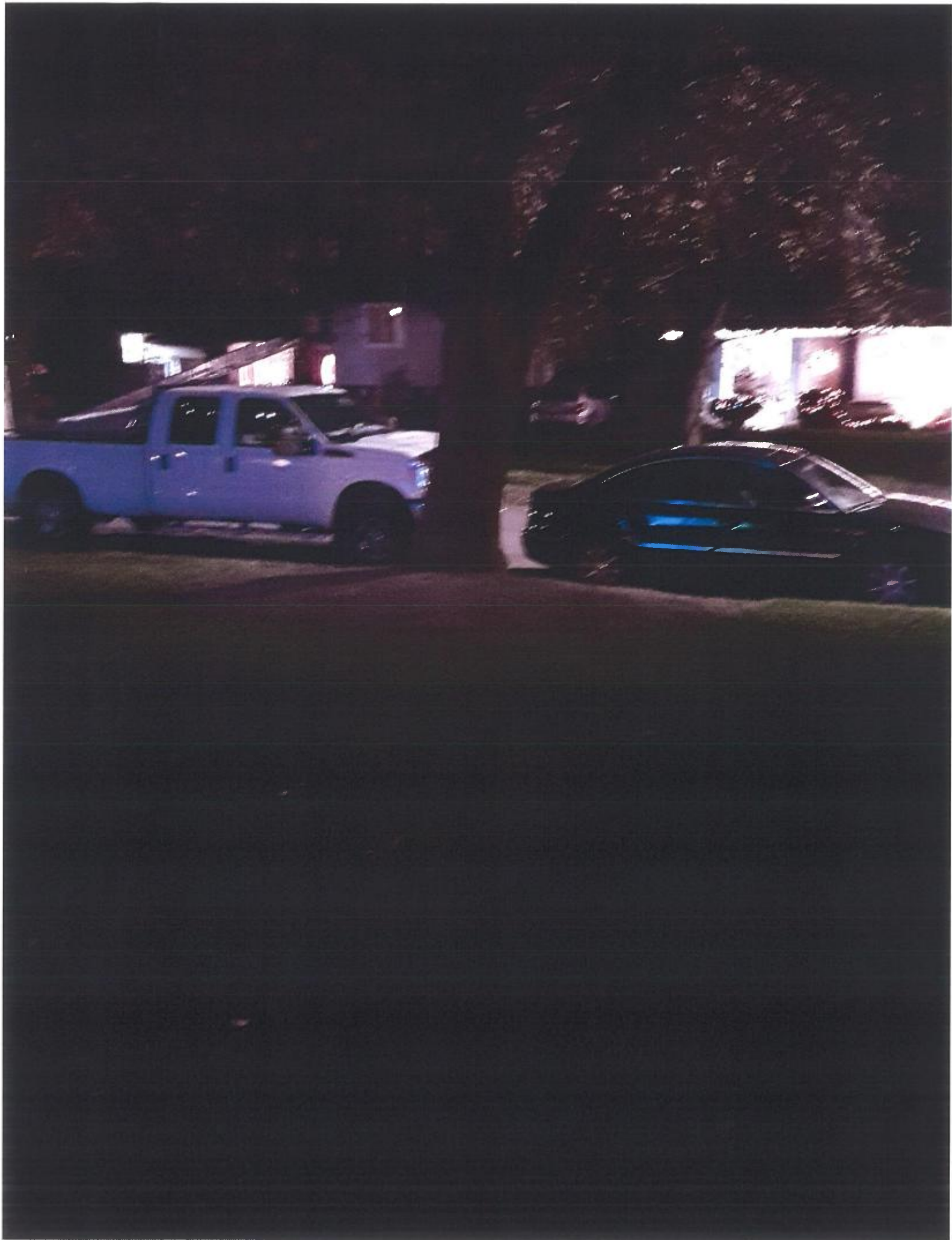
Attach: photos cars parked, blocking driveway, work vehicles parked on street

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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

24 Yates St.
35 Ramsey St.
2A & C Lloyd St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:12 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine
Email 2 . Cogeco has no issues or concerns

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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

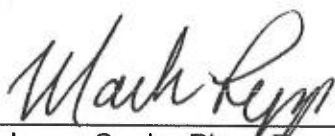
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

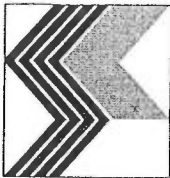
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**
No comment.
5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**
No comment.
6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**
121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361
125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362
Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.
7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**
590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363
592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**
2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369
No comment.
9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**
No comment.
10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**
Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-41/18SC (60.84.2184), A-74/18
(60.81.5363) & A-75/18 (60.81.5364)**

594 Scott Street

**DATE OF HEARING:
June 27, 2018**

Re: 594 Scott St. Submission B-41/18sc

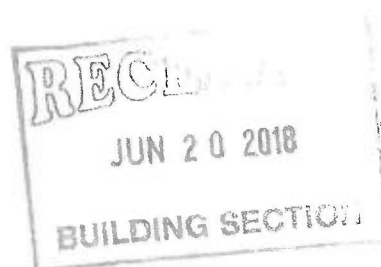
590 Scott St. Submission A-74/18

592 Scott St. Submission A-75/18

Dear members for the Committee of Adjustment for the City of St. Catharines. You have before you three applications for consent received from 2606904 Ontario Inc. This is a proposal put forth by Drew Toth of the Toth group to allow for the severance and creation of a new 411.81m² lot, application B-41/18SC on lot 19 Plan 554 for the purpose of constructing affordable housing in what is currently the St. Lawrence Estates extension subdivision. The concurrent variance applications A-74/18 for the reduction of minimum lot frontage from 15 metres to 12.9 metres and A-75/18 for a reduction of the minimum lot frontage from 15m to 7.75 metres is a request to change the current R1 zoning to what does not even meet R2 or R3 requirements.

Currently the subdivisions 431 and 578 known as St. Lawrence Estates enjoy an R1 classification. These larger sized lots with large open green spaces are cherished and valued by the current property owners in this subdivision. The concerns of many property owners in this subdivision are that requests for the severance of R1 zoned lots and further variance allowances to minimize lot frontages impact the value and quality of these neighborhoods by reducing green space. The reduction of lot frontages and overdevelopment of this property near the corner of Bunting and Scott will not only create increased parking congestion and less green space, but the likelihood of increased dangerous traffic conditions where many school children cross will also likely increase.

On April 3, 2018, the DRP of St. Catharines was asked to consider a proposal to demolish the existing single detached dwelling at 594 Scott St. and to sever the lands into three lots for the purpose of constructing three townhouse dwellings. The panel was not supportive of the three-unit townhouse proposal and described the proposal as an over-development of the site that was not compatible with its surrounding context. Specific matters of concern identified included impact on the street, character of the street, mass of the building, quality of the living space, and the extent of driveways.



On May 1, 2018, Mr. Toth put forth an alternative plan to retain the existing home on the property and to construct a new detached dwelling set back from the street in the location of the existing garage which is the east side of the property. The applicant advised that the dwelling would be limited in height to 1½ storeys and would feature a design that is sympathetic to the existing home. The panel was supportive of the revised submission, but suggested that the garage should be flipped from the west side, bordering lot 18, to the east side. The panel also advised that the new dwelling should increase the liveable area by expanding the west side wall towards the lot line to the interior side yard setback permits. The DRP also requested the second floor deck facing lots 20 and 21 be removed due to concern with the overlook into neighboring yards.

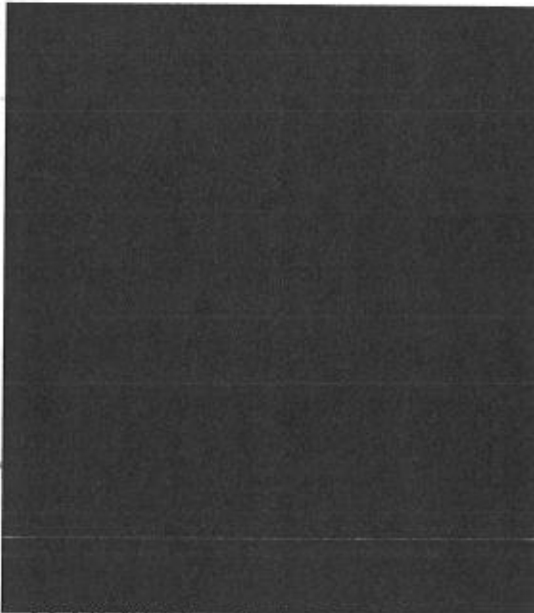


The current proposal continues to show the applicant's request for severance and planned development on lot 19 to be sitting on the east side property line beside lot 18. This proposal is in direct contravention of what the DRP suggested on May 1, 2018. According to Mr. Toth's web site, he prides himself in both bridging the needs of investors (who want to earn a monetary return) and providing affordable housing. Mr. Toth became thoroughly interested in knowing the ins and outs of properties, assessments, flipping and creating cash flow opportunities. Mr. Toth, there is already a major affordable housing project being built on Carlton St.

The residents of this St. Lawrence subdivision have many concerns when multiple storey dwelling projects are planned to be squeezed onto undersized lots in an R1 zones neighbourhood. These types of affordable housing developments not only aesthetically look out of place but also degrade and devalue existing property values of entire neighborhoods. Further, we are already experiencing parking problems from newly built units on the corner of Scott St. and Bunting Rd., as these newly built residences are parking around the corner on Tavistock.

We do not oppose new developments that are aesthetically pleasing and blend well into our existing R1 zoned neighborhood. The severing of existing lots and the attempt to squeeze in affordable housing units for gross profit in the guise of some philanthropic and humanitarian effort is disrespectful to the people of the St. Lawrence estates neighborhood.

This letter is in opposition for the application B-41/18 for consent of severance in order to create affordable housing. We, the immediate property owners, are in opposition to the reduction of minimum lot frontage requirements A-74/18 and A-75/18 and require further understanding and detailed information regarding this proposal. These variance requests by the applicant are not considered minor and fail all four criteria outlined by the Committee of Adjustment.

Immediate neighbors affected by the current proposal

<u>Name</u>	<u>Address</u>	<u>Signature</u>
David Perry	8 Stillwater Bay	
GAIL PERRY	8 Stillwater Bay	
Melissa Leech	596 Scott St.	
Wayne Howard	1 Kenworth Dr.	
Stacey Gillespie	593 Scott St	
Kevin Gillespie	593 Scott St	
Robert Richards	595 Scott St	
Shirley Gonyou	602 SCOTT	
Chris Mitchell	598 Scott St	
Pety Polikronis	7 Stillwater Bay	
Michele Voster	4 Stillwater Bay	
	4 STILLWATER BAY	
Gail Tallahan	5 Stillwater bay	
NEIL BARNES	3 STILLWATER BAY	
Maurice Bates	3 " "	
J. Jacobson	458 Bunting Rd.	
Il. Jacobson	458 Bunting Rd	
Cathy Mitchell	518 Scott St	
Lonna & Bob Doulling	608 Scott	
Ruth Ashitt	614 Scott St.	
MARY ANNE SILVER	616 SCOTT ST	
Anthony Farnugia	616 SCOTT ST	
Angie Green Gower	618 Scott St.	
Andrea Irwin	619 Scott St	
MARK IRWIN	619 Scott St.	

