

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



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): B-45/18SC

File: 60.84.2188

Subject: 63 Main Street
65 Main Street

Recommendation

That Submission **B-45/18SC** by Canadian Henley Rowing Corporation, as outlined in the Notice of Hearing, be approved subject to the following condition:

1. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the northeast and southeast faces of the existing dwelling on Part 1 meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code;
2. Pay the fee for City crews to locate the sewer and water laterals servicing the existing buildings. The sewer and water services must be independent and not cross any abutting and/or future lot line. If either or both sewer and water services cross onto abutting and/or future potential lot lines, separate services must be installed to the satisfaction of the City Engineer; and
3. If it is determined that servicing is not located solely within the proposed lot (Part 1), the Owner shall undertake and complete works to achieve individually services lots. The Owner shall be responsible for all costs.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff are satisfied that application **B-45/18SC** is desirable for the appropriate use of the land and upholds the intent and purpose of the Official Plan.

The Proposal

Application **B-45/18SC** is made for consent to a partial discharge of mortgage and for consent to sever 453.5m² of land (Part 1 on the submitted sketch) known as 65 Main Street with the existing two-storey single detached dwelling. A 2628.3m² remnant parcel (Parts 2 & 3) with the existing grandstand and detached garage would be retained. There is an approved minor variance application **A-54/17** and a previously approved consent application **B-33/17SC**.

Location and Site Description

The subject property is located on the south side of Main Street, north of Ann Street. The subject property is surrounded by detached houses to the east and west, apartment dwellings to the north, and Martindale Pond to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential and Parkland & Open Space as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential and Parkland & Open Space as per Schedule E1 of the GCP. The Low Density Residential designation (applicable to all of Part 1 & 2) permits detached, semi-detached, triplex, fourplex, quadruplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. The Parkland & Open Space designation (applicable to all of Part 3) permits various park and related open space uses.

Zoning By-law (2013-283)

The majority of Parts 2 and 3, except for the most northerly 4.0 metres (approximate) of Part 2, is zoned Minor Green Space (G2). The most northerly 4.0 metres (approximate) of Part 2 together with Part 1 is zoned Low Density Residential – Traditional Neighbourhood (R2-7). The R2 zone permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings. Special Provision 7 restricts the maximum building height to 9 metres. The G2 zone permits a variety of uses and structures that contribute to the use of the land as a neighbourhood park, including boat ramps, picnic shelters, outdoor recreation facilities, and trails, with accessory uses including maintenance/utility buildings, and spectator seating. There is a maximum permitted lot coverage of 10%.

Report

Consent was previously approved in 2017 (**B-33/17SC**) for a boundary adjustment that was meant to result in a lot for the detached dwelling (Part 1) of 453.5 sq. metres and a 400.3 sq. metre parcel with the garage (Part 2) which was to be added to the grandstand lands (Part 3). The garage on Part 2 was to be retained as an accessory storage structure within the grandstand lands. A variance was previously granted in 2017 also, for the subject properties (**A-54/17**), for an increase of the maximum lot coverage from 10% to 37% (for Parts 2 and 3). The variance was requested to recognize the existing grandstand, the one-storey block building and the detached garage on those Parts.

The current consent application is essentially identical to the previous consent application. In April of 2017, the intention of both applications at that time was so that the residential dwelling on Part 1 would be severed as it was surplus to the needs of the Canadian Henley Rowing Corporation (CHRC). The previous application intended to

sever Part 2 from the subject lands and have it merge with Part 3. The retained parcel would have been Part 1. However, the first application did not recognize an inadvertent merger of all three parcels. The new application is necessary to recognize the fact that Parts 1, 2 and 3 had legally merged in title prior to the first application. Part 3 was acquired by a predecessor corporation in 1931, namely The Henley Aquatic Association Limited.

The CHRC acquired the adjacent residential parcel (Part 1) on March 28th, 2013. At that time, the two properties were under separate ownership. However, on October 9th, 2013, the lands were vested with the CHRC through a Superior Court Order. As of that date, CHRC was the legal owner of Parts 1, 2 and 3 on the severance sketch. Despite being treated independently, all three parcels would have inadvertently merged in law. The prior application was approved by the Committee of Adjustment in May 2017. However, in working through the conditions for this severance, it was determined that Parts 1, 2 and 3, all owned by CHRC, should have been considered as one parcel merged in title by common ownership.

As such, the first application only addressed the severance of Part 2 from Part 1, but the applicant is now recognizing that it should have included Part 3 also. In the first application, consent was granted to convey Part 2 on the sketch. The application should have requested that Part 1 be the subject parcel, so that a transfer could be made relying on a certificate of consent for that part. The end result in the first application was that the parcel containing the dwelling could not be separated. In the current application, request is made to ensure that Part 1 containing the dwelling unit is legally severed from the adjacent grandstand property. Hence, the need to undertake an additional consent application at this time.

Both the new and remnant parcels conform to the provisions of the Zoning By-law and Official Plan. Staff are supportive of the proposed consent.

Conclusion

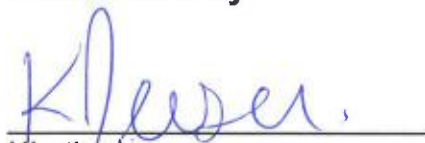
Staff are satisfied that the consent requested through application **B-45/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the approval of the proposed lots. Staff find that the applications uphold the intent and purpose of the Official Plan and Zoning By-law, and it is staff's recommendation that the requested consents be approved subject to the condition outlined in the recommendation.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

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



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

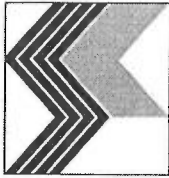
B-45/18CS – 63 Main Street

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

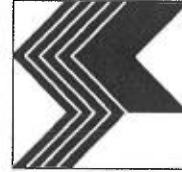
1. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, 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.

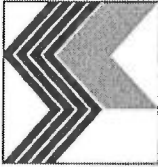
Condition(s): Prior to the severance finalization the Owner shall;

- 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**



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): B-43/18SC
B-44/18SC
A-82/18

File: 60.84.2186
60.84.2187
60.81.5371

Subject: 1629 Third Avenue
1605 Third Avenue

Recommendation

That Submission **B-43/18SC** and **B-44/18SC** by Peter Sikking, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. 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;
2. 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;
3. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for: the north and east faces of the existing storage building on Part 1, the east face of the existing dwelling on Part 1, the east and south faces of the existing dwelling on Part 3, and the north and west faces of the existing dwelling on Part 6, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable;
4. Part 2 (16.26 acres), be merged in title with the abutting easterly parcel of land known as 1605 Third Avenue Louth (Part 3); and,
5. No new permanent dwelling is permitted to be constructed on the merged parcels, Parts 2 and 3, unless the existing primary dwelling is first demolished, and so long as the construction of any new dwelling will not result in the removal of active farmland.

That Submissions **A-82/18** by Peter Sikking, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-43/18SC** and **B-44/18SC** are desirable and compatible with the surrounding area, will not result in adverse impacts on surrounding properties, and comply with the surplus farm dwelling severance policies of the City's Official Plan. Additionally, having regard for the matter under Section 45 (1) of the Planning Act, staff is of the opinion that application **A-82/18** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

Proposed Development

Application **B-43/18SC** is made for consent to sever 0.431 Ha (4289.668 m²) of land (Part 1 on the submitted sketch) for the disposal of a surplus farm dwelling known as 1629 Third Avenue Louth. A 6.582 Ha (65801.885 m²) (Part 2) remnant parcel is to merge with the abutting easterly parcel of land known as 1605 Third Avenue Louth (Part 3). There is a concurrent consent application **B-44/18SC**.

Application **B-44/18SC** is made for consent to sever 0.4 Ha (4050 m²) of land (Parts 4, 5, 6 & 7 on the submitted sketch) 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 direct connection to an irrigation pipe, and subject to an easement in perpetuity over 116.8m² of land (Part 7) for access purposes to benefit the northerly abutting lot, known as 1609 Third Avenue Louth (Part 3).

Application **A-82/18** is requesting to vary Zoning By-law 2013-283 for the following minor variances to facilitate the concurrent consents **B-43/18SC** & **B-44/18SC** to sever the surplus farm dwellings and to merge Parts 2 & 3:

1. A reduction of the minimum lot frontage for Part 3 from 60 metres to 53.93 metres;
2. A reduction of the minimum interior side yard setback to the existing dwelling on Part 3 from 15 metres to 5.5 metres; and,
3. A reduction to the minimum required lot area from 16.2 hectares to 13.17 hectares to reflect the size of the merged parcels (Part 2 and 3).

Location and Site Description

The subject property is located on the north side of Third Avenue Louth and west of Fifth Street, and is surrounded by detached dwellings and farmland in all directions.

Circulation of Application

The application was circulated to all appropriate departments and agencies: the Regional Municipality of Niagara has objected to application B-44/18SC.

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Agriculture as per Schedule D1 of the Garden City Plan (GCP) and further designated Agriculture as per Schedule E11 of the GCP. The Agriculture designation permits a full range of agriculture uses including vineyards, livestock, field crops, fruits, vegetables, greenhouses and horticultural specialties, existing single-detached residential dwellings, new detached dwellings where related and secondary to a main agricultural use, or on an existing vacant lot of record, subject to the applicable policies of this plan, agriculture farm related small scale commercial and farm related small scale industrial uses, kennels, linear infrastructure and utilities, administrative facilities, and compatible forestry and natural area uses.

Zoning By-law (2013-283)

The subject land is zoned Agriculture (A1). The A1 zone permits agriculture farm related commercial or industrial uses, agriculture farm, detached dwellings, kennels, agri-tourism, help houses, home industry and wineries.

Report

The Garden City Plan permits the severance of a dwelling, not including a help house, that becomes surplus to an agricultural operation as a result of a farm consolidation where two or more farms have been amalgamated to form one contiguous parcel of land under one ownership.

Consents for a surplus farm dwelling are subject to a number of criteria, including: the remnant parcel of agricultural land must be merged in title with an abutting viable farm property; the surplus dwelling must be of sufficient quality and value to warrant its retention on the severed property and its use as a non-farm residence; the dwelling proposed for severance is surplus to the present and anticipated needs of the agricultural operation for farm residence and for farm help houses; the surplus dwelling meets the Minimum Distance Separation Formulae as established by Provincial standards; the dwelling was an existing use as of December 16, 2004; the size of the surplus dwelling lot does not exceed an area of 0.4 hectares of land except to the extent that additional area is required to support a sustainable private system as determined by the Ontario Building Code or by the Ministry of the Environment; the new lot must have sufficient frontage on an existing publicly maintained road; and, that as a condition of severance, the applicant must have the remnant agricultural parcel of land rezoned to preclude its use for residential purposes in perpetuity.

In regards to the subject applications, there are 3 dwellings located on 1629 Third Avenue and 1609 Third Avenue. As the result of the proposed farm consolidation, two of the dwellings are both considered to be surplus to the needs of the farm operation. This is somewhat of a unique situation as typically a surplus farm dwelling severance involves the severance of one dwelling. Both of the proposed surplus dwellings have existed for at least 30 years. Because the merged parcels of land (Part 2 and 3) will still contain a dwelling, and the zoning by-law only permits one permanent residence on a farm parcel,

there is no need to rezone the merged farm parcel (Part 2 and 3) to preclude its use for construction of a new additional dwelling as this would not currently be permitted in the zoning by-law regardless.

Both the proposed surplus farm dwelling lots satisfy the maximum lot area requirements established in the Official Plan. Staff are satisfied that the applications to sever the surplus farm dwellings are appropriate for the area, meet the intent of the surplus farm dwelling severance policies contained in the City's Official Plan, and as such recommend approval of the consent applications subject to the conditions outlined in this report.

Although the combined remnant parcels (Part 2 and 3) is slightly deficient with respect to the required lot area and frontage for an agricultural farm use, the application will result in the creation of a significantly larger farm parcel and contribute to the potential increased viability of the lands to support a farm operation. Staff support the requested variances for lot frontage and lot area for the farm parcel to be created (Parts 2 and 3).

The requested reduction of the minimum interior side yard setback from 15 metres to 5.5 metres on Part 3 is a function of the requested consents to maintain enough land with the surplus farm dwelling (Parts 4, 5, 6 and 7) to accommodate the location of an existing septic bed to serve the existing dwelling. The requested reduction will not negatively impact an appropriate buffer between the proposed surplus farm dwelling lot and the existing dwelling to be retained with the farm operation. Staff are also satisfied that the requested variances to facilitate the surplus farm dwelling severances are minor in nature, desirable and appropriate for the use of the land and are in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

In regards to the Minimum Distance Separation requirements of the Ministry of Agriculture, Food and Rural Affairs, the subject properties are in the vicinity of a known livestock operation as determined by the City's Development Constraints map of the Garden City Plan. However, the MDS guidelines only apply to the creation of a new lot for residential purposes or agricultural use. The proposed applications do not result in the creation of either, and as such, the MDS guidelines do not apply in this situation.


Region of Niagara Planning staff have submitted comments regarding the proposed consents. Regional staff have no objection to the proposed consent application for 1629 Third Avenue (B-43/18SC) as the application is considered to be consistent with Provincial and Regional policies for surplus farm dwelling severances. In regards to the severance of Parts 4 through 7 (1609 Third Avenue Louth) from Part 3 (1605 Third Avenue Louth), Regional staff are not in support of this application. Comments provided indicate that the proposal, that being 2 surplus farm dwellings existing currently on one lot being severed from one another, does not specifically meet the letter of their policies. The Regional Official Plan does not permit a residential dwelling to be permitted in perpetuity on a retained lot of farmland created by a severance. In the City's opinion, this proposal does not constitute a typical severance application as there are 2 existing surplus farm dwellings on one property. There was also concern expressed by the Region that the second dwelling (1605 Third Avenue Louth) was in actually a farm help house, but the applicant and City staff have confirmed that the house is a legally existing single

detached dwelling. The proposal abides by City policies and as such, City staff are supportive of the applications for consent despite the lack of Regional support.


Conclusion

Staff are satisfied that the consents requested through applications **B-43/18SC** and **B-44/18SC** are desirable and compatible with the surrounding area, that there will not be any adverse impacts on surrounding properties, and that the applications satisfy the surplus farm dwelling severance policies in the City's Official Plan. Additionally, staff are satisfied that the variances requested through Submission **A-82/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consents and variances be approved subject to the conditions outlined in the recommendation.

Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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

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

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

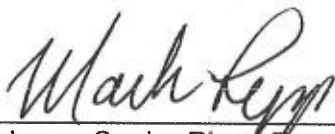
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

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

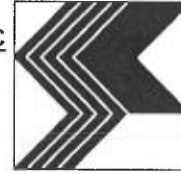
1. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, 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:

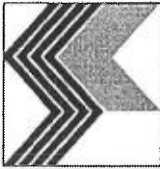
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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**

File # 60.81.5359

Submission # A-70/18

In regards to the minor variance application for 22 Walker Avenue and a proposed 24 Walker Avenue

We, residents of 12 Walker Avenue, are against the applicants request to vary Zoning By-law 2013-283 for the variances in regards to the proposed construction of a single detached dwelling (to be known as 22 Walker Ave) (including the concurrent consent application B- 38/18SC)

- we are not in agreement with reducing the back yard from 7.5 metres to 6 metres.
- We are not in agreement to reducing the minimum lot area per dwelling unit from 400 metres squared to 355 metres squared.
- We are not against the construction of a pergola

We, residents of 12 Walker Avenue, are against the applicants request to vary Zoning By-law 2013-283 for the variances in regards to the existing single detached dwelling (Part 1, to be known as 24 Walker Avenue)

- we are not in agreement with the rear yard setback from 7.5 metres to 2.3 metres (this is ridiculous)
- We are not in agreement to increase the maximum parking width from 7.5 m to 8.75 m
- We are not against the construction of a pergola

We are against the varying of Zoning By-law 2013-283 and related by-laws in regards to this property and it being severed for the following reasons:

- as property owners in this neighbourhood we have all maintained a consistent quality and appearance to our street. When there has been construction, such as at the property across the street from 22 Walker, the owners were very considerate and conscious of the esthetics and maintaining all of our property values.
- Squeezing another dwelling onto this lot, which is already small, decreases our property values by changing the consistency in lot sizes. (Changing min lot area from 400 m sq to 355 m sq) This also opens up opportunity for others to come in from outside our neighbourhood, and our city and essentially victimize our spacious lots. This is just pure greed by the new owners of this property, who reside in Toronto, as Mr Nanubhai is an accountant in Toronto and it appears that Ms Dhaliwal is a real estate agent in Brampton,
- Changes of the rear yard setback from 7.5 m to 2.3 m on one property and 6 m on the proposed property affect the neighbours, as again we all moved into this neighbourhood because of the space and privacy the existing and original lots allowed.
- Traffic would increase as construction begins; the traffic on our street is already an issue with it tending to be a flow from Linwell to Governor Simcoe Secondary School. We have many small children in the neighbourhood, and pets, which would be in jeopardy with construction vehicles and other traffic servicing this property.

- Noise, we are a quiet, peaceful neighbourhood and we are not interested in the noise that would go along with such construction.
- In the plan there appears to be another driveway being constructed off of Glen Park Road, which has not been disclosed in the variance request, only that a pergola would be built, so we are against this secondary driveway due to non-disclosure
- As someone who grew up in this neighbourhood, since 1972 on Manor Road, I would be appalled if such greed is able to change our neighbourhood as well as open up the By-law and opportunity for other outsiders to come in.

Thank you,

Karen McCafferty and William Leighton
12 Walker Avenue



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): B-38/18SC
A-70/18
A-71/18

File: 60.84.2181
60.81.5359
60.81.5360

Subject: 20 Walker Avenue
22 Walker Avenue
24 Walker Avenue

Recommendation

That Submission **B-38/18SC**, by Kaushik Nanubhai and Nikki Tajinder Dhaliwal, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees;
2. That 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 payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser;
3. 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.
4. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Parts 1 and 2), to address the following conditions:
 - a. Building Permit Plans be subject to review and approval by PBS demonstrating:
 - i. That the proposed garage on Part 2 be relocated to the north of the proposed dwelling, in compliance with Zoning By-law regulations;
 - ii. That the front porch of the new dwelling on Part 2 be redesigned with an increased depth in compliance with the zoning by-law to be more functional as a porch, and to be extended to meet the sidewalk driveway with stairs off the north side; and,

- iii. The requested increase of the maximum parking width from 7.5 metres to 8.75 metres on Part 1 be limited to 8.25 metres as shown on the submitted sketch.
5. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required;
6. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the south face of the existing dwelling on Part 1 meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable; and,
7. That a permit to demolish the existing detached garage on Part 2 be obtained from the City Building Department and be completed to the satisfaction of the Chief Building Official for the City of St. Catharines.

That Submission **A-70/18**, by Kaushik Nanubhai and Nikki Tajinder Dhaliwal, as outlined in the Notice of Hearing, be approved for Variances 1 and 2, and denied for variance 3, as follows:

1. A reduction of the rear yard setback from 7.5 metres to 6.0 metres;
2. A reduction of the minimum lot area per dwelling unit from 400m² to 355m²;

And, Variance 3 be denied:

3. Permission to locate an accessory structure (pergola) in a required front yard.

That Submission **A-71/18**, by Kaushik Nanubhai and Nikki Tajinder Dhaliwal, as outlined in the Notice of Hearing, be approved for Variances 1 and 2, and denied for variance 3, as follows:

1. A reduction of the rear yard setback from 7.5 metres to 2.3 metres;
2. An increase of the maximum parking width from 7.5 metres to 8.75 metres, as amended to 8.25 metres as shown on the submitted sketch;

And, Variance 3 be denied:

3. Permission to locate an accessory structure (pergola) in a required front yard and required exterior side yard.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-38/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that variances 1 and 2 requested through application **A-70/18**, and variances 1 and 2 requested through application **A-71/18** are minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Variance 3 requested through **A-70/18**, and variance 3 requested through **A-71/18** are not considered minor in nature, desirable for the appropriate use of the land, and the intent and purpose of the Official Plan and Zoning By-law are not being maintained. Staff recommends denial of these variances.

The Proposal

Application **B-38/18SC** is made for consent to sever 360m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 22 Walker Avenue for the purpose of constructing a new detached dwelling with an interior accessory dwelling unit. A 445.1m² remnant parcel (Part 1) with the existing detached dwelling and proposed interior accessory dwelling unit would be retained for residential use. There are concurrent minor variance applications **A-70/18** and **A-71/18**.

Application **A-70/18** requests to vary the Zoning By-law for the following variances for the proposed construction of a detached dwelling and to permit a pergola in the front yard (Part 2), as follows:

1. A reduction of the rear yard setback from 7.5 metres to 6.0 metres;
2. A reduction of the minimum lot area per dwelling unit from 400m² to 355m²; and,
3. Permission to locate an accessory structure (pergola) in a required front yard.

Application **A-71/18** requests to vary the Zoning By-law for the existing detached dwelling (Part 1) as a result of the concurrent consent application, and to permit a pergola in the front yard, as follows:

1. A reduction of the rear yard setback from 7.5 metres to 2.3 metres;
2. An increase of the maximum parking width from 7.5 metres to 8.75 metres; and,
3. Permission to locate an accessory structure (pergola) in a required front yard and required exterior side yard.

Location and Site Description

The subject property is located on the southeast corner of Walker Avenue and Glen Park Road, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E2 of the GCP. The Low Density residential permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings as well as private road development. An interior accessory dwelling unit is permitted as-of-right in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit.

Report

Part F, Section 16.11.3 of the GCP states that consent to sever will only be given where they contribute to the infilling of areas that are already substantially developed, the size and shape of the parcel is appropriate for the use proposed, and in terms of optimum development of the surrounding area.

The proposed lots are appropriate for the anticipated uses, as they will each contain a detached dwelling, one of which currently exists. Parts 1 and 2 on the submitted sketch are slightly smaller than most of the existing lots in the surrounding area, however, the applicant has demonstrated that they are of adequate size to fit a building envelope on each lot comfortably while still abiding by most provisions of the Zoning By-law. The proposal demonstrates development that is compatible with the existing streetscape in terms of spacing and building setbacks. A severance of a similar nature was approved at the corner of Woodbine Avenue and Manor Road nearby, with reduced lot sizes in that instance as well. The proposed lots will not negatively impact the established character of the neighbourhood. The proposal is an example of good infill development in an established residential area. The proposal is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that the City routinely require Development Agreements to be registered on title as a condition of consent applications to address conditions for future

development design. Staff may recommend conditions of consent approval including a Development Agreement, to implement the advice of the DRP and other City and agency considerations.

The proposed consent was submitted to the DRP for review at the meeting of May 1, 2018. The Panel was generally supportive of the proposed consent. Minor concern was raised by the DRP regarding the front porch of the proposed dwelling on Part 2 in terms of its impact on the streetscape. The panel identified that it would be preferred if the depth of the porch was increased to allow the porch to be more useable, and to have a walkway connecting the driveway and the porch, with the stairs coming off the side of the porch rather than the front. The DRP moved to endorse support for the proposed lot creation, subject to the conditions identified above.

It is staff's opinion that the proposed driveway on Part 2 should be relocated to the north of the proposed dwelling and the dwelling be shifted south while maintaining the requirements of the zoning by-law. This would allow the existing driveway on Part 2 to remain in its current location. Staff have concerns regarding the impact that a new driveway as currently proposed might have on the viability of the boulevard tree in front of Part 2. In addition, the dwelling to the south (18 Walker Avenue) has a large asphalt driveway built up to the shared property line, and by moving the proposed driveway on Part 2 it would prevent the streetscape from being overly occupied by asphalt and would break up the frontages.

It is staff's opinion that a development agreement is necessary to ensure that the advice of the DRP and staff conditions of approval are adhered to prior to issuance of a building permit. Should the application be approved, a Development Agreement should be registered on title in order to address conditions for future development design of the site and this will ensure plans submitted at the building stage are in accordance with the architectural details and site design supported by the DRP and staff.

The Committee should be aware that they have the authority under the Planning Act to waive fees where it would be unreasonable to charge the standard fee. A Development Agreement as a condition of consent, to ensure the new lot develops generally in accordance with any conditions requested by the DRP or staff, provides the applicable law necessary to bind the plans submitted with this application, or conditions of approval, to the issuance of a building permit. The Development Agreement fee, as approved in the Tariff of Fees approved by Council for 2018, a fee of \$2,457.85, is considered unreasonable and excessive in this context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of this application.

Variances

The variances requested to reduce the rear yard setback on Part 2 from 7.5 metres to 6.0 metres and to reduce the minimum lot area of Part 2 from 400m² to 355m² will not significantly impact the subject or surrounding properties. The minimum lot area requirement of the By-law is meant to ensure that a building envelope can fit comfortably on a property while still providing adequate amenity space and ensure the dwelling will

not overwhelm the lot or neighbouring properties. The applicant has demonstrated that the detached dwelling can fit quite suitably on the lot while abiding by almost all required zoning provisions. The intent of the rear yard setback is also to ensure that there is adequate amenity space, and to protect against privacy and overlook impacts on adjacent properties. The proposed 6 metre rear yard is a function of the need to maintain a 6 metre front yard to ensure a car can be parked adequately between the dwelling and the front lot line. In the opinion of staff, the proposed depth of the rear yard will not negatively impact site design on the proposed lot, nor compatibility with adjacent properties, and provides adequate rear yard amenity space, and spatial separation from the proposed dwelling to the existing dwelling on the adjacent property to the east.