Immediate neighbors affected by the current proposal

Name	Address	Signature
JEFF YBEMA	622 Scott St.	
Amanda Ybema	622 Scott St	
ANGIE W. POCHOWSKI	7511 Water Bay	
Arkadiusz Kosciuszko	460 Bunting Rd	
Amy Rozon	460 Bunting Rd	
J. Roy	541 Scott	
S. Rod	-11-	
Melody Cagle	597 Scott	
Judith		
Henry Cookson	601 Scott	
Lisa Morabito	450 Bunting Rd	
Carl Bradley	446 Bunting Rd.	
Ray Bradley	446 Bunting Rd.	
Brian Callahan	5 St. Water Bay	
Chandra Bone	130 Windward St	
Laryssa Doig	129 Windward St	
Wesley Doig	129 Windward St	
P. Schuritz	126 Windward St	
H. SCHULT	126 WINDWARD	
J. Bastines	127 Windwards	
C. Keckidan	125 Windward	
E. Jean	122 Windward	
R. Jean	122 Windward	
C. Egan	120 Windward St.	
Patricia McDonnell	118 Windward St	
GARY MCDONNELL	118 WINDWARD ST	
JOHN FURNESS	116 WINDWARD ST	
Micheline FURNESS	116 Windward St	
ROBERT C. SAROZI	61 LEASIDE DR.	
Kathryn Antomial	61 Leaside Dr.	
Judy Kretschmer	119 Windward St	
JULIE BRAUN	112 WINDWARD ST	
ALEXANDRA KEDZIERSKI	113 WINDWARD ST	
JOHN KEDZIERSKI	113 WINDWARD ST	
REBECCA GORDON	109 WINDWARD ST	

Immediate neighbors affected by the current proposal

<u>Name</u>	<u>Address</u>	<u>Signature</u>
GARY MANUEL	108 WINDWARD	
BRUCE MERITT	131 WINDWARD	
MARG HUIZER	124 LEASIDE	
HARRY HUIZER	" " "	
JOEN PACE	113 LEASIDE DR.	
BEN PACE	113 LEASIDE DR.	
Lana Randall	118 Leaside Dr	
LARRY APPLEBY	111 LEASIDE DR	
JUDY HARPER	111 LEASIDE DR	
Robbie McDonnell	118 Windward St.	
Shawn Ferrell	4 Kingston Bay	
Veronica Campbell	133 Windward St.	
Clooke	16 Island Rd	
Lucie Catterall	19 Island Rd	
Sarah Terreberry	11 Island Rd.	
MR Cullen	4 Island Rd	
SN ALLEN		
Sheila Hodgins	2 Stillwater Bay	
Mary Eilwing	117 Windward St.	

Petition re: hearing at 594 Scott St. on June 27, 2018 at 5:00 p.m.


This is a petition of opposition put forth by the neighbours of 594 Scott St. to allow for severance and creation of a new 411.81m2 lot, application B-41/18SC on lot 19 Plan 554 for the purpose of constructing affordable housing in what is currently the St. Lawrence Estates extension subdivision. The concurrent variance applications A-74/18 for the reduction of minimum lot frontage from 15 metres to 12.9 metres and A-75/18 for a reduction of the minimum lot frontage from 15m to 7.75 metres is a request to change the current R1 zoning to what does not even meet R2 or R3 requirements.

468 Bunting Rd. Erika Parry -
470 Bunting Rd KRUSTEE STEVENS
" " Ryan Kuhnert
472 " Tony Reis
476 Bunting Ken McLeod
478 Bunting Amy Booth
490 BUNTING RD WAYNE BUKSB
498 Bunting Rd. 2600/12.
506 " " S. SAWATSKY
" " " J. SAWATSKY
593 Scott St ROBERT GILLESPIE
29 St. Lawrence Dr. Donna Payne
29 St. Lawrence Tim Payne
28 St. Lawrence BONNIE PATTERSON
34 St. Lawrence Dr. Brian Stewart
31 St. Lawrence Dr. DAVID TURNBULL
52 Lockview Cres Ted Maudie
39 Viking Drive Amberley Gaspich
37 Viking Dr. Brandon Gaspich
34 VIKING Dr. ~~Amber~~
26 St. Lawrence JIM MACWHIRTERSON
23 St. Lawrence Dr.
20 St. Lawrence Dr. Helen Sioke
19 St. Lawrence Dr. Cindy Paskey
593 Scott Street Sarah Gillespie
5 St. Lawrence Dr. Ed Boyd
5 St. Lawrence Dr.

H. Kwade
H. Sioke

Petition re: hearing at 594 Scott St. on June 27, 2018 at 5:00 p.m.

This is a petition of opposition put forth by the neighbours of 594 Scott St. to allow for severance and creation of a new 411.81m² lot, application B-41/18SC on lot 19 Plan 554 for the purpose of constructing affordable housing in what is currently the St. Lawrence Estates extension subdivision. The concurrent variance applications A-74/18 for the reduction of minimum lot frontage from 15 metres to 12.9 metres and A-75/18 for a reduction of the minimum lot frontage from 15m to 7.75 metres is a request to change the current R1 zoning to what does not even meet R2 or R3 requirements.



9. St Lawrence Dr. MARGARET
" " GAINES,
" " GEO. " "
15 ST. LAWRENCE DR. KAREN BLACK
15 St. Lawrence Dr. FRANK SWANSON
10 St. Lawrence Dr. Brad Williams

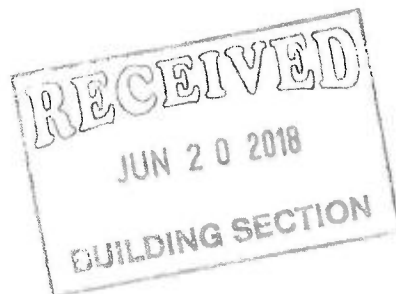
To: The Committee of Adjustment for the City of St. Catharines

RE: 594 Scott St. Submission B-41/18sc
590 Scott St. Submission A-74/18
592 Scott St. Submission A-75/18

I would like to take a brief moment of your time to express my concerns regarding the severance of Lot 19@592 Scott Street. It is in my opinion that the allowance of a 7.75-meter frontage in this R1 zoned neighborhood is not only grossly wrong but extremely disrespectful to the tax paying citizens of this area. I understand the cities need to increase their tax dollars but let us not make the same mistake that we made creating the Eastchester eyesore. Should this ludicrous idea become a reality, I would hope you realize that cramming such a large house with balconies on both floors impedes the god given rights of a little privacy to these good citizens. I would suggest a smaller structure with a smaller footprint and a living space of no more than 1,200 sq feet, this would be more in line with the rest of the neighborhood. The mere thought of a second-floor balcony is simply ridiculous.

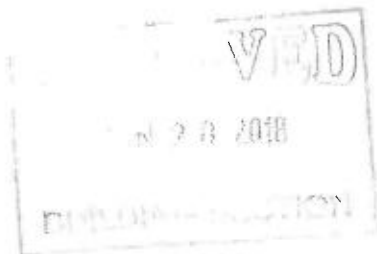
Thanking you in advance for your consideration and understanding.

Brian Callahan
5 Stillwater Bay



The submission B-41/18 SC is made for consent to sever 594 Scott St. (lot 19 of city plan 554) This will create 2 below standard sized frontage lots of 12.9m and 7.75m in a R1 zoning area. This is unacceptable and opposed as it fails all 4 criteria tests for approval of the committee of adjustment.

The submission A-75/18 to facilitate application B-41/18 SC to sever the lot for a reduction of the minimum lot frontage from 15m. to 7.75m. will create a lot with frontage $\frac{1}{3}$ the size of the original lot width of 20.7m. This frontage is below the minimum standard of 9m for a R2 or R3 zone. This will create a lot in a R1 ~~area~~ area that would look ^{out} of place in a R3 zone.

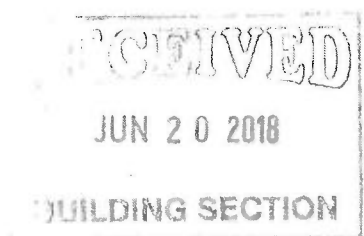


Signed
David Perry
8 Stillwater Bay

The submission A-75/18 (592 Scott St.) has failed to meet the R1 zoning by-law for frontage minimum. Also, this submission fails to show the Design Review Panel's May 1/18 recommendations for no 2nd floor deck and the 1 1/2 storey limit.

These failures to follow by-law minimums and DRP recommendations lead us to question the end result if allowed to pass.

David Perry
8 Stillwater Bay



Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 3

594 Scott St.
260 Dunkirk Rd.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:14 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 3

Hello Elaine
Email 3 . Cogeco has no issues or concerns

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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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-39/18SC – 121 Rykert Street- cont.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14 and 9.10.15 of the 2012 Ontario building code for the south and west faces of the existing dwelling on Part 1.
- The applicant shall satisfy the Chief Building Official of the City of St. Catharines that the south face of the existing garage on Part 1 meets the construction requirements of a 45-minute fire resistance rating.

B-41/18SC – 594 Scott Street

Comment:

- Be advised that a building permit is required for the proposed dwelling on part 2

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.
- The existing detached garage with overhang on Parts 1 and 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-42/18SC – 260 Dunkirk Road

Comment:

- No Comment

Condition:

- No Comment



Memorandum

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

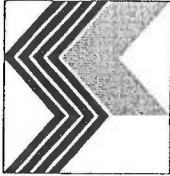
Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker 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 construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment



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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**

No comment.

5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**

No comment.

6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**

121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361

125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362

Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.

7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**

590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363

592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364

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

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

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

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

8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**

2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369

No comment.

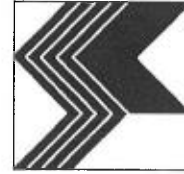
9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**

No comment.

10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**

Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-41/18SC



June 5, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: 2606904 Ontario Inc.

Location: 594 Scott Street

MUNICIPAL SERVICES

Scott Street

Water: 300mm (12") Cast Iron
Sanitary: 900mm (36") Regional Trunk
Storm: 1200mm (48")
Sidewalks: Yes
Road Allowance: 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 592 Scott Street for the purposes of constructing a single detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use.

Roads

Scott Street is designated an Arterial road in the City's Official Plan with a desired right-of-way width of 26.21m (86'). Its current width is deficient at 20.12m (66'), therefore the Owner shall dedicate a 3.05m road widening to the City free and clear of any encumbrances as Public Highway to be known as Scott Street, in order to achieve half of the desired right-of-way width required for a 26.21m Arterial road.