The variance requested to reduce the rear yard setback on Part 1 from 7.5 metres to 2.3 metres is a result of the existing dwelling on Part 1 being oriented towards Walker Avenue, and the rear yard being an existing situation. As a result of the severance, the technical frontage of the property, given the Zoning By-law definition, will be along Walker Avenue, whereas it previously existed on Glen Park Road. Therefore, the new rear yard previously functioned as an interior side yard, and in compliance with zoning standards. The requested variance recognizes an existing situation and is considered appropriate.

The variance requested to increase the maximum parking width from 7.5 metres to 8.75 metres will not negatively impact the subject or surrounding properties. The intent of the maximum parking width is to ensure the proper provision of parking on site but to limit the amount of paved area on a property so that driveways do not overwhelm the lot frontage and adequate landscaping is maintained on site. The request to increase the parking area is a result of the applicant wishing to maintain the existing driveway along Walker Avenue but also construct a new driveway off the frontage along Glen Park Road to account for a 2 car parking area. The existing dwelling currently contains an interior accessory dwelling unit and as a result, the applicant wishes to use the existing driveway on Walker Avenue for the accessory unit. The increase in driveway width does not impact the percentage of landscape area required on site as per Zoning By-law requirements.

The applicant proposes to locate accessory structures (pergolas) in the front yard on both Part 1 and Part 2, and the exterior side yard on Part 1. The zoning by-law does not permit accessory structures of any size in a required front or exterior side yard. The zoning by-law requires that accessory structures be located in the rear yard or interior side yard only. The purpose of these restrictions is to limit the impact of accessory structures on the streetscape and desired built form. Development should be configured in a way that contributes positively to the quality and character of the streetscape and that can coexist harmoniously with the established pattern of development in the surrounding neighbourhood. Permitting accessory structures in the front yard or exterior side yard may significantly overwhelm the streetscape and detract from the windows, porches, living space and landscaping being the dominant elements facing the street.

Staff are supportive of the proposed variances for Part 2 for the reduced rear yard and reduced lot area, however the variance to permit an accessory structure in the front yard should be denied. Staff are also supportive of the proposed variances for Part 1 for the

reduced rear yard and increased driveway width. The variance to permit an accessory structure in the front yard and in the exterior side yard should be denied.

The City's Development Engineering staff have advised that 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. In addition, 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.

Conclusion

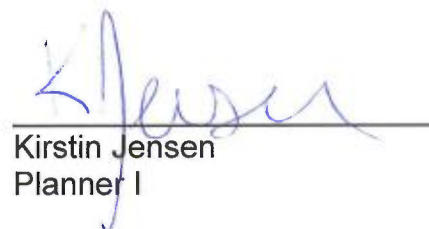
Staff are satisfied that the consent requested through application **B-38/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff are satisfied that some of the variances requested through submissions **A-70/18** and **A-71/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. Staff recommend that the requested consent be approved, subject to the conditions outlined in the recommendation, and that the requested variances be approved, with the exception of the variances requested to locate accessory structures in the front and exterior side yards.

Prepared by:



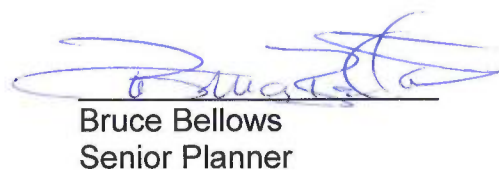
Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Friday, June 22, 2018 9:13 AM
To: Munro, Elaine
Subject: 905-18-257 - Consent Application B-38/18SC - 20 Walker Avenue

Good morning Elaine,

I know we're a bit late with this, but Bell Canada has no concerns with Application for Consent B-28/18SC, regarding 20 Walker Avenue.

Thank you,

Char Hall

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

Bell

140 Bayfield St. Floor 2
Barrie Ontario
L4M 3B1

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

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.

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 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.



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

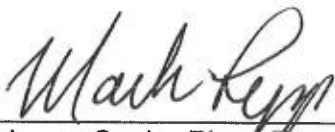
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

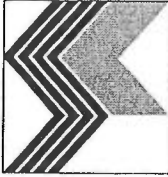
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard 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

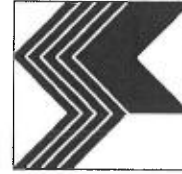
1. **63 Main Street, Consent Application, B-45/18SC – 60.84.2188**
No comment.
2. **1629 Third Avenue, Consent Application, B-43/18SC – 60.84.2186 ** To be circulated on Wednesday, June 6, 2018**
1605 Third Avenue, Consent Application, B-44/18SC – 60.84.2187
1605 Third Avenue, Minor Variance Application, 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.

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:

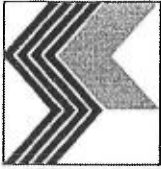
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 20, 2018

Date of Meeting: June 27, 2018

Submission(s): B-39/18SC
A-72/18
A-73/18

File: 60.84.2182
60.81.5261
60.81.5262

Subject: 121 Rykert Street
125 Rykert Street

Recommendation

That Submission **B-39/18SC** by 2575115 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. 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;
2. Pay to have the City crews relocate, if necessary, any existing sewer laterals or water services within the right-of-way identified so as not to cross future and/or abutting property lines;
3. 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;
4. 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;
5. 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;
6. 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;
7. 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; and,

8. Applicant submit a solicitors undertaking to merge Part 2 (1283m²) in title with the abutting westerly parcel of land known as 125 Rykert Street (Part 3, 1420m²).

That Submission **A-72/18** by 2575115 Ontario Inc., as outlined in the Notice of Hearing, be approved.

That Submission **A-73/18** by 2575115 Ontario Inc., as outlined in the Notice of Hearing, be approved, with the exception of Variance 4, and a revision to Variance 3 supporting a reduction in the required front yard setback from 6 metres to 5 metres, rather than from 6 metres to 3.5 metres.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-39/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-72/18** and **A-73/18**, with the exception of Variance 4 and a revision to Variance 3 in application A-73/18, are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

The Proposal

Application **B-39/18SC** is made for consent to sever 507m² of land (Part 1 on the submitted sketch) creating the lot known as 121 Rykert Street with an existing detached dwelling and detached garage. A 1283m² remnant parcel (Part 2) is to be merged with the adjacent 1420 m² parcel to the west (Part 3) known municipally as 125 Rykert Street and which currently contains a detached dwelling and garage. Part 2 and 3 together are to be retained for a future 10 dwelling unit private road development.

Application **A-72/18** is made to vary the Zoning By-law requesting the following variances for the existing single detached dwelling and detached garage on Part 1:

1. A reduction in the minimum rear yard setback of the dwelling from 7.5 metres to 6.0 metres;
2. A reduction in the minimum (rear yard) setback of the garage from 0.6 metres to 0.3 metres; and,
3. An increase in the maximum lot area per dwelling unit requirement from 490m² to 507m².

Application **A-73/18** is requesting the following variances to the Zoning By-law for the proposed 10-unit private road development on Parts 2 and 3:

Part A

1. Variance 1 requests an increase of the maximum lot area per dwelling unit from 490m² to 2703m² to recognize the size of the proposed merged parcels (Part 2 and 3) prior to the 10 unit private road development being commenced.

Part B

The following variances 2 through 11 are being applied for at this time to facilitate the future 10 unit development on Parts 2 and 3 through a private road development:

2. A reduction in the minimum lot area per dwelling unit from 315m² to 270m²;
3. A reduction in the minimum front yard setback from 6.0 metres to 3.5 metres (Units 1, 2, & 3);
4. A reduction in the minimum front yard setback from 3.0 metres to 2.4 metres for a platform structure (Units 1 & 2);
5. A reduction in the minimum distance from the dwelling to the private road from 3.0 metres to 2.0 metres (Unit 1);
6. A reduction in the minimum interior side yard setback from the end wall from 3.0 metres to 1.2 metres (Unit 3);
7. A reduction in the minimum setback for a platform structure to the interior side lot line from 3.0 metres to 0.6 metres (Unit 4);
8. A reduction in the minimum distance from the dwelling to the private road from 3.0 metres to 1.9 metres (Unit 4);
9. A reduction in the minimum distance from the dwelling to the private road from 3.0 metres to 2.6 metres (Units 8, 9);
10. A reduction in the minimum interior side yard setback from the end wall from 3.0 metres to 1.2 metres (Unit 10); and,
11. A reduction in the landscape buffer abutting a drive aisle from 3.0 metres to 1.5 metres (Parking space #15).

Location and Site Description

The subject property is located on the south side of Rykert Street, east of Andrea Drive. There is detached dwellings and a commercial plaza directly across the street to the north, detached dwellings to the east and south, Westdale Public School to the northwest, and detached dwellings to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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

Report

Part F, Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed in terms of optimum development of the surrounding area.

The proposed consent and related proposed 10 unit condominium development on the remnant parcel (Parts 2 and 3) represents an opportunity for infill development in an area that is already substantially developed. The proposed lot (Part 1) is of an appropriate size in terms of compatibility with the surrounding neighbourhood, and no impacts on the surrounding area are anticipated. The lot size is in keeping with the general character of the surrounding neighbourhood, which vary in size and shape. Although the proposed lot is slightly larger than what is permitted by the by-law, it allows for the existing dwelling at 121 Rykert Street to remain on the site with appropriate sized yards to support compatibility. The size of the lot provides for the optimum development of the remnant and merged parcels of land (Part 2 and 3) for a 10 unit townhouse private road development, which supports the City's Official Plan policies for residential infill and intensification.

The City's Development Engineering staff have noted that Rykert Street is currently designated a Local Collector road as 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 existing frontage of Part 1, 2 and 3, to be dedicated gratuitously, and free and clear of any encumbrances as Public Highway to be known as Rykert Street.

A sidewalk shall be required along the entire frontage length of Parts 1, 2 and 3 at a 1.5m width to the satisfaction of the City. A cash-in-lieu payment for a future 1.5 m 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.

Variances on Part 1

The requested reduction in the minimum rear yard setback of the dwelling from 7.5 metres to 6.0 metres and the reduction in the minimum setback requirement of the garage from 0.6 metres to 0.3 metres are minor in nature, and will not negatively impact the subject or surrounding properties. The intent of the minimum rear yard setback is to ensure that there is adequate amenity space provided on site and that building envelopes do not overwhelm the subject property or neighbouring properties. No new construction is

proposed, and the dwelling and garage currently exists. The variance to the setback for the accessory structure will recognize the existing building location in the rear yard. The reduced setback for the dwelling will not impact the provision of adequate amenity space on the site, and will allow the adjacent lot to maximize the available space for the private road development while still ensuring an acceptable rear yard to provide spatial separation from the existing dwelling to that of proposed development to the south.

The lot is slightly oversized with respect to the maximum lot size requirement of the Zoning By-law, and this is a function of maintaining required side yard setbacks for the dwelling in compliance with the Zoning By-law and providing for an adequate rear yard to provide adequate rear yard amenity space and spatial separation of the existing dwelling to proposed development to the south. Approval of the variance will not compromise the intent of the zoning provision and will allow for the optimum development of a new infill lot for multiple units on Parts 2 and 3. The proposal fits with the general character of the surrounding neighbourhood, and is in keeping with the general intent and purpose of the Official Plan.

Staff are supportive of the proposed variances on Part 1.

Variances on Parts 2 and 3

Part A

Variance 1 requests an increase of the maximum lot area per dwelling unit from 490m² to 2703m². This variance is necessary to recognize the size of the newly merged parcels of land until such time as a site plan is approved and construction of the private road development can be started.

Part B

The following relates to requested variances for the future 10 unit private road development.

Variance 2 requests a reduction of the minimum lot area per dwelling unit from 315m² to 270m² for each of the proposed 10 townhouse units. The requested lot area reductions provide for the 10 townhouse dwelling units to appropriately fit on the site while still providing adequate parking, amenity space, and landscaping to support the development in a manner compatible with and in keeping with the general character of the surrounding neighbourhood.

Variance 3 is for a reduction in the minimum front yard setback from Rykert Street from 6.0 metres to 3.5 metres for Units 1, 2 & 3. Notwithstanding the requested variance, it should be noted that the submitted sketch currently identifies a proposed setback of 4.5 metres for Units 1 and 3. The front yard setback from the public road for a private road development is meant to ensure that the units closest to the road will achieve a measure of compatibility with properties on either side of the proposed development and existing streetscape along the public road. The setback should be relatively similar in depth to existing dwellings on adjacent lands. The dwellings at 121 and 127 Rykert Street immediately adjacent to the subject lands are setback over 9 metres from Rykert Street. The submitted sketch indicates that there is adequate space within the interior of the

proposed private road development layout to shift Units 1, 2 and 3 to the south and supporting a greater setback from Rykert Street while still maintaining adequate setback and amenity space, and spatial separation, between the south facing walls of Unit 1, 2 and 3 and the internal private road. Although staff support a reduced setback from Rykert Street to accommodate the proposed development, staff recommend a more suitable 5 metre setback from Rykert Street for Units 1, 2 and 3 which will support a more compatible and integrated streetscape for the private road development in relation to Rykert Street.