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 typically discharge to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since storm sewers exist on Scott Street, foundation weeping tile flows shall be collected via sump pump and discharged via storm sewer lateral to the storm sewer, the lateral provision to be provided by City crews to the property line at the cost of the Owner. This and sanitary and water service laterals shall be paid and provided through the Building Permit process, in accordance with the City's current Schedule of Rates & Fees.

The Owner shall also be responsible to pay the City the fee to locate and trace the existing sewer and water laterals from the existing home to ensure they does not cross future potential and existing adjacent neighbouring lot lines. If it is determined that these existing services cross future potential and/or abutting lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit to provide new services within the road allowance 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 and trace the sewer and water laterals servicing the existing building on Part 1 in accordance with the current Schedule of Rates and Fees. The sewer and water services for Part 1 must be independent and not cross a future or an existing adjacent property line. The Owner shall be required to provide separate services in order for each property to be serviced individually.



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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**A-79/18 (60.81.5368) & A-80/18
(60.81.5369)**

2A & 2C Lloyd Street

**DATE OF HEARING:
June 27, 2018**

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

24 Yates St.
35 Ramsey St.
2A & C Lloyd St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:12 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 2

Hello Elaine
Email 2 . Cogeco has no issues or concerns

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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[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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

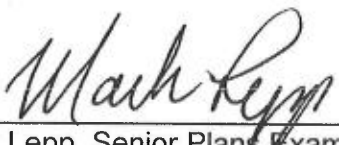
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

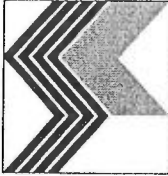
NO.	ADDRESS	COMMENTS
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A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
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A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
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Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**

No comment.

5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**

No comment.

6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**

121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361

125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362

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7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**

590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363

592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364

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8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**

2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369

No comment.

9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**

No comment.

10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**

Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
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- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

B-42/18SC (60.84.2185)

260 Dunkirk Road

DATE OF HEARING:
June 27, 2018

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

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



June 8, 2018

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

E-mail Only: Elaine Munro emunro@stcatharines.ca

Subject: Application for Consent B-42/18SC
260 Dunkirk Road
St. Catharines
Bell File: 905-18-259

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

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

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

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

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

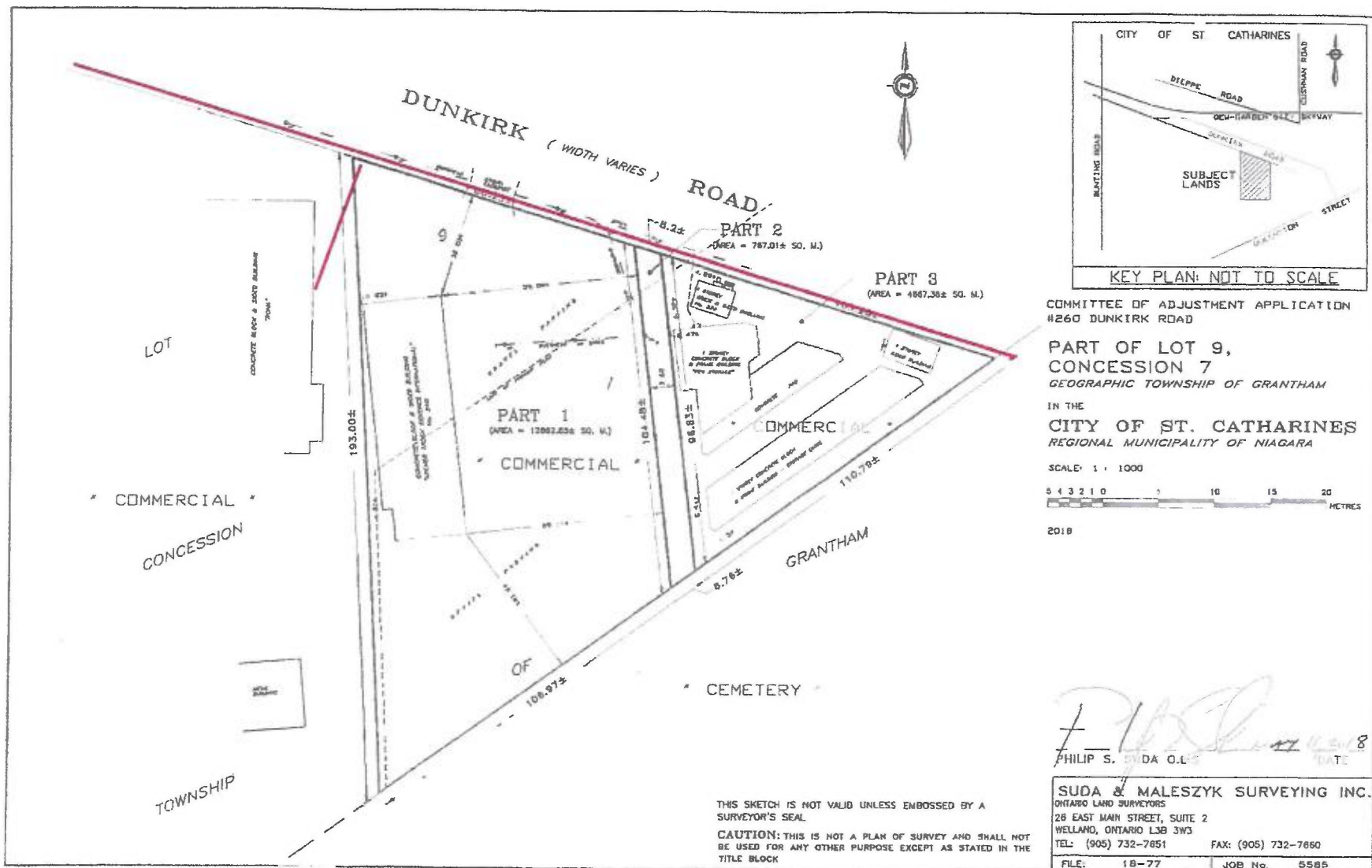
If you have any questions or concerns, please feel free to contact me.

Yours truly,

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

Charleyne Hall
Right of Way Associate





Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 3

594 Scott St.
260 Dunkirk Rd.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:14 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 3

Hello Elaine
Email 3 . Cogeco has no issues or concerns

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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

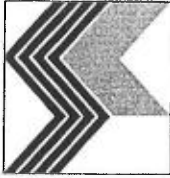
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Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3



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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**

No comment.

5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**

No comment.

6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**

121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361

125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362

Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.

7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**

590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363

592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364

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

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

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8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**

2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369

No comment.

9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**

No comment.

10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**

Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-39/18SC – 121 Rykert Street- cont.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14 and 9.10.15 of the 2012 Ontario building code for the south and west faces of the existing dwelling on Part 1.
- The applicant shall satisfy the Chief Building Official of the City of St. Catharines that the south face of the existing garage on Part 1 meets the construction requirements of a 45-minute fire resistance rating.

B-41/18SC – 594 Scott Street

Comment:

- Be advised that a building permit is required for the proposed dwelling on part 2

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.
- The existing detached garage with overhang on Parts 1 and 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-42/18SC – 260 Dunkirk Road

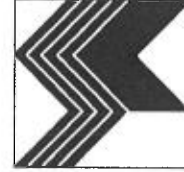
Comment:

- No Comment

Condition:

- No Comment

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-42/18SC



June 5, 2018 **ENGINEERING FILE 300-36**

Hearing Date: June 27, 2018

Applicant: 1939498 Ontario Inc.

Location: 260 Dunkirk Road

MUNICIPAL SERVICES **Dunkirk Road**

Water: 150mm (6") A.C.

Sanitary Sewer: 200mm (8") P.V.C.

Storm Sewer: None. Roadside Ditches

Sidewalks: No

Road Allowance Width: Varies

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 and merging it with the abutting easterly parcel known as 270 Dunkirk Road (Part 2). A remnant parcel (Part 1) would be retained for continued commercial use.

Roads

Dunkirk Road is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width varies along the Applicant frontage however is of sufficient size with given the current configuration and proximity to the private road and Dieppe Road to the north. The City will not require a widening with respect to this application.

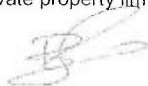
Engineering Services

It is apparent that existing private infrastructure exists within the Dunkirk Road allowance from the existing private lands at 270 Dunkirk Road. A private chain link fence, wood retaining wall and recreational fire pit appear to encroach within the City's right-of-way limits.

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

- Remove and relocate the entire section of chain link fence along the frontage from within the existing right-of-way limits of Dunkirk Road; and
- Remove and relocate the entire section of wood retaining wall along the frontage within the existing right-of-way limits of Dunkirk Road; and
- Disconnect from the dwelling at 270 Dunkirk Road all roof leaders and sump pump connections piped underground to discharge to the Dunkirk Road roadside ditch, and ensure they discharge onto splash pads at grade on the private property limits of 270 Dunkirk Road

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-76/18 (60.81.5365)

37 Chaplin Avenue

DATE OF HEARING:
June 27, 2018

49 Chaplin Ave.
St. Catharines ON L2R 2E4

RPT	NO.	DATE	P.D.S.
			REFERRED TO
			Elaine Munro
DATE REC'D →	JUN 21 2018		SCAN <input type="checkbox"/>
FILE NO			

Elaine Munro, Secretary-Treasurer
Committee of Adjustment, City Hall
P.O. Box 3012, 50 Church St.
St. Catharines ON L2R 7C2

File No. 60.81.5365
Submission No. A-76/18

This submission is with regard to the application to reduce the required parking spaces for the triplex at 37 Chaplin Ave. from the required 3 to 2 spaces. Currently the parking situation on Chaplin Ave. between Thomas St. & York St. is dire to say the least. In the evenings when most people are home there are no spaces in which to park and if there is a visitor to my house they often have to park on York St. as there are no spots on Chaplin. Recently the house at 47 Chaplin has been duplexed and parking ~~has not~~ been provided for the second apartment. There are at least two neighbours who do not have driveways and are competing for the very limited street parking spots

Since there is space on the property at 37, I cannot see a viable reason to allow the variance to reduce the number of parking spaces that are required by the bylaw.

Submitted by

Wynne Nicholson

18th June, 218

Homeowner and Resident

32 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph: [REDACTED]

Email: [REDACTED]

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
File No. 60.81.5365
Submission No. A-76/18

Members of the Committee of Adjustment,

This letter is written concerning the request to vary Zoning By-law 2013-283. The applicant has requested variances regarding total parking spaces and an increase in total behaviour to legalize the existing triplex.

As a resident in this neighbourhood I respect Mr. Henderson's desire to comply fully with zoning and bylaws, but cannot agree with making exceptions to allow the triplex.