Variance 4 requests a reduction in the minimum front yard setback for a platform structure (porch) from 3.0 metres to 2.4 metres for Units 1 & 2. This provision is meant to ensure that platform structures do not encroach into required yards in such a manner that limits the amount of yard space available. Based on the previous recommendation by staff for variance 3 above in regards to the requested reduction to the front yard setback for Units 1, 2 and 3, the requested reduction for the setback to a platform structure will no longer be necessary. Staff do not support the requested variances for platform structure setback for Units 1 and 2.

Variances 5, 8 and 9 request a reduction in the minimum distance to dwellings from the private road from 3.0 metres to 2.0 metres for Unit 1, from 3.0 metres to 1.9 metres for Unit 4, and from 3.0 metres to 2.6 metres for Units 8 and 9. The intent of the minimum distance to a dwelling from a private road is to ensure a safe distance is maintained between the dwelling units and the internal roadway, and that there is space to provide adequate landscaping area. A reduction to the minimum distance of dwellings from the private road as requested supports an integrated and compatible internal development layout providing adequate landscape amenity space and spatial separation from the private road. Staff support approval of these variances.

Variance 6 and 10 request a reduction of the minimum interior side yard setback from the end wall from 3.0 metres to 1.2 metres for Units 3 and 10. The intent of the interior side yard setback from the end wall is to ensure that sufficient spatial separation and a buffer is maintained between dwelling units on adjacent lots and to ensure adequate provision for drainage measures and access between dwellings and the lot line. The units which require this variance only require this distance at specific pinch points of each unit and the required interior side yard is otherwise maintained. The pinch points are due to the shape of the overall lot. Staff support approval of these variances.

Variance 7 is for a reduction to the minimum setback from a platform structure to the interior side lot line, from 3.0 metres to 0.6 metres for Unit 4. Staff have determined that this variance is not required as there is no internal lot lines within private road development and as such there is no minimum requirement to be varied. Staff support the location of the platform structure as shown on the sketch attached to the application.

Variance 11 requests a reduction of the landscape buffer abutting a drive aisle from 3.0 metres to 1.5 metres for parking space #15. Typically, landscape strips smaller than 1.5 metres are unable to sustain landscaping. Parks, Recreation, and Culture Services offers no objection to a landscape strip reduction at this location. There is sufficient space to provide landscaping between the parking space and adjacent lot to the north (Part 1 on

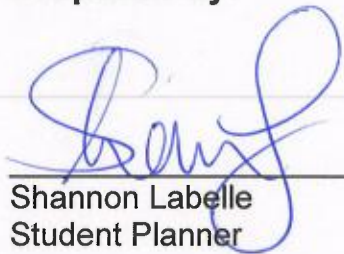
the sketch) Detailed landscaping plans will be required though the Site Plan Agreement and shall include a combination of deciduous and coniferous material to provide year round screening opportunities in all yards abutting adjacent properties. Staff support the requested variance 11.

With the exception of variance 3 and 4 for the private road development, it is staffs opinion that all other requested variances are minor in nature, desirable and appropriate for the use of the land and are in keeping with the general intent and purpose of the Official Plan and Zoning By-law. Staff recommends that the proposed variances be approved, with the exception of variances 3 and 4 for the private road development. With regard to variance 3 requested, staff support a reduction in the required setback from 6 metres to 5 metres, and in doing so, the requested variance number 4 for a reduction in platform structure setback is not required.

Conclusion

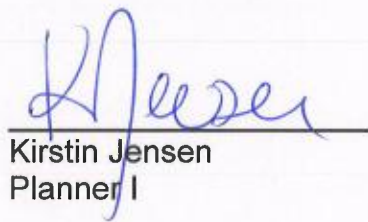
Staff are satisfied that the consent requested through application **B-39/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, with the exception of variance 3 and 4 requested for the private road development, staff are satisfied that the variances requested through submissions **A-72/18** and **A-73/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. Staff recommend that the requested consent and variances be approved, with the exception of variance 4 and a revision to variance 3 to accommodate the private road development, subject to the conditions outlined in the recommendation.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

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 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', 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

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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

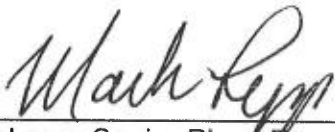
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

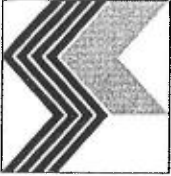
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard 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

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:

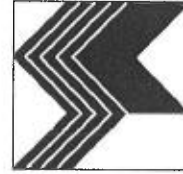
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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:

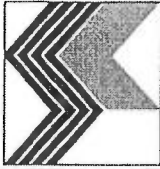
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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



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-68/18

File: 60.81.5357

Subject: 24 Yates Street

Recommendation

That Submission **A-68/18** by Melissa Speck, as outlined in the Notice of Hearing, be approved, conditional on the following:

1. The walls of the cabana remain open, and side walls are not to be erected at any point in time;
2. The applicant construct a form of eavestrough, edging or water drainage feature, to the satisfaction of the Chief Building Official, to ensure that water run-off from the canopy roof is wholly contained within the subject property;
3. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor which shall be submitted to City Staff for review and approval, and if the grading plan indicates changes are required to the existing grading and/or structures, these changes must be completed prior to issuance of a building permit; and,
4. That Heritage Permit Approval for the cabana is obtained by the St. Catharines Heritage Permit Advisory Committee.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-68/18** is minor in nature, is desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained, subject to the conditions recommended in this report.

The Proposal

Application **A-68/18** is requesting to vary the Zoning By-law, for the following variances to recognize the location of the existing cabana (no building permit was issued) in the northwest corner of the rear yard:

1. A reduction of the setback requirement for an accessory structure (cabana) from 0.6 metres to 0.3 metres along the west property line;

2. A reduction of the setback requirement for an accessory structure from 0.6 metres to 0.17 metres along the north property line;
3. An increase of the maximum encroachment into the required yard for an accessory structure along the north property line at the northeast corner of the cabana to accommodate the roofline of the cabana from 0.15 metres to 0 metres.

Location and Site Description

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

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E10 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings at a density generally between 20 and 32 units per hectare of land.

The subject property is also located within the Yates Street Heritage District as per Schedule B of the GCP.

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.

Report

Application **A-68/18** is requesting a reduction to the accessory structure setback requirements and an increase to the maximum encroachment into the required yard for an accessory structure, to accommodate for the location of an existing cabana in the northwest corner of the rear yard of the property.

In the opinion of staff, the requested variances to accommodate the recently constructed accessory structure on the property will not negatively impact adjacent properties provided mitigating measures are undertaken to ensure water drainage and run off from the cabana roof top is wholly contained on site, and that the cabana not be enclosed on any sides facing adjacent properties. The intent of the minimum side yard setback provisions for accessory structures (the cabana) and the maximum encroachment requirement of the zoning by-law are to ensure that accessory structures on a property do not overwhelm abutting properties, are able to provide sufficient distance between structures on adjacent properties for both aesthetic and maintenance reasons, and to

ensure that drainage and stormwater is contained in the yard of which the structures are located in, rather than onto neighbouring lots.

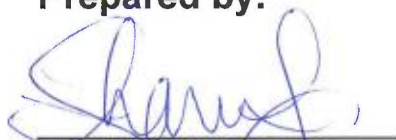
Given the open walls of the cabana, it is the opinion of staff that the proposed setbacks for the cabana will provide adequate space in which to enable maintenance and upkeep of the structure from the applicants own property without impacting adjacent properties. However, the portion of the roof that has been requested to encroach up to 0 metres into the required yard creates concern regarding water drainage off the roof onto adjacent properties. The roof design of the accessory structure is built right up to the lot line and overhangs a portion of the fence erected on the lot line in between the subject and adjacent property to the north. The roof structure does not have any form of eavestrough or water drainage features, and therefore there is the potential that water run-off from the roof will be directed into the neighbouring lots of which the structure borders.

The property is within the Yates Street HCD and the applicant should be aware that heritage permit approval (HPA) for the cabana is required. As well, a building permit will be required by the municipality.

Conclusion

Staff are satisfied that the variances to the accessory structure yard and encroachment requirements are appropriate, provided that mitigation measures are provided to protect neighbouring properties from water run-off and drainage, and the cabana walls remain open on all sides bordering adjacent property lines to facilitate on-site maintenance.

Prepared by:




Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

Munro, Elaine

Subject:

RE: Notice of Hearing File No. 60.81.5357

From: A.C. (Tony) Fischer [mailto:]
Sent: Friday, June 22, 2018 11:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: 'Cindy Fischer' <>
Subject: Notice of Hearing File No. 60.81.5357
Importance: High

Good morning, Ms. Munro.

We write in favour of the application for minor variance.

As we live directly adjacent, at 26 Yates, to the subject property and also own 4 other properties (7A Cherry, 7B Cherry, 7C Cherry, 12 Trafalgar) within 60 metres of the subject property, we are uniquely able to speak about it.

The cabana to be constructed is really no different in size, etc. than the existing shed of 24 Yates that borders our properties. The rooflines appear to be very similar in construction, etc. and we are sure that in no time at all it will be shielded by foliage. We can hardly see their shed given the plantings in our yard. Even when not shielded by foliage, the shed roof is very tastefully constructed and we are confident that the cabana and its roof will be similarly constructed.

Visible from the decks of the Cherry properties the cabana poses no limitations in terms of their lack of use or of enjoyment from the cabana's construction.

The cabana is not visible from Trafalgar but, once again, we have no issue with its construction.

For what it's worth, any naysayers should invest in some plantings, etc.

We cannot attend the Hearing as we will be travelling but please present this e-mail in favour of the application.

Thank you.

A.C. (Tony) Fischer

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:

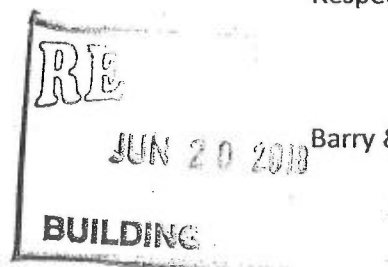
RE: File No. 60.81.5357 - Submission No. A-68/18 – 24 Yates Street

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

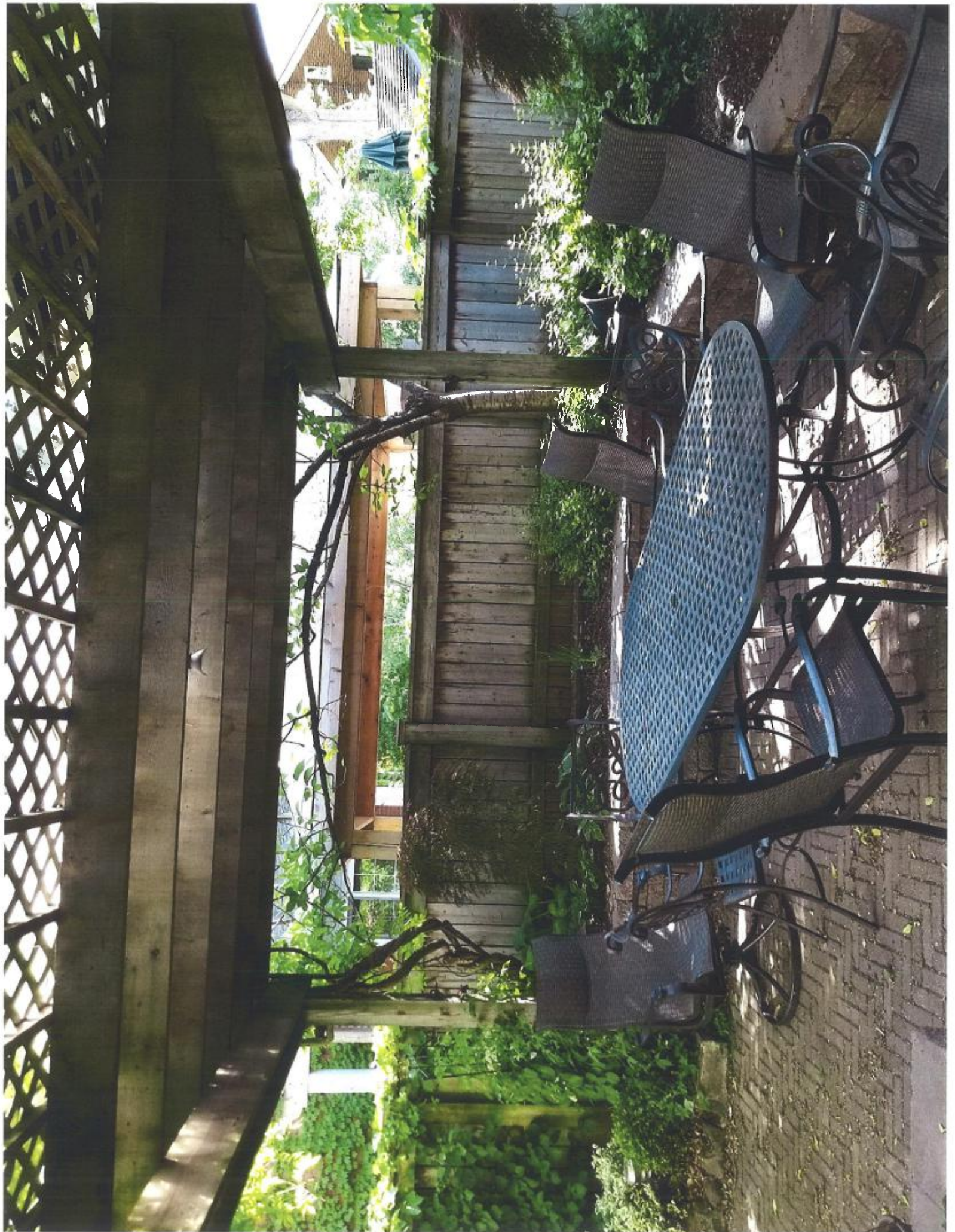
Between the myriad of broken rules, the intrinsic fire hazard of eliminating setbacks between fireplaces and wooden fences, and the imposing aesthetic impact on the neighbors, it seems this cannot and should not be approved.

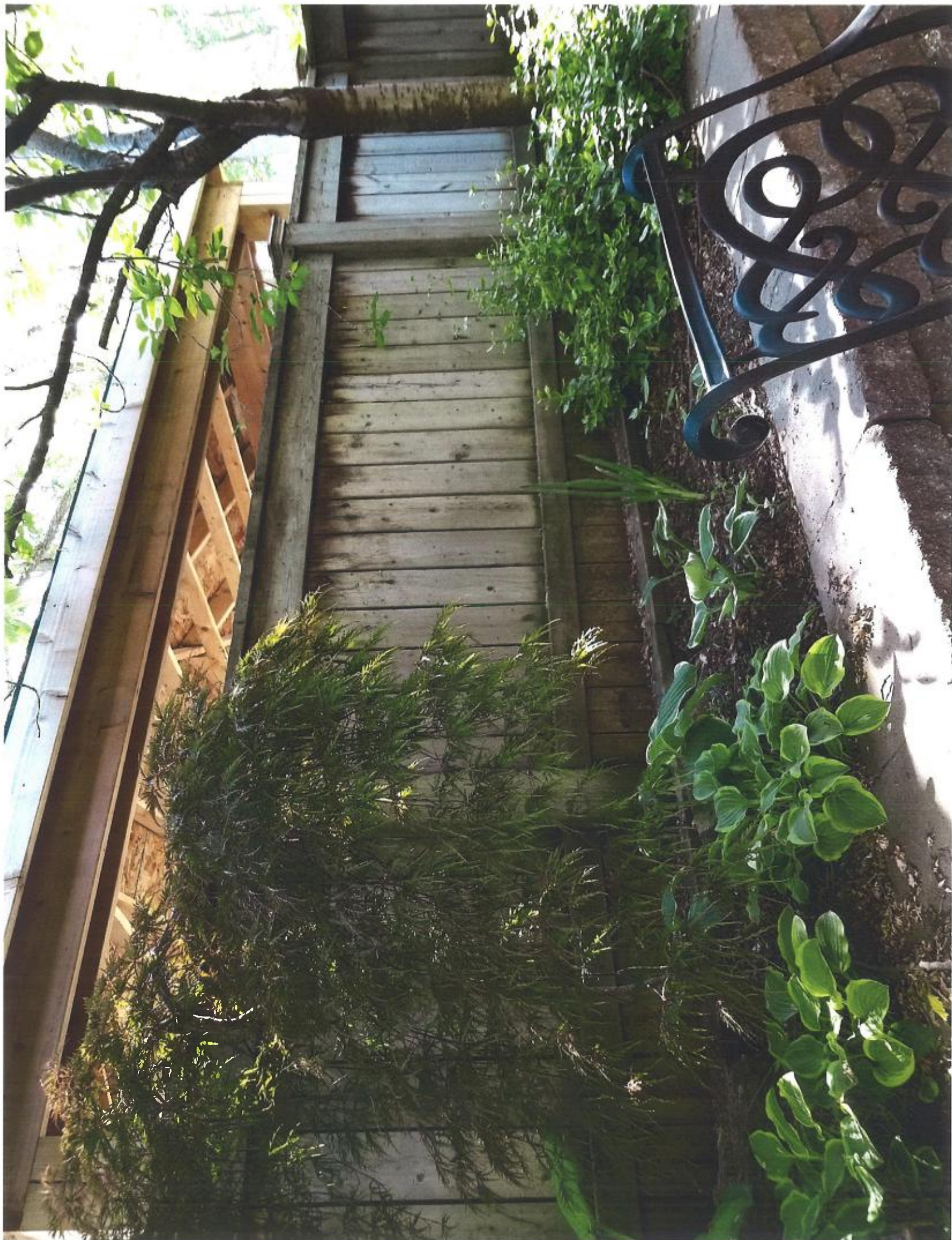
Neither what was done, nor how it was done, should be acceptable.

Thank you again for your time.

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

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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, Bureau 1700, Montréal, Québec, H3B 0B3

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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

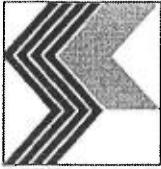
Subject: Engineering Comments regarding C of A Minor Variances for the following;

- 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
- 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



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



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-69/18

File: 60.81.5358

Subject: 35 Ramsey Street

Recommendation

That Submission **A-69/18** by Marco Fabian Berazategui & Barbara Berazategui, 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-69/18** 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-69/18** is requesting to vary the Zoning By-law to request an increase of the maximum floor area for an existing interior accessory dwelling unit from 60m² to 77.3m².

Location and Site Description

The subject property is located on the southwest bend of Ramsey Street, east of Linlake Drive.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per schedule E1 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land.

Zoning By-law (2013-283)

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

development. An interior accessory dwelling unit is permitted as-of-right in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit.

Report

The requested increase of the maximum floor area for an existing interior accessory dwelling unit from 60m² to 77.3m² is considered minor in nature and is not expected to have any adverse impacts within the subject property or surrounding properties. The variance is requested to recognize an existing interior accessory dwelling unit. There will not be any alterations taking place to the building, either interior or exterior and there is adequate existing parking on site to accommodate the use. The variance is necessary to account for an existing situation. The applicant is advised that should this variance be approved, a building permit will be required to legalize the use.

The requested variance is considered desirable and appropriate for the use of the land and conforms to the general intent and purpose of the Official Plan and Zoning By-law.

Conclusion

Staff are satisfied that the variance requested through application **A-69/18** is minor in nature, and desirable and compatible with the surrounding area. Staff recommend that the application be approved subject to the condition outlined in the recommendation.

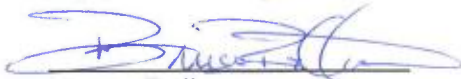
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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,

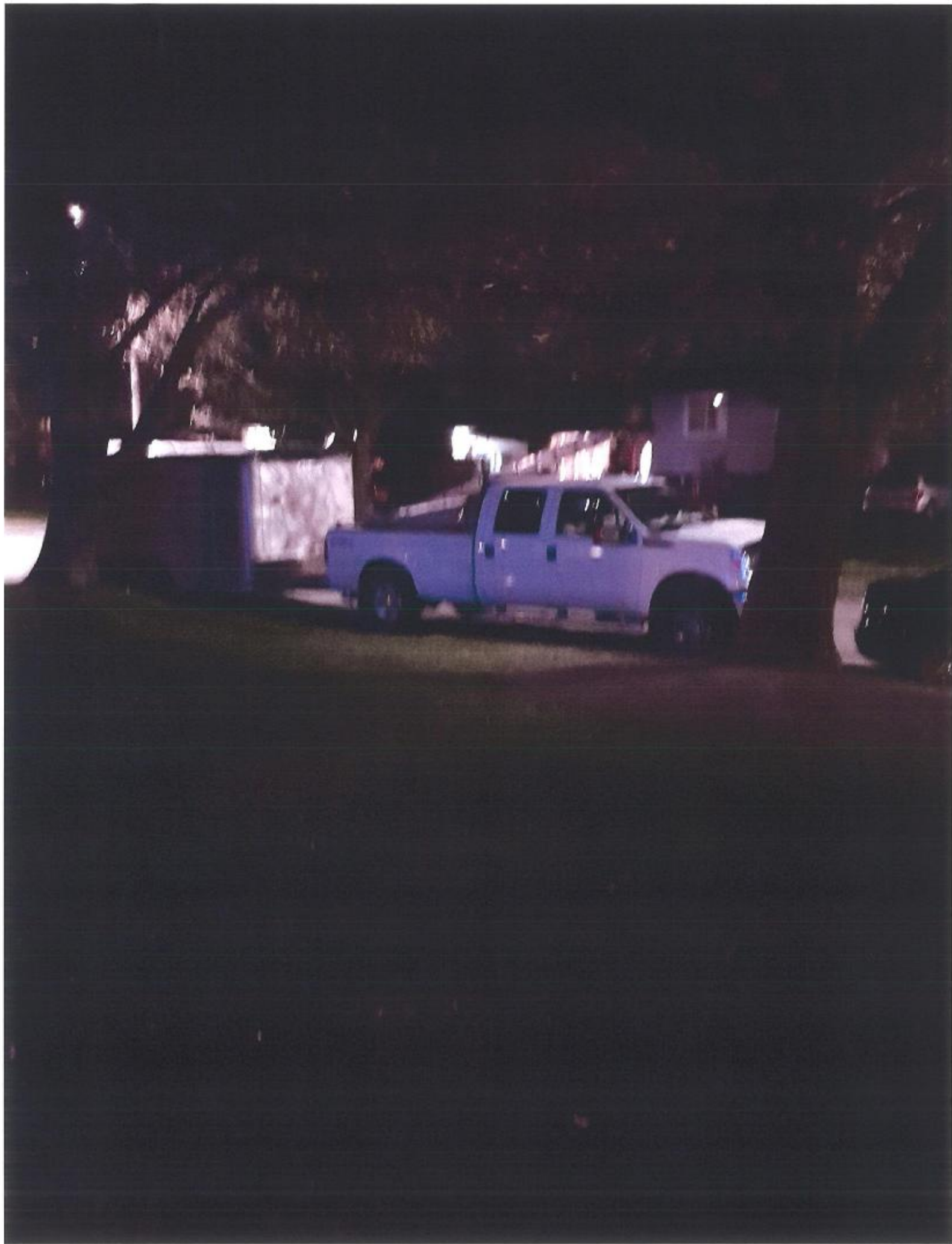
Robert Ely & JoAnne Biamonte-Ely,
39 Ramsey Street, St. Catharines,