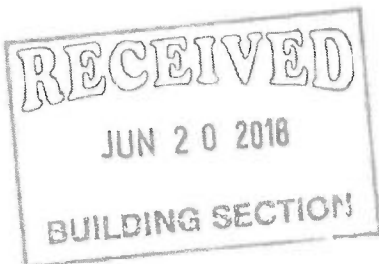
Specifically our neighbourhood already faces significant challenges regarding parking, and we are frequently obliged to park on other local roads due to a lack of space on ours. I see no reason in such a constrained parking environment to begin making exceptions that will add further stress. Simply granting the reduction in spaces will not suffice and a further exception is required to allow the paved area for those two spaces.

It is not unreasonable to expect that residents of the triplex (8 bedrooms in total) would in fact have more that 3 vehicles, although I understand this concern is outside the scope of this hearing directly, it certainly informs any thought of further reducing required parking.

Given that the lot size and frontage already do not meet the requirements set out in the zoning by-law for a triplex in this area I fail to see how adding what can only be seen as a high density residence on a street zoned R2 benefits anyone but the landlord. It certainly is not in keeping with either the local community or by-laws.

Sincerely,

Nick & Rhiannon Fleming
32 Chaplin Ave.



18th June ~~218~~ 2018

Homeowner and Resident

29 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph:

Email:

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
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Sincerely,

Patricia Milne
Derek Milne

18th June, 21st 2018

**Homeowner and
Resident**

33 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph:

Email:

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
File No. 60.81.5365
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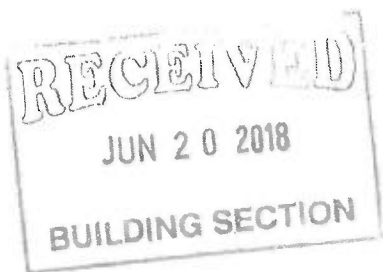
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Sincerely,

**Christine Coholan
Dave Coholan**



18th June, 2018

Homeowner and Resident

30 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph: [REDACTED]

Email: [REDACTED]

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
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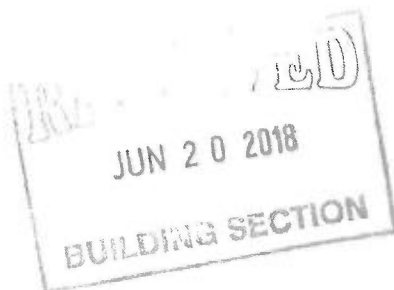
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Sincerely,

Maie & Jim Kizera



18th June, 2018

Homeowner and Resident

45 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph:

Email:

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
File No. 60.81.5365
Submission No. A-76/18

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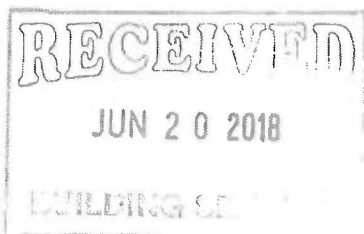
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Sincerely,

KEVIN BLUNDILL
45 CHAPLIN AVE



18th June, 218 *2018*

**Homeowner and
Resident**

Tec 2 Deba Poppe
26 Chaplin Ave

St. Catharines, ON, L2R 2E6

Ph: [REDACTED]

Email: [REDACTED]

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
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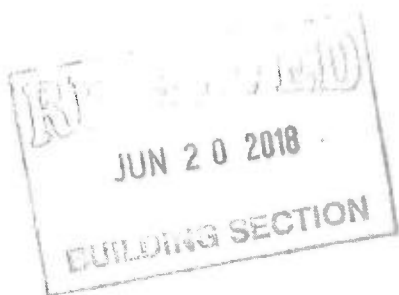
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Sincerely,

Tec 2 Deba Poppe



18th June, 218 20 18

Homeowner and Resident

24 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph: [REDACTED]

Email:
[REDACTED]

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
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Sincerely,

S.Rees

[REDACTED]

18th June, ~~2018~~ 2018

Renter of 13 Years

39 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph: [REDACTED]

Email: [REDACTED]

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
File No. 60.81.5365
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Sincerely,

**Jenniffer Dakin
Jonathan Dakin**



18th June, 2018

Renter of 14 Years

34 Chaplin Ave upper
St. Catharines, ON, L2R 2E6

Ph:

Email:

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
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Sincerely,

Diane K. May, S.S.W

18th June, 21 2018

Renter of Years

28 Chaplin Ave
St. Catharines, ON, L2R 2E6

Ph:

Email:

To Whom it May Concern,
Committee of Adjustment, City Hall
P.O Box 3012, 50 Church St
St. Catharines, ON, L2R 7C2
File No. 60.81.5365
Submission No. A-76/18

Members of the Committee of Adjustment,

This letter is written concerning the request to vary Zoning By-law 2013-283. The applicant has requested variances regarding total parking spaces and an increase in total behaviour to legalize the existing triplex.

As a resident in this neighbourhood I respect Mr. Henderson's desire to comply fully with zoning and bylaws, but cannot agree with making exceptions to allow the triplex.

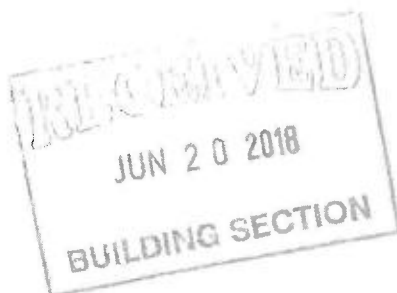
Specifically our neighbourhood already faces significant challenges regarding parking, and we are frequently obliged to park on other local roads due to a lack of space on ours. I see no reason in such a constrained parking environment to begin making exceptions that will add further stress. Simply granting the reduction in spaces will not suffice and a further exception is required to allow the paved area for those two spaces.

It is not unreasonable to expect that residents of the triplex (8 bedrooms in total) would in fact have more than 3 vehicles, although I understand this concern is outside the scope of this hearing directly, it certainly informs any thought of further reducing required parking.

Given that the lot size and frontage already do not meet the requirements set out in the zoning by-law for a triplex in this area I fail to see how adding what can only be seen as a high density residence on a street zoned R2 benefits anyone but the landlord. It certainly is not in keeping with either the local community or by-laws.

Sincerely,

Hongyu Yang
Yanyan You





CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 20, 2018

Date of Hearing: June 27, 2018

Submission(s): A-76/18

File: 60.81.5365

Subject: 37 Chaplin Avenue

Recommendation

That Submission **A-76/18** by Thomas Henderson, 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-76/18** 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-76/18** is requesting to vary the Zoning By-law as amended, for the following variances to recognize and legalize the existing triplex:

1. A reduction of the required parking spaces from 3 to 2 parking spaces.
2. An increase of the total paved area from 20% of the total lot area to 35.5% of the total lot area.

Location and Site Description

The subject property is located on the north side of Chaplin Avenue, west of York Street.

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 E4 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road development.

Application A-76/18

Application **A-76/18** is requesting a reduction of the required parking spaces and an increase of the total paved area in order to recognize and legalize the existing triplex.

Variance 1 requests a reduction of the required parking spaces from 3 to 2 parking spaces. Due to the existing configuration of the property in terms of the location of the dwelling and the paved portion of the site that is also already existing, the site can accommodate 2 parking spaces, which does not conform to the minimum of 3. Part C, section 5.4.2 of the GCP states that the City may consider the reduction or the elimination of vehicular parking requirements where transit is readily available or where transit facilities are provided. The subject land has access to 8 transit stops within 600m (8 minute walk) or less of the property, which serves 4 bus routes. It is also an approximate 10 minute walk to Downtown St. Catharines. There are a number of amenities within walking distance of the development including convenience stores, pharmacy, restaurants and retail. Considerable on street parking is also permitted on the south side of Chaplin Avenue. Given the availability of nearby transit and the provision of on street parking, staff is supportive of the required parking reduction.

Variance 2 requests an increase of the total paved area from 20% of the total lot area to 35.5% of the total lot area. A previously existing accessory structure was located in the rear yard. That structure was demolished and replaced with pavement. The variance to recognize the amount of existing paved area on the site would allow two vehicles to be parked side by side and ensure functional parking for two parking spaces. Expansion of the rear yard paved area to provide a third parking space, would meet the minimum requirements of the zoning by-law, however that amount of paved area in a rear yard of a residential area is not appropriate. Greater value is given to landscaped open space in the rear yard. This variance will not substantially impact the subject or the surrounding properties.

The requests are considered desirable and appropriate for the use of the land, as they will allow for the legalization of the existing triplex. The proposal fits with the general character of the surrounding neighbourhood, and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Conclusion

Staff are satisfied that the variance requested through Submission **A-76/18** is in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:

Shannon Labelle
Student Planner

Submitted by:



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 June 27/18 CofA Hearing, City of St. Catharines - Email 4

37 Chaplin Street
1 Dunn Street

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:21 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 4

Hello Elaine
Email 4 . Cogeco has no issues or concerns

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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



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

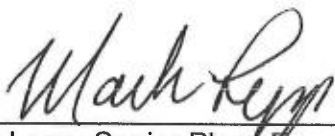
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

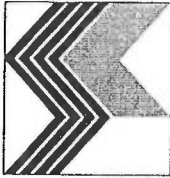
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

4. **24 Yates Street, Minor Variance Application, A-68/18 – 60.81.5357**

No comment.

5. **35 Ramsey Street, Minor Variance Application, A-69/18 – 60.81.5358**

No comment.

6. **121 Rykert Street, Consent Application, B-39/18SC – 60.84.2182**

121 Rykert Street, Minor Variance Application, A-72/18 – 60.81.5361

125 Rykert Street, Minor Variance Application, A-73/18 – 60.81.5362

Landscape strips smaller than 1.5m will be unable to sustain landscaping. As the majority of reductions represent pinch-points in the unusual lot configuration, PRCS offers no objections. Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round interest and screening in the rear yards. Staff note the raised deck at unit 10 could be re-located to provide additional landscaping, or lowered to maximize privacy.

7. **594 Scott Street, Consent Application, B-41/18SC – 60.84.2184**

590 Scott Street, Minor Variance Application, A-74/18 – 60.81.5363

592 Scott Street, Minor Variance Application, A-75/18 – 60.81.5364

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

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

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

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

8. **2C Lloyd Street, Minor Variance Application, A-79/18 – 60.84.5368**

2A Lloyd Street, Minor Variance Application, A-80/18 – 60.84.5369

No comment.

9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**

No comment.

10. **37 Chaplin Avenue, Minor Variance Application, A-76/18 – 60.81.5365**

Provided the additional parking area is located in the rear yard of the subject property, PRCS offers no objection.

11. 1 Dunn Street, Consent Application, B-46/18SC – 60.84.2189
3 Dunn Street, Consent Application, B-47/18SC – 60.84.2190
3 Dunn Street, Minor Variance Application, A-78/18 – 60.81.5367

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

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

12. 47 Regent Drive, Minor Variance Application, A-77/18 – 60.81.5366
No comment.

13. 32 Briarfield, Minor Variance Application, A-81/18 – 60.84.5370
No comment.