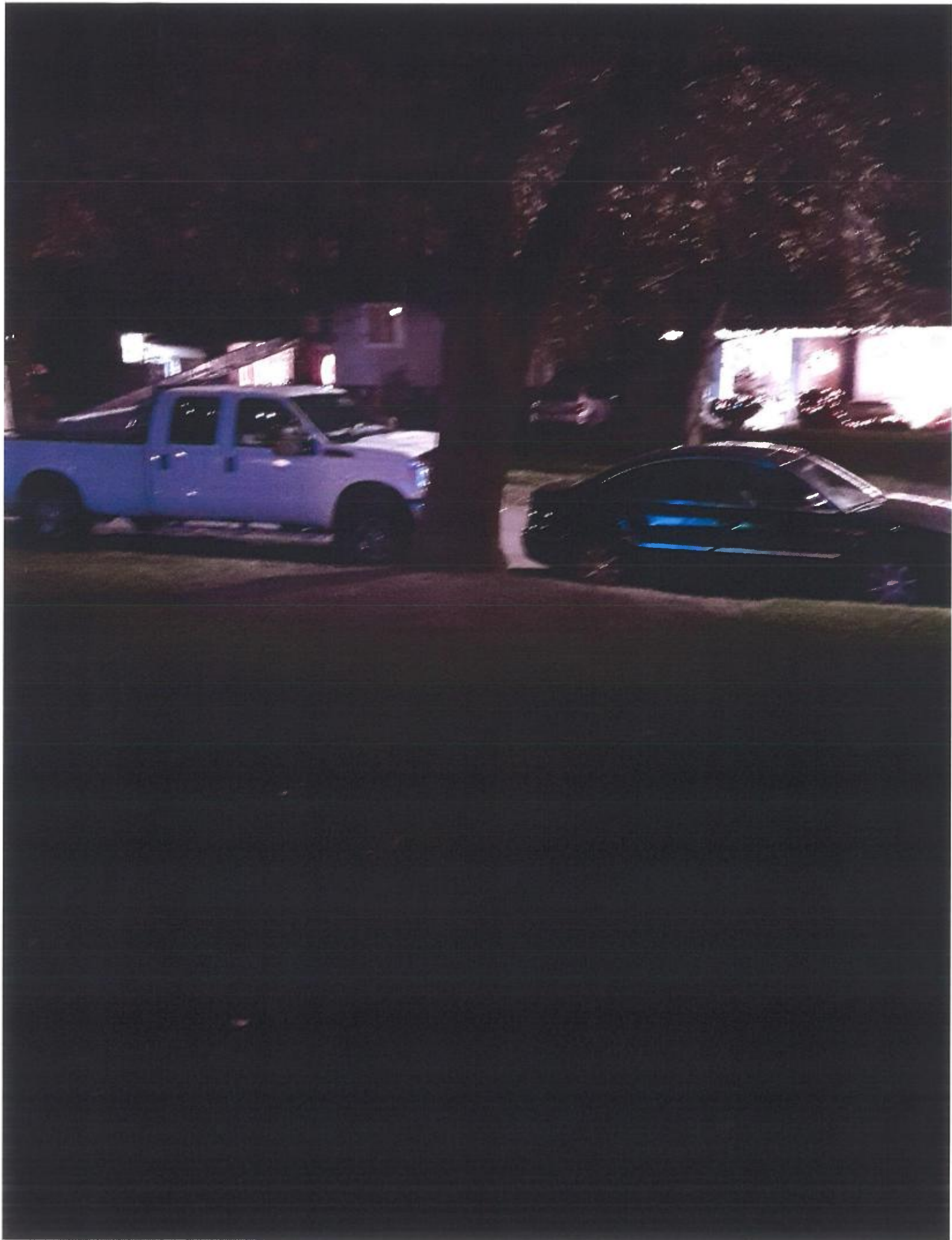
Attach: photos cars parked, blocking driveway, work vehicles parked on street

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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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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

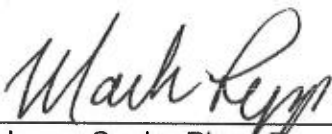
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

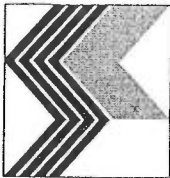
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A-82/18	1605 Third Avenue	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
A-83/18	114 Highland Avenue	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\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.



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**



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): B-41/18SC
A-74/18
A-75/18

File: 60.84.2184
60.81.5263
60.81.5264

Subject: 594 Scott Street
590 Scott Street
592 Scott Street

Recommendation

That Submission **B-41/18SC**, by 2606904 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees;
2. That 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;
3. 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;
4. 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;
5. 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;
6. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Parts 1 and 2), to address the following conditions:

- a. Building Permit Plans be subject to review and approval by PBS demonstrating:
 - i. That the garage and driveway be relocated from the west to the easterly half of Part 2;
 - ii. That no deck be permitted on the second floor of the dwelling, or above 1.2 metres above grade of any structure on Part 2; and,
 - iii. That no windows be permitted above the first storey on the east side of the dwelling to be constructed on Part 2.
7. In accordance with section 69 (2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.

That Submission **A-74/18** and **A-75/18** by 2606904 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that application **B-41/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-74/18** and **A-75/18** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

The Proposal

Application **B-41/18SC** is made for consent to sever 411.81m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 592 Scott Street for the purpose of constructing a detached dwelling. A 504.23m² remnant parcel (Part 1) would be retained for residential use with the existing 2-storey dwelling known as 594 Scott Street.

Application **A-74/18** is made to vary the Zoning By-law for Part 1 to facilitate the concurrent consent application **B-41/18SC**:

1. An increase of the maximum lot area per dwelling unit from 490m² to 504.23m².
2. A reduction of the minimum lot frontage from 15 metres to 12.9 metres.
3. A reduction of the minimum front yard setback to the existing dwelling from 6 metres to 5.16 metres.

Application **A-75/18** is made to vary the Zoning By-law as amended, to request a minor variance for Part 2 to facilitate the concurrent consent application **B-41/18SC**, for a reduction of the minimum lot frontage from 15 metres to 7.75 metres.

Location and Site Description

The subject property is located on the south side of Scott Street, east of Bunting Road and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E3 of the GCP. The Low Density residential permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

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

Report

Part F, Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of area that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

The proposed lots are of appropriate size for each to contain a detached dwelling. Part 1 has a detached dwelling which currently exists, and Part 2 is intended for a detached dwelling to be constructed. Parts 1 and 2 of the submitted sketch will be slightly smaller than most of the existing lots in the surrounding area, however they still provide adequate lot size to fit a dwelling on each, and Part 1 will actually be greater in size than what is permitted in the R1 zone for maximum lot area. Provincial land use plans, as well as the City's Official Plan, promote opportunities for intensification and redevelopment where it can be appropriately accommodated, as intensification and infill, if done well, can improve neighbourhoods by bringing vibrancy and new life into existing neighbourhoods. The Official Plan supports intensification and infill with a balanced approach to ensure appropriate building site and streetscape design.

The City's Official Plan has identified priority areas for accommodation of future housing, including along major road corridors. Scott Street, an arterial road, is meant to accommodate relatively high volumes of traffic and is suitable for transit supportive infill development. The proposal demonstrates development that is compatible with the existing streetscape in terms of spacing and building setback. The lot sizes, and siting of the dwelling on Part 2, will not have any notable impact on the established character of the streetscape and immediate surrounding properties and neighbourhood, and the

proposal is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Staff recommend the consent be approved.

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that the City routinely require Development Agreements to be registered on title as a condition of consent applications to address conditions for future development design. Staff may recommend conditions of consent approval including a Development Agreement, to implement the advice of the DRP and other City and agency considerations.

The application as originally proposed was submitted to the DRP for review at the meeting of April 3rd, 2018. The DRP considered a proposal to demolish the existing single detached dwelling on the lands 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.

At the same meeting, the applicant put forth an alternative proposal to retain the existing home on the property and to sever the lot to construct a new detached dwelling set back from the street in the approximate location of the existing detached garage on the property. The applicant advised that the dwelling would be limited in height to 1 ½ storeys and would feature a design that is sympathetic to the existing home. The Panel identified that this alternative had merit and requested further information and plans, which were then submitted for reassessment at the May 1, 2018 meeting.

The Panel was generally supportive of the revised submission, with some minor suggestions. It was suggested that the garage be relocated from the west side to the east side; the new dwelling should increase the livable area by expanding the west side wall towards the lot line to the extent of the allowable interior side yard setback; and, the second floor deck on the proposed detached dwelling on Part 2 be removed due to concern with overlook into the neighbouring yards of 7 & 8 Stillwater Bay, and 596 Scott Street.

The DRP moved to endorse support for the proposed lot creation, as demonstrated by the revised application, subject to the conditions set out above.

It should be noted that while City planning staff are generally in agreement with the suggestions put forth by the Design Review Panel, the advice to increase the livable area by expanding the west side wall of the proposed dwelling on Part 2 towards the lot line to the extent of the allowable interior side yard setback would reduce rear and side yard amenity space, lessen spatial separation of the structures on adjacent properties, and produce a building layout on the property not in character with other dwellings of the area. Staff concur with the DRP that the second storey deck on the rear of the proposed

dwelling on Part 2 be removed as this would mitigate the location of the proposed dwelling on Part 2 being setback significantly from the front lot line which has potential to impact neighbouring properties with respect to privacy and overlook caused by the deck and not desirable for an infill proposal. Also, in order to protect against privacy and overlook concerns for the property on the east side of Part 2, staff recommend that no window openings be permitted above the first storey on the east face of the new dwelling on Part 2.

It is staff's opinion that a development agreement is necessary to ensure that the advice of the DRP and staff is adhered to prior to issuance of a building permit. Should the application be approved, a Development Agreement should be registered on title in order to address conditions for future development design of the site and this will ensure plans submitted at the building stage are in accordance with the site details and building elevations supported by the DRP and staff.

The Committee should be aware that they have the authority under the Planning Act to waive fees where it would be unreasonable to charge the standard fee. A Development Agreement as a condition of consent, to ensure the new lot develops generally in accordance with the architectural plans submitted with the application, and in accordance with the recommendations of the DRP and staff, provides the applicable law necessary to bind the architectural plans submitted with this application to the issuance of a building permit. The Development Agreement fee, as approved in the Tariff of Fees approved by Council for 2018, a fee of \$2,457.85, is considered unreasonable and excessive in this context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of this application.

Variances

The requested increase of the maximum lot area on Part 1 from 490m² to 504.23m² is appropriate to facilitate the proposed lot creation and not expected to have any impact on the subject or surrounding properties. The purpose of the maximum lot area provision is to limit lot sizes to support smaller lot infill and detract from creation of oversized space expansive lots not conducive to the efficient use of land. The proposal is only slightly oversized in lot area and is a function of maintaining a suitable lot and amenity space for the existing dwelling as well as provide an infill opportunity. Approval of the variance will not compromise the intent of the Official Plan or Zoning By-law.

In the opinion of staff, the requested variances to the lot frontage requirement on Part 1 and Part 2 are appropriate and desirable to support the infill development proposal. The intent of the minimum lot frontage requirement is to ensure that a dwelling fits comfortably on a parcel of land and to ensure its compatibility with the surrounding area, streetscape and provide spatial separation of structures on adjacent properties. Most of the lots in the surrounding neighbourhood are characterized by larger lot frontages. The requested variance to lot frontage provides for the ability to maintain the existing dwelling on Part 1, allows for an infill lot opportunity, provides for appropriate parking layout in compliance with Zoning By-law requirements and does not affect existing streetscape character as

the new frontage of Part 2 is currently and will continue to be used for a driveway, with additional landscaping added.


The requested reduction of the minimum front yard setback to the existing dwelling on Part 1 from 6 metres to 5.16 metres recognizes an existing situation. The dwelling at 594 Scott Street has existed on that property since 1925, and the variance is requested solely to bring the existing dwelling into compliance with the zoning of the site.

In the opinion of staff, the proposal represents an appropriate balance supporting infill development and intensification with good urban design.

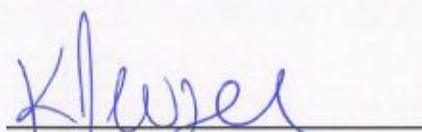
Conclusion

Staff are satisfied that the consent requested through application **B-41/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application, subject to the conditions of approval requested. Additionally, staff are satisfied that the variances requested through submissions **A-74/18** and **A-75/18** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. Staff recommend that the requested consent and variances be approved, subject to the conditions outlined in the recommendation.

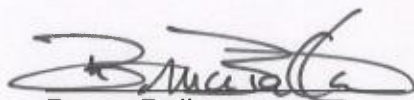
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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-41/18SC
594 Scott Street
St. Catharines
Bell File: 905-18-258

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

Upon review of the proposed severance application, Bell Canada confirms that we have installations over the subject lands noted above, protected by the existing easements registered as Instrument RO109863.

Bell Canada wishes to maintain our current rights, and verifies that we will not require any additional easement protection.

If there are any questions or concerns, please do not hesitate to contact me.

Yours truly,

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

Charleyne Hall



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

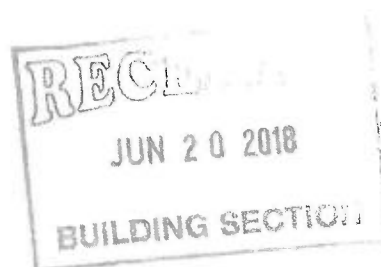
590 Scott St. Submission A-74/18

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.