14. On Highland Avenue

- 99 South Drive, Consent Application, B-48/18SC – 60.81.2191
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 60.81.2193
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
99 South Drive, Consent Application, B-51/18SC – 60.81.2194
99 South Drive, Consent Application, B-52/18SC – 60.81.2195
99 South Drive, Consent Application, B-53/18SC – 60.81.2196
On Ridgewood Road
99 South Drive, Consent Application, B-54/18SC – 60.81.2197
99 South Drive, Consent Application, B-55/18SC – 60.81.5198
99 South Drive, Consent Application, B-56/18SC – 60.81.5199
99 South Drive, Consent Application, B-57/18SC – 60.81.5200

The applicant has submitted an assessment of the municipal boulevard trees on site. The report notes the combination of driveway access points, sidewalks, and overall tree health means that the 6 municipal boulevard trees set for removal are not good specimens for a pre-construction preservation plan. PRCS has reviewed the condition of the trees and proposed works and is in agreement with these findings.

Section 6.6 of the Garden City Plan notes that that public trees shall be replaced at a 2:1 replacement value. As such, the applicant will be responsible for depositing a cash payment for the replacement value of the existing municipal trees.

PRCS requests that the following conditions be included in a Development Agreement for the above noted consent applications;

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

That the applicant submit a payment of \$5,416.80 ($\$451.40 \times 6 \text{ trees} \times 2$) as compensation for the removal of 6 public trees.

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

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

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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018
Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

must be prepared by a qualified Engineer or Ontario Land Surveyor. This grading plan must be submitted to City Staff for review and approval. The drainage design shown on the grading plan must demonstrate how the subject lands and related structures will drain while at the same time not negatively impact adjacent properties. If the drainage design indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

22 & 23 Walker Street, A70 & 71/18:

Development Engineering issues (culvert, grading, servicing) will be dealt with at the building permit stage.

121 & 125 Rykert Street, A72 & 73/18:

Development Engineering issues are being dealt with through the Site Plan Process.

47 Regent Drive, A77/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent properties with the proposed reduction in side yard to 0.4m. A proposed grading plan for the entire property must be prepared by a qualified Engineer or Ontario Land Surveyor and submitted to City Staff for review and approval prior to granting this minor variance.

Condition(s):

Prior to granting final approval the following conditions must be met;

24 Yates Street, A68/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.
3. If the grading plan indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

47 Regent Drive, A-77/18:

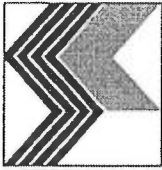
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-46/18SC (60.84.2189), B-47/18SC
(60.84.2190) & A-78/18 (60.81.5367)**

1 Dunn Street

**DATE OF HEARING:
June 27, 2018**

Munro, Elaine

To: Stuart, John (MNRF)
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

1 Dunn Street

From: Stuart, John (MNRF) [mailto:John.Stuart@ontario.ca]
Sent: Tuesday, June 12, 2018 3:30 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

Hi Elaine,

The lands subject to the noted applications are designated as 'Urban Area' under the Niagara Escarpment Plan (2017), but are not subject to Development Control. Due to this no Development Permit from the Niagara Escarpment Commission would be required for the proposed development (Lot Creation). As the lands are not under Development Control Part 1.7.4 of the NEP (2017) permits uses and the creation of new lots that are currently permitted under the implementing Zoning By-law. NEC Staff recognize that the subject lands are zoned 'R2 – Low Density Residential – Traditional Neighbourhood' under Zoning By-law 2013-283 which permits, among other uses, Townhouses. Minor Variance Application A-78/18 has been submitted to facilitate the development of three (3) townhouses by recognizing a deficient lot area for one of the lots. NEC Staff are of the opinion that the proposal would not have adverse impacts on the *Escarpment environment* and that there is no conflict with Part 1.7.4 or 1.7.5 of the Niagara Escarpment Plan (2017). Accordingly, NEC Staff offer no objection to the applications as proposed.

I trust this will be of assistance, should you require anything further please do not hesitate to contact me.

Kind regards,

John Stuart, MCIP, RPP
Senior Planner
Niagara Escarpment Commission
Telephone: (905) 877-7815
Fax: (905) 873-7452
Email: John.Stuart@ontario.ca
www.escarpment.org

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Munro, Elaine

To: Proximity
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

1 Dunn St.

From: Susanne Glenn-Rigny [mailto:Susanne.Glenn-Rigny@cn.ca] **On Behalf Of** Proximity
Sent: Tuesday, June 05, 2018 9:46 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

Good morning Elaine,

I have reviewed the information you sent on these projects and CN Rail has no comment or objections at this time.

Regards

Susanne

Susanne Glenn-Rigny, MCIP, RPP, OUQ
Agente principale/Senior Officer
Planification et développement communautaires/
Community Planning and Development
 Affaires juridiques/Law Department
935, rue de La Gauchetière Ouest
15e étage
Montréal (Québec) H3B 2M9
Téléphone: (514) 399-7844
Télécopieur: (514) 399-4296
Cell (514) 919-7844
Email: susanne.glenn-rigny@cn.ca

From: Munro, Elaine <emunro@stcatharines.ca>
Sent: Saturday, June 02, 2018 7:30 PM

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

1 Dunn St.

From: Aaron White [mailto:aaron.white@trilliumrailway.com]

Sent: Monday, June 04, 2018 10:41 AM

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

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

Hi Elaine,

Trillium will be removing the track near this location at some point later this year, so we have no requirements for this application.

Thanks,

Aaron White

Vice President Operations

Trillium Railway Co. Ltd

p. 905-735-5529 | f. 905-735-7559 | c. 289-968-9357



Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 4

37 Chaplin Street
1 Dunn Street

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

Sent: Monday, June 04, 2018 8:21 AM

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

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 4

Hello Elaine

Email 4 . Cogeco has no issues or concerns

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

From: Eldon Darbyson [mailto:edarbyson@thorold.com]
Sent: Monday, June 04, 2018 12:42 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines

Hi Elaine
No objections. I'm curious about a couple things.
You mentioned that the 3 unit townhouse is to be constructed.

Normally these applications come in after the building is constructed. Also, the MV is for lot area. What is St. Catharines review process for street towns and compliance with the zoning by-law knowing that they may be severed for tenure.

Thanks.

Respectfully,

Eldon Darbyson, MCIP, RPP
Manager of Planning

City of Thorold
Planning and Development Services
Phone: 905-227-6613 x 247
Fax: 905-227-5590
eMail: edarbyson@thorold.com

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[Learn all about the City's Zoning By-law Review at Zonethorold.ca](http://Zonethorold.ca)



Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Friday, June 08, 2018 10:20 AM
To: Munro, Elaine
Subject: 905-18-260 - Consent Application B-46 and B-47/18SC - Dunn Street

Good morning Elaine,

Bell Canada has no concerns regarding Applications for Consent B46 and B47/18SC, regarding Dunn 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, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-46/18SC – 1 Dunn Street

Comment:

- The application for the construction of the proposed 3 unit townhouse shall be approved and constructed completed to the satisfaction of the Chief Building Official

Condition:

- The demolition permits issued for the existing single detached dwelling and existing storage shed shall have the work completed to the satisfaction of the Chief Building Official.

B-47/18SC – 3 Dunn Street

Comment:

- The application for the construction of the proposed 3 unit townhouse shall be approved and constructed completed to the satisfaction of the Chief Building Official

Condition:

- The demolition permits issued for the existing single detached dwelling and existing storage shed shall have the work completed to the satisfaction of the Chief Building Official.

B-48/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-49/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

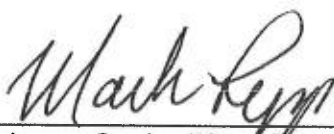
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

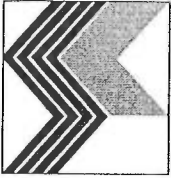
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

11. 1 Dunn Street, Consent Application, B-46/18SC – 60.84.2189
3 Dunn Street, Consent Application, B-47/18SC – 60.84.2190
3 Dunn Street, Minor Variance Application, A-78/18 – 60.81.5367

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

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

12. 47 Regent Drive, Minor Variance Application, A-77/18 – 60.81.5366
No comment.

13. 32 Briarfield, Minor Variance Application, A-81/18 – 60.84.5370
No comment.

14. On Highland Avenue

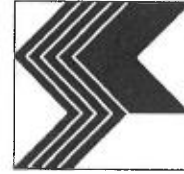
- 99 South Drive, Consent Application, B-48/18SC – 60.81.2191
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 60.81.2193
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
99 South Drive, Consent Application, B-51/18SC – 60.81.2194
99 South Drive, Consent Application, B-52/18SC – 60.81.2195
99 South Drive, Consent Application, B-53/18SC – 60.81.2196
On Ridgewood Road
99 South Drive, Consent Application, B-54/18SC – 60.81.2197
99 South Drive, Consent Application, B-55/18SC – 60.81.5198
99 South Drive, Consent Application, B-56/18SC – 60.81.5199
99 South Drive, Consent Application, B-57/18SC – 60.81.5200

The applicant has submitted an assessment of the municipal boulevard trees on site. The report notes the combination of driveway access points, sidewalks, and overall tree health means that the 6 municipal boulevard trees set for removal are not good specimens for a pre-construction preservation plan. PRCS has reviewed the condition of the trees and proposed works and is in agreement with these findings.

Section 6.6 of the Garden City Plan notes that that public trees shall be replaced at a 2:1 replacement value. As such, the applicant will be responsible for depositing a cash payment for the replacement value of the existing municipal trees.

PRCS requests that the following conditions be included in a Development Agreement for the above noted consent applications;

REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-46-47/18SC



June 5, 2018 **ENGINEERING FILE 300-36**

Hearing Date: June 27, 2018

Applicant: Nicolas Mencfeld

Location: 1 Dunn Street

EXISTING MUNICIPAL SERVICES

Dunn Street

Water: 150mm PVC

Sanitary Sewer: 375mm PVC +/-3m Depth

Storm Sewer: 200mm

Sidewalks: Yes

Road Allowance Width: +/-20.12m

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

Comment(s): It is noted that the Applicant proposes to create two new lots for the
purpose of constructing three townhouse dwellings.

Roads

Dunn Street is designated a Local Road as per the City's Official Plan with a desired right-of-way width of 20.12m. Its current width along the frontage of the subject lands is +/-20.12m, therefore a widening will not be required.

Municipal Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods may not have suitable drainage outlets in place. Individual lot grading 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 storm run-off to a suitable outlet and does not adversely affect abutting properties nor the City boulevard.

Sump pump flows are typically discharged to grade when no opportunities are available to connect to an existing storm sewer. Since there is an existing storm sewer on Dunn Street, sump pump flows shall be discharged to the storm sewer via new storm sewer laterals for each townhouse lot.

The Owner shall pay a fee to have City Crews locate and trace the existing water service and sanitary sewer laterals to the existing dwelling at 1 Dunn Street to ensure they do not cross future property lines to be created as a result of the severances. The size and condition of the existing services shall also be confirmed at that time to determine suitability for reuse. The fee charged for this investigation shall be in

accordance with the City's current Schedule of Rates & Fees and payment shall be made as a condition of severance.

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

The Owner shall pay the City to have three new storm laterals along with any new sanitary sewer laterals installed by City Crews from the municipal sewers on Dunn Street to the front property line. The fees charged shall be in accordance with the City's Schedule of Rates & Fees in place at the time and shall be paid at the Building Permit Application stage.


The Owner shall also pay to have two new water services installed by City Crews from the municipal watermain on Dunn Street to the front property line. The fee charged shall be in accordance with the City's Schedule of Rates & Fees in place at the time and shall be paid at the Building Permit application stage. If the existing water service is undersized and/or deemed unsuitable for reuse, it will be upgraded at approximately the same location to 25mm at no charge to the owner.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay to the City the fee to locate and trace the existing water service and sanitary sewer lateral to the existing home to ensure they do not cross any future lot lines; and
- Pay for and have City Crews relocate if necessary, any existing sewer laterals or water services within the right-of-way of Dunn Street, that are identified as crossing property lines to be created as a result of these severances; and
- Carry out all necessary relocation work on private property for the sanitary lateral and water service identified as crossing future property lines as a result of these severances through a Plumbing Only permit

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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018
Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-77/18 (60.81.5366)

47 Regent Drive

DATE OF HEARING:
June 27, 2018

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 5

47 Regent St.
32 Briarsfield Cres.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:22 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 5

Hello Elaine
Email 5 . Cogeco has no issues or concerns
Have a great day
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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Memorandum

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

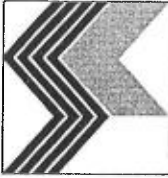
Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker 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 construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
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A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment



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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
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1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
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22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

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No comment.

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No comment.

14. On Highland Avenue

- 99 South Drive, Consent Application, B-48/18SC – 60.81.2191
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 60.81.2193
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
99 South Drive, Consent Application, B-51/18SC – 60.81.2194
99 South Drive, Consent Application, B-52/18SC – 60.81.2195
99 South Drive, Consent Application, B-53/18SC – 60.81.2196

On Ridgewood Road

- 99 South Drive, Consent Application, B-54/18SC – 60.81.2197
99 South Drive, Consent Application, B-55/18SC – 60.81.5198
99 South Drive, Consent Application, B-56/18SC – 60.81.5199
99 South Drive, Consent Application, B-57/18SC – 60.81.5200

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PRCS requests that the following conditions be included in a Development Agreement for the above noted consent applications;



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

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35 Ramsey Street, A-69/18
22 & 23 Walker Street, A-70 & 71/18
121 & 125 Rykert Street, A-72 & 73/18
590 & 592 Scott Street, A-74 & 75/18
37 Chaplin Avenue, A-76/18
47 Regent Drive, A-77/18
3 Dunn Street, A-78/18
2C & 2A Lloyd Street, A-79 & 80/18
32 Briarfield Crescent, A-81/18
1605 Third Avenue, A-82/18
114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

must be prepared by a qualified Engineer or Ontario Land Surveyor. This grading plan must be submitted to City Staff for review and approval. The drainage design shown on the grading plan must demonstrate how the subject lands and related structures will drain while at the same time not negatively impact adjacent properties. If the drainage design indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

22 & 23 Walker Street, A70 & 71/18:

Development Engineering issues (culvert, grading, servicing) will be dealt with at the building permit stage.

121 & 125 Rykert Street, A72 & 73/18:

Development Engineering issues are being dealt with through the Site Plan Process.

47 Regent Drive, A77/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent properties with the proposed reduction in side yard to 0.4m. A proposed grading plan for the entire property must be prepared by a qualified Engineer or Ontario Land Surveyor and submitted to City Staff for review and approval prior to granting this minor variance.

Condition(s):

Prior to granting final approval the following conditions must be met;

24 Yates Street, A68/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.
3. If the grading plan indicates changes are required to the existing grading and/or structures, these changes must be completed prior to granting final approval of this Minor Variance.

47 Regent Drive, A-77/18:

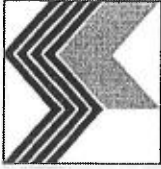
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-81/18 (60.81.5370)

32 Briarfield Crescent

DATE OF HEARING:
June 27, 2018

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 5

47 Regent St.
32 Briarsfield Cres.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, June 04, 2018 8:22 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 5

Hello Elaine
Email 5 . Cogeco has no issues or concerns
Have a great day
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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Privacy Policy and Anti-spam Commitment

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

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Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

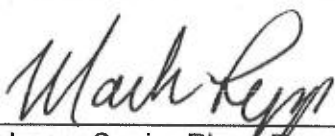
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

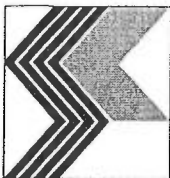
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

11. 1 Dunn Street, Consent Application, B-46/18SC – 60.84.2189
3 Dunn Street, Consent Application, B-47/18SC – 60.84.2190
3 Dunn Street, Minor Variance Application, A-78/18 – 60.81.5367

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

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

12. 47 Regent Drive, Minor Variance Application, A-77/18 – 60.81.5366
No comment.

13. 32 Briarfield, Minor Variance Application, A-81/18 – 60.84.5370
No comment.

14. On Highland Avenue

- 99 South Drive, Consent Application, B-48/18SC – 60.81.2191
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 60.81.2193
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
99 South Drive, Consent Application, B-51/18SC – 60.81.2194
99 South Drive, Consent Application, B-52/18SC – 60.81.2195
99 South Drive, Consent Application, B-53/18SC – 60.81.2196
On Ridgewood Road
99 South Drive, Consent Application, B-54/18SC – 60.81.2197
99 South Drive, Consent Application, B-55/18SC – 60.81.5198
99 South Drive, Consent Application, B-56/18SC – 60.81.5199
99 South Drive, Consent Application, B-57/18SC – 60.81.5200

The applicant has submitted an assessment of the municipal boulevard trees on site. The report notes the combination of driveway access points, sidewalks, and overall tree health means that the 6 municipal boulevard trees set for removal are not good specimens for a pre-construction preservation plan. PRCS has reviewed the condition of the trees and proposed works and is in agreement with these findings.

Section 6.6 of the Garden City Plan notes that that public trees shall be replaced at a 2:1 replacement value. As such, the applicant will be responsible for depositing a cash payment for the replacement value of the existing municipal trees.

PRCS requests that the following conditions be included in a Development Agreement for the above noted consent applications;



Memorandum

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

Cc: Kirstin Jensen, Planner I
Will Banda, Planning Technician
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 24 Yates Street, A-68/18
- 35 Ramsey Street, A-69/18
- 22 & 23 Walker Street, A-70 & 71/18
- 121 & 125 Rykert Street, A-72 & 73/18
- 590 & 592 Scott Street, A-74 & 75/18
- 37 Chaplin Avenue, A-76/18
- 47 Regent Drive, A-77/18
- 3 Dunn Street, A-78/18
- 2C & 2A Lloyd Street, A-79 & 80/18
- 32 Briarfield Crescent, A-81/18
- 1605 Third Avenue, A-82/18
- 114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

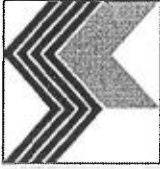
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-48/18SC (60.84.2191)
to B-57/18SC (60.84.2200)
& A-83/18 (60.81.5372)
to A-85/18 (60.81.5374)**

99 South Drive

**DATE OF HEARING:
June 27, 2018**

June 14, 2018

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

Attention: Elaine Munro

File# 60.84-2191 – 60.84.2200

Re: 99 South Dr

In response to your correspondence dated June 7, 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:

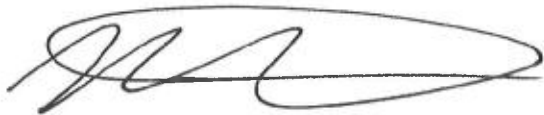
- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra 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:

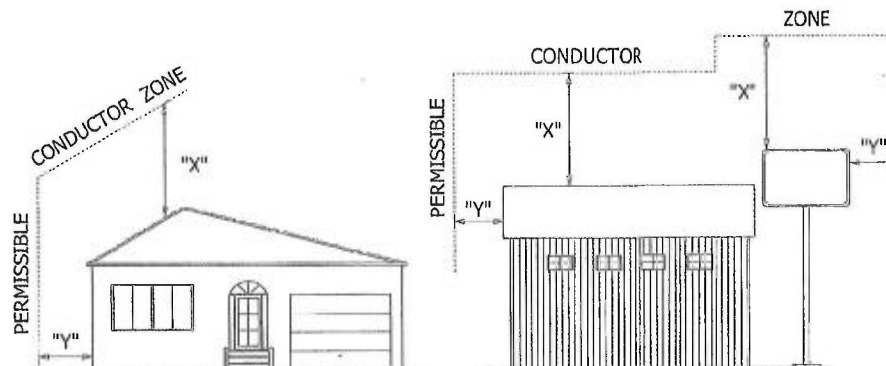
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

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



June 8, 2018

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

E-mail Only: Elaine Munro emunro@stcatharines.ca

**Subject: Application for Consent B-48, B-49, B-50, B51, B52, B53, B-54, B-55, B56,
B57/18SC
99 South Drive
St. Catharines
Bell File: 905-18-265**

We acknowledge receipt and thank you for your correspondence dated June 7, 2018.