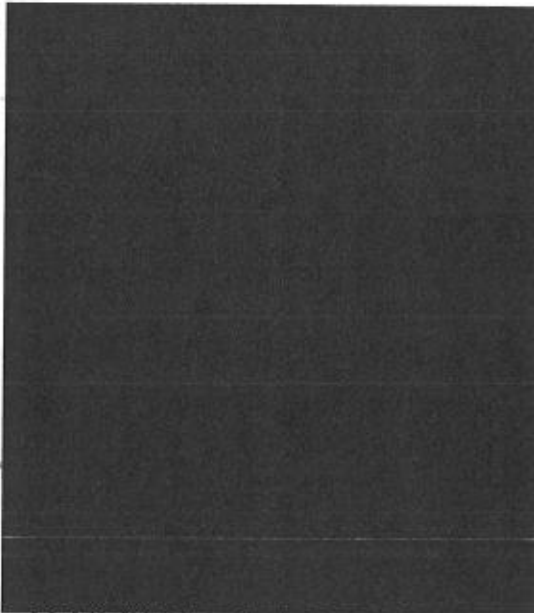


The current proposal continues to show the applicant's request for severance and planned development on lot 19 to be sitting on the east side property line beside lot 18. This proposal is in direct contravention of what the DRP suggested on May 1, 2018. According to Mr. Toth's web site, he prides himself 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	
Callie 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 Kosciusz	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. Schurte	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.	
Cooke	16 Island Rd	
Lucie Catterall	19 Island Rd	
Sarah Terreberry	11 Island Rd.	
MR Cullen	4 Island RA	
SIN 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

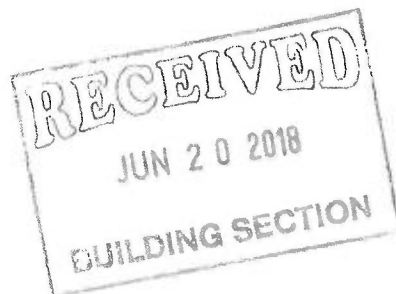
To: The Committee of Adjustment for the City of St. Catharines

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.

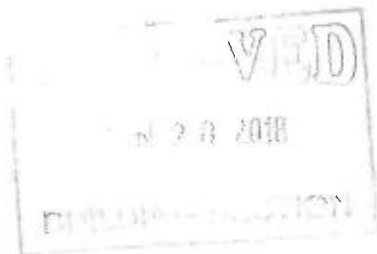
Thanking you in advance for your consideration and understanding.

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.

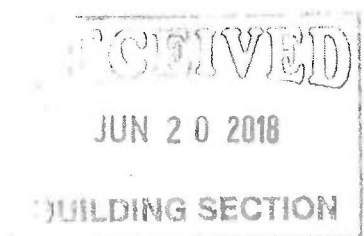


Signed
David Perry
8 Stillwater Bay

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

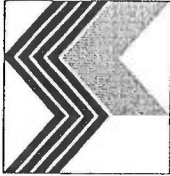
Cc: B. Thiessen, Judy Pihach, Kirsten Jensen, Shannon Labelle
Planning and Building Services

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.

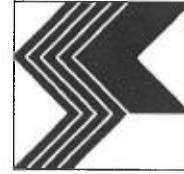
9. **260 Dunkirk Road, Consent Application, B-42/18SC – 60.84.2185**

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:

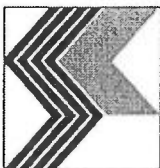
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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**



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-79/18
A-80/18

File: 60.81.5368
60.81.5369

Subject: 2C Lloyd Street
2A Lloyd Street

Recommendation

That Submission **A-79/18** and **A-80/18** by 2494551 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that applications **A-79/18** and **A-80/18** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

Proposed Development

Applications **A-79/18** and **A-80/18** are requesting to vary the Zoning By-law for a reduction of the minimum required parking spaces from 1 to 0 spaces for a proposed interior accessory dwelling unit as part of a proposed townhouse unit on each of Part 1 and Part 3, identified on the attached sketch. Consent applications **B-26/18SC** and **B-27/18SC** have previously been approved to sever each townhouse unit into individual units on separate lots to be owned and/or sold separately.

Location and Site Description

The subject properties are located on the west side of Lloyd Street, south of St. Paul Street West. The subject property is surrounded by commercial buildings to the north and east, and detached dwellings to the south and west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwelling and private road development. An interior accessory dwelling unit is permitted as-of-right in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit.

Report

The property is currently under construction for the creation of 3 townhouse units on the site. The applicant has previously received severances to separate each unit into an individual lot. The Owner would like to add one interior accessory dwelling unit in each of the end units of the street townhouse development (Parts 1 and 3). In accordance with the zoning by-law, each street townhouse dwelling unit requires 1 parking space for the primary unit, and an additional 1 space for an interior accessory dwelling unit. Each unit lot can only accommodate only 1 parking space.

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, and where bicycle parking facilities are provided. The subject land has access to a variety of transit stops within 500m (5 minute walk) or less of the property, which serves 3 bus routes. There are also a number of amenities that can be accessed using the nearby bus routes which include grocery stores, pharmacy, restaurants and retail. There is also on street parking available on the opposite side of Lloyd Street. The property is located close to St. Paul Street West, identified as an intensification corridor supporting walkability, bicycling and transit as alternative modes of transportation versus vehicles, and further supports the appropriateness of the requested reductions. Given the availability of transit and on street parking, staff is in support of the requested parking reduction.

Conclusion


Staff are satisfied that the variances requested through Submission **A-79/18** and **A-80/18**, are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

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

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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

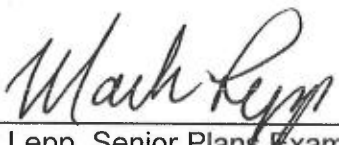
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

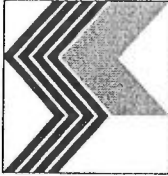
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard 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.



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-42/18SC (60.84.2185)

260 Dunkirk Road

DATE OF HEARING:
June 27, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 20, 2018

Date of Hearing: June 27, 2018

Submission(s): B-42/18SC

File: 60.84.2185

Subject: 260 Dunkirk Road

Recommendation

That Submission **B-42/18SC** by 1939498 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. Remove the entire section of chain link fence along the frontage of the subject lands (Parts 2 and 3) from within the existing right-of-way limits of Dunkirk Road;
2. Remove the entire section of the wood retaining wall along the frontage of the subject lands (Parts 2 and 3) from within the existing right-of-way limits of Dunkirk Road; and,
3. Disconnect from the dwelling on 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.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is of the opinion that application **B-42/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Staff recommend that the application be approved, subject to the condition outlined in the recommendation.

Proposed Development

Application **B-42/18SC** is made for consent to sever 767.01 +/- m² of land (Part 2 on the submitted sketch), which will be added to the abutting easterly parcel of land known as 270 Dunkirk (Part 3). A 12862.85 +/- m² remnant parcel (Part 1) with the existing concrete block and sided building would be retained for industrial use.

Location and Site Description

The subject property is located on the south side of Dunkirk Road and north of Queenston Street, and is surrounded by commercial buildings to the west and a cemetery to the south, and open space lands to the north and east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Employment as per Schedule D1 of the Garden City Plan (GCP) and further designated General Employment as per schedule E9 of the GCP. The General Employment designation permits industrial operations, transportation terminals, repair activities, service trades, construction activities, warehouse, storage, car wash, knowledge based research, technology, service, communication, information, management uses, adult oriented uses, major large scale recreation uses, and small scale subordinate retail, service commercial, office, indoor recreation, entertainment and institutional uses intended primarily to serve and support the businesses and employees within the immediate employment area.

Zoning By-law (2013-283)

The subject land is zoned General Employment (E2). The E2 zone permits adult oriented entertainment establishments, bulk fuel depots, car washes, contractor's yard, heavy equipment sales and service, heavy industry, light industry, motor vehicle gas stations, motor vehicle repair garages, research facilities, and transportation depots.

Report

Employment land areas are intended to provide for a broad range of business and industrial employment uses, and provide a major source of employment opportunities for local residents. These areas are meant to support the retention or relocation of existing employment uses, and the reuse, rehabilitation, redevelopment and intensification of existing developed properties for expanded or new employment uses and opportunities within the employment lands designation. The consent is requested to facilitate a boundary adjustment between two adjacent industrial properties. The applicant has advised that his company, Pen Storage, has negotiated to purchase a parcel of land from Archer Trucks, the neighbouring property owner. The intended use for this portion of land is to expand the self-storage business either for re-locatable storage containers or to potentially construct expanded permanent storage units on the site. The subject parcel to be severed is minimal in size and the adjustment will be visually undetectable. Staff foresee no issues with approval of the requested consent.

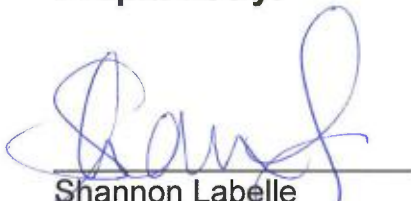
The City's Development Engineering staff have requested a number of conditions that must be fulfilled prior to consent finalization. Existing private infrastructure exists within the Dunkirk Road allowance serving the existing property at 270 Dunkirk Road. A private chain link fence, wood retaining wall and recreational fire pit appear to encroach within the City's right-of-way limits for the road. Staff will require these be removed from the right-of-way. As well, the City requires that all roof leaders and sump pump connections piped underground to discharge to the Dunkirk Road roadside ditch be

disconnected from the dwelling at 270 Dunkirk Road and rather be discharged onto splash pads at grade on the private property limits of 270 Dunkirk Road.

Conclusion

Staff are satisfied that the consent requested through application **B-42/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application, subject to the conditions of approval requested. Staff recommend that the application be approved.

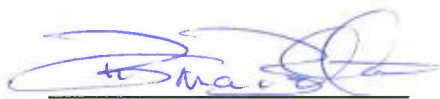
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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.

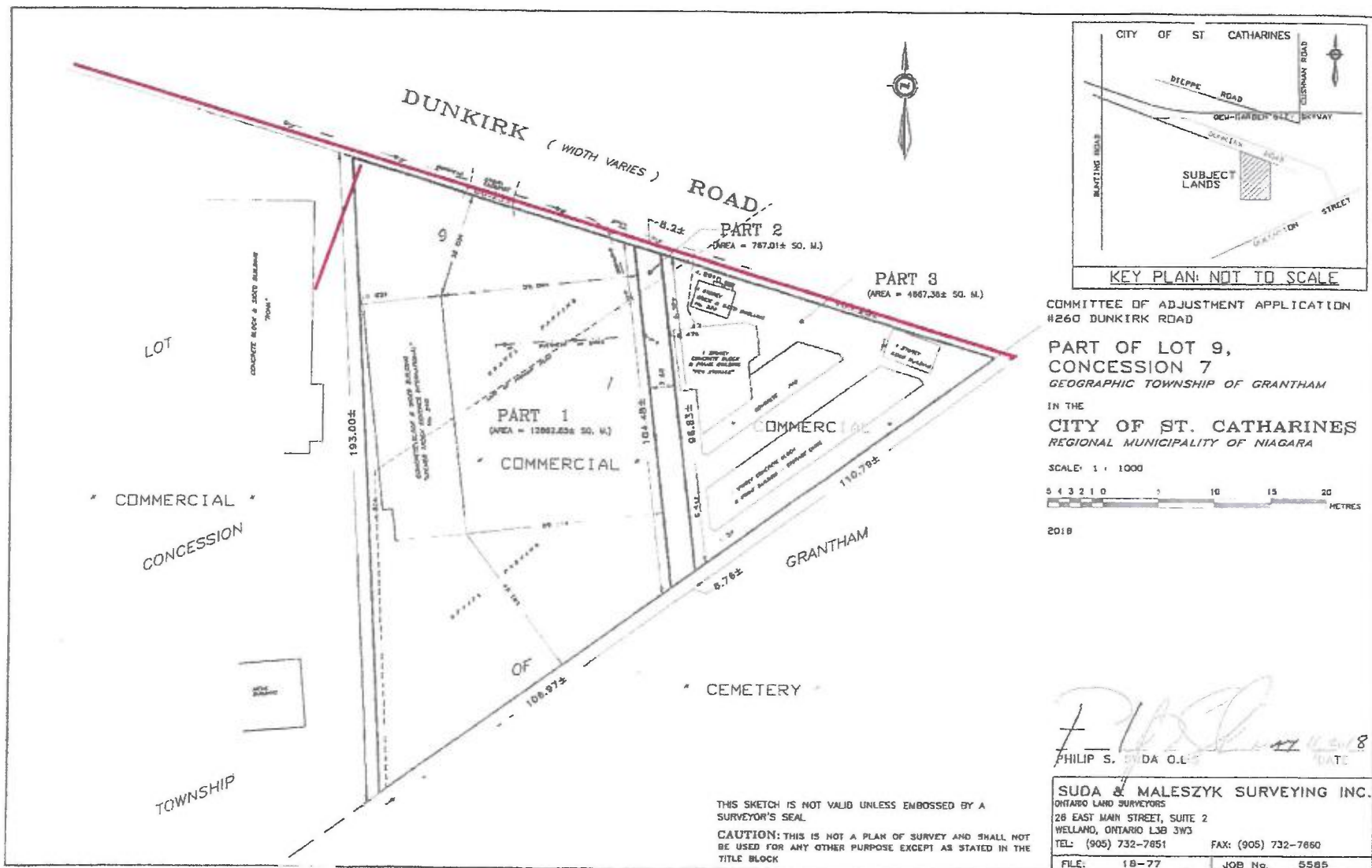
If you have any questions or concerns, please feel free to contact me.