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

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

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

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

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

Yours truly,

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

Charleyne Hall
Right of Way Associate



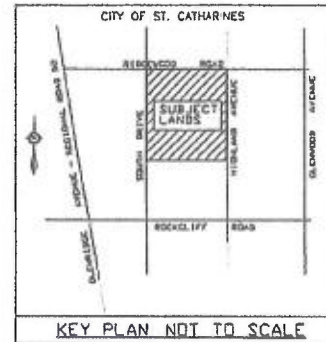
PRELIMINARY SKETCH FOR LAND SEVERANCE OF
PART OF LOT 2625,
CORPORATION PLAN No. 2
IN THE

CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

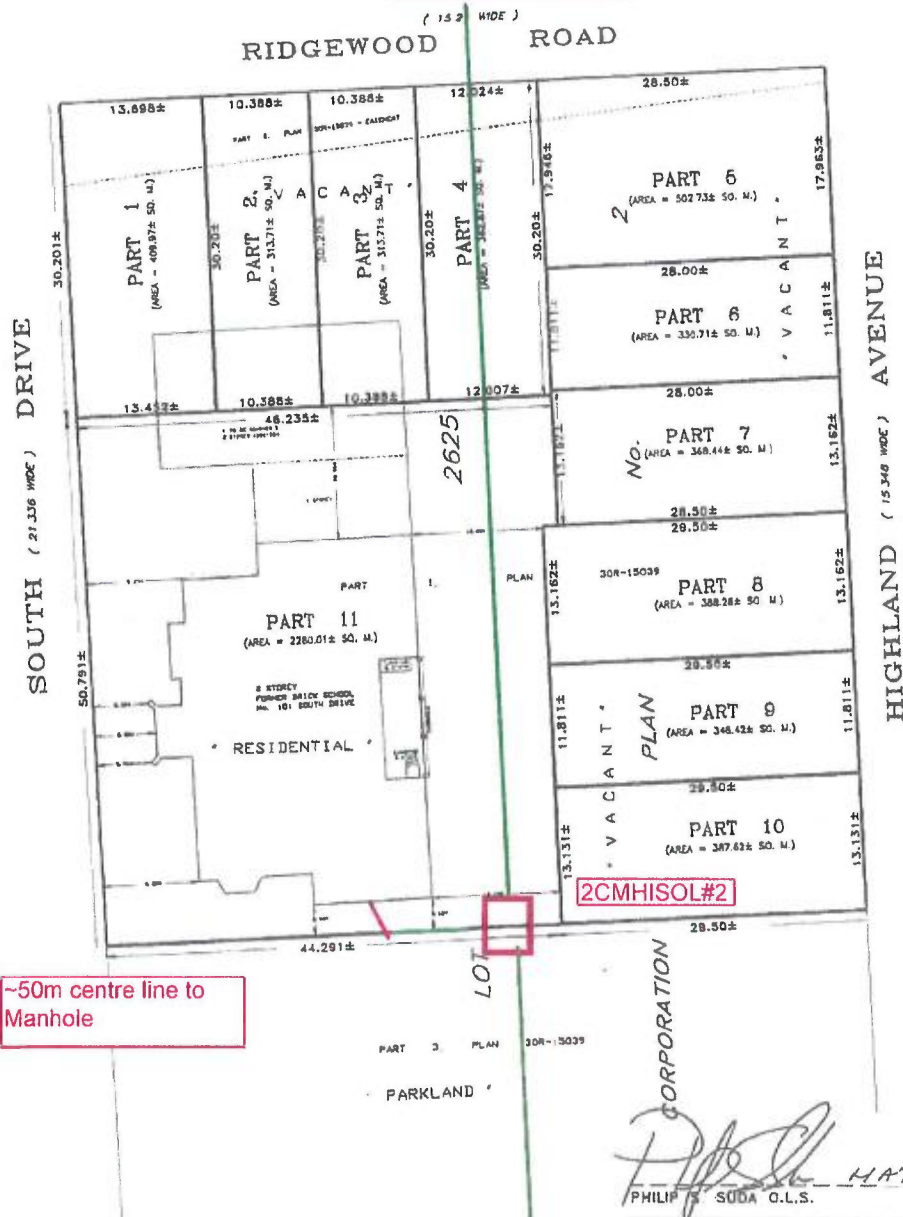
SCALE: 1 : 400

10 5 0 5 10 15 20
METRES

2018



~80m centre line to
Manhole



~50m centre line to
Manhole

2CMHISOL#2

PHILIP S. SUDA O.L.S. MAY 16, 2018 DATE

THIS SKETCH IS
SURVEYOR'S SEAL
CAUTION: THIS
BE USED FOR ANY
TITLE BLOCK
~60m to OPI/ONU PED S
101 South Dr

SUDA & MALESZYK SURVEYING INC.
ONTARIO LAND SURVEYORS
26 EAST MAIN STREET, SUITE 2
WELLAND, ONTARIO L3B 3W3
TEL: (905) 732-7651 FAX: (905) 732-7660
FILE: 18-35 JOB No: 5523-1

Munro, Elaine

Subject: RE: Very Last EMail RE: Last Applications for 99 South Drive: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 11

99 South Drive

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Thursday, June 07, 2018 1:36 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Very Last EMail RE: Last Applications for 99 South Drive: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 11

Hi Elaine
Cogeco has no issues or concerns

Have a happy sunny day

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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: Thursday, June 7, 2018 12:30 PM
To: Doug Crown
Subject: Very Last EMail RE: Last Applications for 99 South Drive: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 11

Subject: Very Last EMail RE: Last Applications for 99 South Drive: Committee of Adjustment Notices and Applications for the June 27/18 CofA Hearing, City of St. Catharines - Email 11



Memorandum

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

Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents –June 27, 2018 hearing - File No.: 300-036

B-38/18SC – 20 Walker Street

Comment:

- Be advised a building permit is required for the proposed single detached dwelling on Part 2.
- Be advised for the proposed accessory dwelling unit to be added to the dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements of glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the south face of the existing dwelling on Part 1.
- The existing detached garage on Part 2 is to be removed. A building permit is required for the demolition and the work shall be completed to the satisfaction of the Chief Building Official.

B-39/18SC – 121 Rykert Street

Comment:

- Be advised that separate demolition permits are required for the existing dwelling, garage, and any other structures on part 2 or 3 which exceed 10 square meters in area prior to proceeding with development on Parts 2 and 3.
- Be advised that structures less than 10 square meters in area are to be removed from Part 2 and 3 prior to development.

B-46/18SC – 1 Dunn Street

Comment:

- The application for the construction of the proposed 3 unit townhouse shall be approved and constructed completed to the satisfaction of the Chief Building Official

Condition:

- The demolition permits issued for the existing single detached dwelling and existing storage shed shall have the work completed to the satisfaction of the Chief Building Official.

B-47/18SC – 3 Dunn Street

Comment:

- The application for the construction of the proposed 3 unit townhouse shall be approved and constructed completed to the satisfaction of the Chief Building Official

Condition:

- The demolition permits issued for the existing single detached dwelling and existing storage shed shall have the work completed to the satisfaction of the Chief Building Official.

B-48/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-49/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

B-49/18SC – 99 South Drive – cont.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-50/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-51/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-52/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-53/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 3 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-54/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 4 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-55/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 4 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

B-56/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 4 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)

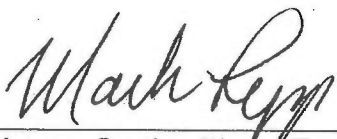
B-57/18SC – 99 South Drive

Comment:

- Be advised that a building permit is required for the construction of the proposed 4 unit townhouse.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements of subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code spatial for the north and east faces of existing structures on Part 11.)



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, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

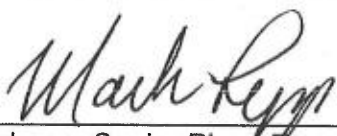
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 27, 2018 hearing- File No.: 300-010

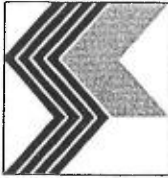
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard may have spatial separation implications affecting the permitted area of glazed openings. Be advised that a building permit is required for the proposed construction of a single detached dwelling on Part 2.
A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-73/18	125 Rykert 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 3 townhouse units.
A-74/18	590 Scott Street	No Comment
A-75/18	592 Scott Street	No Comment
A-76/18	37 Chaplin Street	Be advised that a building permit is required for the proposed alteration to triplex.
A-77/18	47 Regent Drive	Be advised that a reduction in the required yard will have a 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 addition.
A-78/18	3 Dunn Street	No Comment
A-79/18	2C Lloyd Street	No Comment

NO.	ADDRESS	COMMENTS
A-80/18	2A Lloyd Street	No Comment
A-81/18	32 Briarfield	Be advised that a reduction in the required yard will have a 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 attached garage addition.
A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland 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 3 unit townhouse.
A-84/18	116 Highland 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 3 unit townhouse.
A-85/18	118 Highland 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 3 unit townhouse.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2018\11 bcoa memo-mv-June27/18, 2017.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. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, A-82/18 – 60.81.5371
No comment.
3. **20 Walker Street, Consent Application, B-38/18SC – 60.84.2181**
22 Walker Street, Minor Variance Application, A-70/18 – 60.81.5359
24 Walker Street, Minor Variance Application, A-71/18 – 60.81.5360
Please be advised that we have reviewed the above-noted applications and request the following be included as a condition of severance:

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

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

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

11. 1 Dunn Street, Consent Application, B-46/18SC – 60.84.2189
3 Dunn Street, Consent Application, B-47/18SC – 60.84.2190
3 Dunn Street, Minor Variance Application, A-78/18 – 60.81.5367

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

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

12. 47 Regent Drive, Minor Variance Application, A-77/18 – 60.81.5366
No comment.

13. 32 Briarfield, Minor Variance Application, A-81/18 – 60.84.5370
No comment.

14. On Highland Avenue

- 99 South Drive, Consent Application, B-48/18SC – 60.81.2191
114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 60.81.2193
118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374
99 South Drive, Consent Application, B-51/18SC – 60.81.2194
99 South Drive, Consent Application, B-52/18SC – 60.81.2195
99 South Drive, Consent Application, B-53/18SC – 60.81.2196
On Ridgewood Road
99 South Drive, Consent Application, B-54/18SC – 60.81.2197
99 South Drive, Consent Application, B-55/18SC – 60.81.5198
99 South Drive, Consent Application, B-56/18SC – 60.81.5199
99 South Drive, Consent Application, B-57/18SC – 60.81.5200

The applicant has submitted an assessment of the municipal boulevard trees on site. The report notes the combination of driveway access points, sidewalks, and overall tree health means that the 6 municipal boulevard trees set for removal are not good specimens for a pre-construction preservation plan. PRCS has reviewed the condition of the trees and proposed works and is in agreement with these findings.

Section 6.6 of the Garden City Plan notes that that public trees shall be replaced at a 2:1 replacement value. As such, the applicant will be responsible for depositing a cash payment for the replacement value of the existing municipal trees.

PRCS requests that the following conditions be included in a Development Agreement for the above noted consent applications;

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

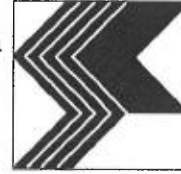
That the applicant submit a payment of \$5,416.80 ($\$451.40 \times 6 \text{ trees} \times 2$) as compensation for the removal of 6 public trees.

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

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-48,54-57/18SC



June 7, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: 1473941 Ontario Limited

Location: 99 South Drive – Ridgewood Road Frontage (Parts 1-5)

MUNICIPAL SERVICES

	Ridgewood Road	Highland Avenue
Water:	200mm (10") P.V.C.	150mm (6") P.V.C.
Sanitary:	250mm (10") Clay (no further east than 45.0m south drive)	450mm (18") Clay
Storm:	900mm (36") (Bisecting Parts 1-5)	375mm (15")
Sidewalks:	Yes	No
Road Allowance:	15.24m± (50')	15.24m± (50')

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1, 2, 3, 4 & 5 creating new lots to be known as 14, 16, 18 & 20 Ridgewood Road respectively and 114 Highland Avenue for the purposes of constructing a 4-unit townhouse on Ridgewood Road and one unit of a 3-unit townhouse on Highland Avenue. The remnant parcels (Parts 6-10) would be retained for future residential use as townhouses and a condominium apartment.

Roads

It is noted the proposed development fronts four existing municipal roadways, South Drive, Ridgewood Road and Highland Avenue. All above roads are designated as Local roads in the City's Official Plan with an ultimate desired right-of-way width of 20.0m (66'). South Drive is currently 21.4m (70') ± wide, Ridgewood Road is currently 15.2m (50') ± and Highland Avenue is currently 15.2m (50').

A 1.0m road widening along both the Ridgewood Road and Highland Avenue frontages will be required to be dedicated to the City to accommodate future sidewalks, utility upgrades and boulevard tree plantings.

The City plans on reconstructing Highland Avenue through a City contract in late 2018. The works include road surface improvements from concrete road to typical granular and asphalt road cross-section, as well as grading, drainage and boulevard improvements inclusive of sidewalk rehabilitation and future installation along the west side.

Although sidewalks do not exist along the Highland Avenue frontage at this time, the City requires sidewalks along this frontage be constructed to complete the existing sidewalk network.

The City shall secure a cash deposit for the installation of the 1.50m wide sidewalk from the Owner in order to guarantee the Owner constructs the sidewalk along the Highland Avenue frontage after development of the street towns. The fee deposit shall be in accordance with the City's current Schedule of Rates & Fees plus an additional 20% contingency allowance, at the time of payment.

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. Although individual lot drainage plans are required at the building permit stage for review to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet and do not adversely affect abutting properties, the Owner shall submit a Master Grading Control Plan for the entire development prepared by a licensed professional engineer in the civil discipline, for review and approval as a condition of severance.

Sump pump flows typically discharge to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since storm sewers exist on both Ridgewood Road and Highland Avenue, foundation weeping tile flows shall be collected via sump pump and discharged via storm sewer lateral to the available storm sewers.

A local municipal storm sewer traverses the frontages of Parts 1-5 along Highland Avenue. A servicing easement has been established by the Municipality to ensure continued perpetual maintenance of the storm sewer over the subject lands noted specifically as Part 2, Plan 30R-15039. This easement lies within the proposed Parts 1-5 subject lands, to which the City restricts permanent structures within. The Owner shall be responsible to ensure no permanent structures are not located within the existing storm sewer easement, and identify through purchase and sale agreements to future owners the expectations of such.

The Owner shall also be responsible to pay the City the fee to locate and trace the existing sewer and water laterals from the existing school on Part 11 to ensure they does not cross future potential and existing adjacent neighbouring lot lines. If it is determined that these existing services cross future potential and/or abutting lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit to provide new services within the road allowance on South Drive in order for the property to be serviced individually.

Given the proposed lots will require installation of new individual services, the Owner will be required to enter into a servicing agreement with the City in order for the Owner's Engineering Consultant and Contractor to be responsible for the design and construction of those services and submit applicable securities to ensure the work is completed to the City's satisfaction.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate and trace the sewer and water laterals servicing the existing building on Part 11 in accordance with the current Schedule of Rates and Fees. The sewer and water services for Part 11 must be independent and not cross a future or an existing adjacent property line. The Owner shall be

required to provide separate services in order for each property to be serviced individually; and

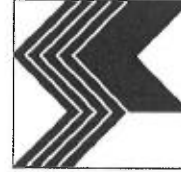
- If the Owner decides to complete the servicing works the Owner shall enter into an Agreement with the City of St. Catharines for the design and construction of services to the satisfaction of the City Engineer and shall include but not be limited to:
 - Install all water, storm and sanitary laterals to each unit,
 - Install rear yard catchbasins, if required
 - Prepare a Master Grading Control Plan for the entire development and complete the final grading for all properties as per the Master Grading Control Plan
 - Replace the asphalt for the full width of the road across the frontage of Ridgewood Road and Highland Avenue, and
- The terms of the Agreement include, but not be limited to, the following:
 - be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.;
 - hire an Engineer that shall; design all of the works covered by this agreement, prepare servicing and grading plans, profiles and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works on an as-required basis, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - be responsible for all costs associated with the construction of the improvements, including City inspection of the work;
 - be required to deposit substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
 - provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works
- If the Owner decides to complete the servicing works the Owner shall ensure the Agreement as abovementioned is executed and registered on Title of the subject lands; and
- Pay to the City a cash deposit for the installation of a 1.50m wide sidewalk along the Highland Avenue frontage after development of the street towns has occurred; and
- Prepare a draft reference plan for the City's review and approval identifying the proposed parts to be dedicated to the City as Public Highway known as Ridgewood Road and Highland Avenue; and
- Dedicate to the City free and clear of any encumbrances a 1.0m road widening along the frontages of Ridgewood Road and Highland Avenue to be declared as Public Highway known as Ridgewood Road and Highland Avenue;



Prepared By: _____

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-49-53/18SC



June 7, 2018

ENGINEERING FILE 300-36

Hearing Date: June 27, 2018

Applicant: 1473941 Ontario Limited

Location: 99 South Drive – Highland Avenue Frontage (Parts 6-10)

MUNICIPAL SERVICES

Highland Avenue

Water: 150mm (6") P.V.C.

Sanitary: 450mm (18") Clay

Storm: 375mm (15")

Sidewalks: No

Road Allowance: 15.24m± (50')

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

Comment(s): It is noted that the Applicant proposes to sever Parts 6 – 10 creating new lots to be known as 116, 118, 120, 122 & 124 Highland Avenue for the purposes of constructing two units of a 3-unit townhouse and three further units for a 3-unit townhouse on Highland Avenue. The remnant parcels (Parts 1-5 & 11) would be retained for future residential use as townhouses and a condominium apartment.

Roads

It is noted the proposed development fronts four existing municipal roadways, South Drive, Ridgewood Road and Highland Avenue. All above roads are designated as Local roads in the City's Official Plan with an ultimate desired right-of-way width of 20.0m (66'). South Drive is currently 21.4m (70') ± wide, Ridgewood Road is currently 15.2m (50') ± and Highland Avenue is currently 15.2m (50').

A 1.0m road widening along the Highland Avenue frontage will be required to be dedicated to the City to accommodate future sidewalks, utility upgrades and boulevard tree plantings.

The City plans on reconstructing Highland Avenue through a City contract in late 2018. The works include road surface improvements from concrete road to typical granular and asphalt road cross-section, as well as grading, drainage and boulevard improvements inclusive of sidewalk rehabilitation and future installation along the west side.

Although sidewalks do not exist along the Highland Avenue frontage at this time, the City requires sidewalks along this frontage be constructed to complete the existing sidewalk network.

The City shall secure a cash deposit for the installation of the 1.50m wide sidewalk from the Owner in order to guarantee the Owner constructs the sidewalk along the Highland Avenue frontage after development of the

street towns. The fee deposit shall be in accordance with the City's current Schedule of Rates & Fees plus an additional 20% contingency allowance, at the time of payment.

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. Although individual lot drainage plans are required at the building permit stage for review to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet and do not adversely affect abutting properties, the Owner shall submit a Master Grading Control Plan for the entire development prepared by a licensed professional engineer in the civil discipline, for review and approval as a condition of severance.

Sump pump flows typically discharge to grade when no opportunities to connect to a storm sewer in the road allowance exist. Since storm sewers exist on both Ridgewood Road and Highland Avenue, foundation weeping tile flows shall be collected via sump pump and discharged via storm sewer lateral to the available storm sewers.

The Owner shall also be responsible to pay the City the fee to locate and trace the existing sewer and water laterals from the existing school on Part 11 to ensure they does not cross future potential and existing adjacent neighbouring lot lines. If it is determined that these existing services cross future potential and/or abutting lot lines, the Owner shall be responsible to complete works on private property through a Plumbing Only permit to provide new services within the road allowance on South Drive in order for the property to be serviced individually.

Given the proposed lots will require installation of new individual services, the Owner will be required to enter into a servicing agreement with the City in order for the Owner's Engineering Consultant and Contractor to be responsible for the design and construction of those services and submit applicable securities to ensure the work is completed to the City's satisfaction.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate and trace the sewer and water laterals servicing the existing building on Part 11 in accordance with the current Schedule of Rates and Fees. The sewer and water services for Part 11 must be independent and not cross a future or an existing adjacent property line. The Owner shall be required to provide separate services in order for each property to be serviced individually; and
- If the Owner decides to complete the servicing works the Owner shall enter into an Agreement with the City of St. Catharines for the design and construction of services required to the properties along Highland Avenue to the satisfaction of the City Engineer and shall include but not be limited to:
 - Install all water, storm and sanitary laterals to each unit,
 - Install rear yard catchbasins, if required
 - Prepare a Master Grading Control Plan for the entire development and complete the final grading for all properties as per the Master Grading Control Plan
 - Replace the asphalt for the full width of the road across the

frontage of Highland Avenue, and

- The terms of the Agreement include, but not be limited to, the following:
 - be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.;
 - hire an Engineer that shall; design all of the works covered by this agreement, prepare servicing and grading plans, profiles and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works, prior to their construction, supervise and inspect the construction of the works on an as-required basis, including the setting and checking of all lines and grades, etc. prior to, during and after construction;
 - be responsible for all costs associated with the construction of the improvements, including City inspection of the work;
 - be required to deposit substantial funds with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement;
 - provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works
- If the Owner decides to complete the servicing works the Owner shall ensure the Agreement as abovementioned is executed and registered on Title of the subject lands; and
- Pay to the City a cash deposit for the installation of a 1.50m wide sidewalk along the Highland Avenue frontage after development of the street towns has occurred; and
- Prepare a draft reference plan for the City's review and approval identifying the proposed parts to be dedicated to the City as Public Highway known as Highland Avenue; and
- Dedicate to the City free and clear of any encumbrances a 1.0m road widening along the frontage of Highland Avenue to be declared as Public Highway known as Highland Avenue;



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
Brad Johnston, C.E.T., Development Technologist
Shannon Labelle

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

Date: June 6th, 2018

Hearing Date: June 27th, 2018

Subject: Engineering Comments regarding C of A Minor Variances for the following;

24 Yates Street, A-68/18
35 Ramsey Street, A-69/18
22 & 23 Walker Street, A-70 & 71/18
121 & 125 Rykert Street, A-72 & 73/18
590 & 592 Scott Street, A-74 & 75/18
37 Chaplin Avenue, A-76/18
47 Regent Drive, A-77/18
3 Dunn Street, A-78/18
2C & 2A Lloyd Street, A-79 & 80/18
32 Briarfield Crescent, A-81/18
1605 Third Avenue, A-82/18
114, 116 & 118 Highland Ave, A-83, 84 & 85/18

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

24 Yates Street, A68/18:

Development Engineering have significant concerns regarding the impact of surface and roof water run-off from the subject property and the "cabana" on adjacent properties. A grading plan for the subject property

47 Regent Drive, A-77/18:

1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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: June 7, 2018

Subject: Committee of Adjustment
Public Hearings – June 27, 2018
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/