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

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

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

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

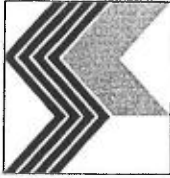
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- [Contact us](#)

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



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
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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.

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.

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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:

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

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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

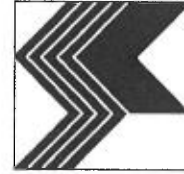
Comment:

- 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.

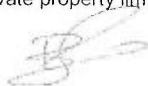
Engineering Services

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, 2018

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.

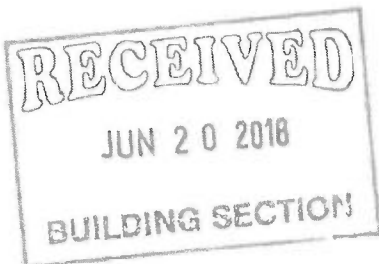
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It is not unreasonable to expect that residents of the triplex (8 bedrooms in total) would in fact have more than 3 vehicles, although I understand this concern is outside the scope of this hearing directly, it certainly informs any thought of further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

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
File No. 60.81.5365
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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: [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

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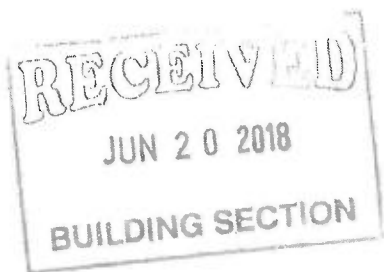
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Sincerely,

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

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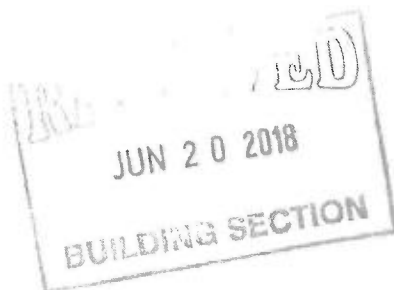
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Sincerely,

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
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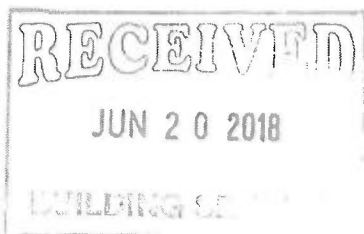
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Sincerely,

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:

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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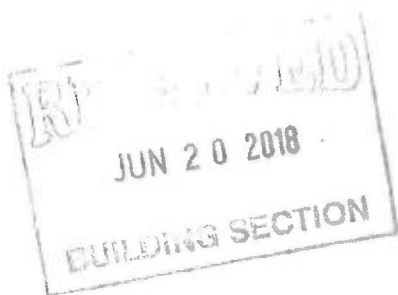
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Sincerely,

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
File No. 60.81.5365
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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
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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
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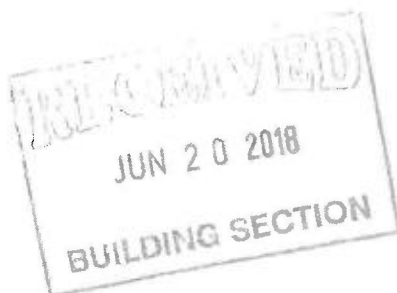
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Sincerely,

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

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

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

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

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

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

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

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

- Contact us

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



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

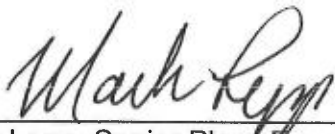
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

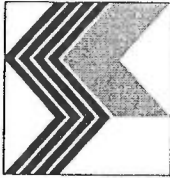
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard 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:

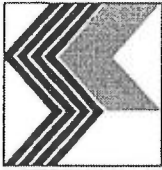
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: March 21, 2018

Date of Hearing: March 28, 2018

Submission(s): B-46/18SC
B-47/18SC
A-78/18

File: 60.84.2189
60.84.2190
60.81.5367

Subject: 1 Dunn Street
3 Dunn Street

Recommendation

That Submissions **B-46/18SC** and **B-47/18SC** by Nicolas Mencfeld, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That a permit to demolish the existing single detached dwelling and existing storage shed be obtained from the City Building Department and be completed to the satisfaction of the Chief Building Official for the City of St. Catharines;
2. 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;
3. 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;
4. 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;
5. 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; and
3. That the owner enter a Development Agreement with the City of St. Catharines, registered on title to the lands (Parts 1 and 2), to address the following conditions:
 - a. Building Permit Plans be subject to review and approval by PBS demonstrating:
 - i. That a planting strip be provided in the rear of the property, containing 4 trees at approximately 16-18 feet high and an 8 foot diameter canopy, to be installed at the owners expense; and,
 - ii. That the driveways be made of a hard surface, preferably concrete.

4. In accordance with section 69(2) of the Planning Act (Reduction or Waiver of Fees), the standard fee for a Development Agreement be reduced from \$2457.85 (2018 fees) to \$500.00 since it would be unreasonable to require payment in accordance with the standard fee. A fee associated with the registration of the Development Agreement is still required.

That Submissions **A-78/18** by Nicolas Mencfeld, as outlined in the Notice of Hearing, each be approved.

Summary

Having regard for the matters under Section 51 (24) of the Planning Act, staff is satisfied that applications **B-46/18SC** and **B-47/18SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matter under Section 45 (1) of the Planning Act, staff is of the opinion that application **A-78/18** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

Proposed Development

Application **B-46/18SC** is made for consent to sever 285.93m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 1 Dunn Street, and **B-47/18SC** is made for consent to sever 237.55m² of land (Part 2 on the submitted sketch) to create a new lot to be known as 3 Dunn Street. A 286.74m² remnant parcel with the remaining unit (Part 3) of the 3-unit townhouse would be retained for future residential use. The effect of applications **B-46/18SC** and **B-47/18SC** is to sever 2 lots (Parts 1 and 2) with a remaining remnant lot (Part 3), and which each parcel would accommodate a townhouse unit which may be owned or sold separately.

A concurrent application **A-78/18** is requesting to vary the Zoning By-law as amended for a minor variance for Part 2 to facilitate a reduction in the minimum lot area per dwelling unit requirement from 280m² to 237.55m² for a townhouse lot.

Location and Site Description

The subject property is located on the west side of Dunn Street, north of Townline Road East and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

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

Zoning By-law (2013-283)

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

Report

The GCP contains a number of policies with respect to evaluating development, redevelopment and lot creation within residential neighborhoods. Part F, Section 16.11.3 of the GCP states that consent to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

The consents would allow each unit of the 3-unit townhouse, which is already under construction on the subject lands, to be owned and/or sold separately. Staff are satisfied that the parcels are appropriate for the use proposed. No impact is expected on the surrounding area and it is in keeping with the established character of the surrounding neighbourhood. Aside from a request to reduce the minimum lot area per dwelling unit for Part 2 only, all other applicable zoning provisions are met. The resulting density of the development is 37 units per hectare which generally meets the density as set out in the Official Plan. There are similar developments in the nearby vicinity, and the surrounding area provides a mix of dwelling types, which is supported in the Official Plan.

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

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that the City routinely require Development Agreements to be registered on title as a condition of consent applications to address conditions for future development design. Staff may recommend conditions of consent approval including a Development Agreement, to implement the advice of the DRP and other City or agency considerations.

The application as originally proposed was submitted to the DRP for review at the meeting of May 1, 2018. The Panel was generally supportive of the proposed townhouse development as originally proposed, albeit making suggestions to re-adjust lot frontage and driveway widths to comply with Zoning By-law requirements where possible. Those revisions have been made in submitting formal applications to the Committee. Notwithstanding, the DRP also discussed that the driveways should be made of a hard surface material, preferably concrete. As well, it was requested that a number of large trees be planted in the rear. Overall the Panel was satisfied with the design, stating that the proposal has variety and the hip roof will suit the neighbourhood well. The DRP moved to endorse support for the proposed lot creation for the purpose of constructing

three townhouse dwellings, subject to conditions which are set forth in the recommendation.

The submitted application to the Committee of Adjustment reflects the recommendations of the DRP. It is staff's opinion that a development agreement is appropriate to ensure that the advice of the DRP is adhered to prior to issuance of a building permit. Should the application be approved, a Development Agreement should be registered on title in order to address conditions for future development design of the site recommended by the DRP.

The Committee should be aware that they have the authority under the Planning Act to waive fees where it would be unreasonable to charge the standard fee. A Development Agreement as a condition of consent, to ensure the new lots develop generally in accordance with the plans submitted with the application, and in accordance with the recommendations of the DRP, provides the applicable law necessary to bind the plans submitted with this application to the issuance of a building permit. The Development Agreement fee, as approved in the Tariff of Fees approved by Council for 2018, a fee of \$2,457.85, is considered unreasonable and excessive in this context. Accordingly, staff is recommending the Committee reduce the Development Agreement fee to \$500.00 to better reflect the costs of processing a Development Agreement as a condition of these applications.

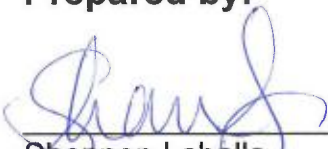
Report

The requested reduction in the minimum lot area per dwelling unit from 280m² to 237.55m² for Part 2 is considered minor in nature. The requested variance is a function of the concurrent consent applications to legally sever the lot. The purpose of the minimum lot area provision of the by-law is to ensure a dwelling can fit comfortably on the parcel of land and be compatible with surrounding properties. Due to Part 2 being the middle parcel of the three, the requested reduction to lot area will be generally undetectable. Parts 1 and 3 are able to maintain the required minimum lot areas and even with the reduction, Part 2 still provides adequate amenity space in the rear for the townhouse dwelling unit. The requested reduction will not significantly impact the subject or surrounding properties. The consent would allow the dwelling units to be owned and/or sold separately. The variance is in keeping with the general intent and purpose of the Official Plan and the property complies with all other provisions of the Zoning By-law. Staff are supportive of the proposed variance.

Conclusion

Staff are satisfied that the consents requested through applications **B-46/18SC** and **B-47/18SC** are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff are satisfied that the variance requested through Submission **A-78/18** is in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature and appropriate and desirable for the use of the land. It is staff's recommendation that the requested consents and variance be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Bruce Bellows
Senior Planner

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

"To enable us to serve you better, please call ahead to make an appointment."

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, Bureau 1700, Montréal, Québec, H3B 0B3

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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

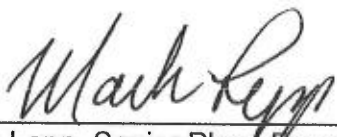
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

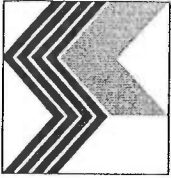
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
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A-71/18	24 Walker Street	No Comment
A-72/18	121 Rykert Street	Be advised that a reduction in the required yard will have a spatial separation implications affecting the permitted area of glazed openings and the permitted type of construction facing those yards.
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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

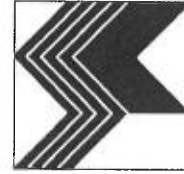
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114 Highland Avenue, Minor Variance Application, A-83/18 – 60.81.5372
99 South Drive, Consent Application, B-49/18SC – 60.81.2192
116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
99 South Drive, Consent Application, B-50/18SC – 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.

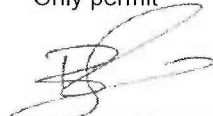
The Owner shall also pay to have two new water services installed by City Crews from the municipal watermain on Dunn Street to the front property line. The fee charged shall be in accordance with the City's Schedule of Rates & Fees in place at the time and shall be paid at the Building Permit application 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



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-77/18

File: 60.81.5366

Subject: 47 Regent Drive

Recommendation

That Submission **A-77/18** by Pino Lorelli and Alessandra Tavlolini Lorelli, as outlined in the Notice of Hearing, be approved subject to the following condition:

1. That the proposed addition to the northwest side of the dwelling (Dundalk Court side) be located to be flush with, or behind, the front façade (facing Regent Street) of the existing dwelling; and,
2. The owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor, and the grading plan shall be submitted to City staff for review and approval prior to the issuance of a building permit.

Summary

Having regard for the matters under Section 45 (1) of the Planning Act, staff is of the opinion that application **A-77/18** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

Proposed Development

Application **A-77/18** requests to vary the City of St. Catharines Zoning By-law as amended for an addition to the existing dwelling and for an attached 2-car garage, as follows:

1. A reduction of the minimum exterior side yard setback along Dundalk Court from 4 metres to 2.3 metres for the proposed construction of an addition to the dwelling (Plan A sketch);
2. A reduction of the minimum rear yard setback from 7.5 metres to 6.4 metres for the proposed garage (Plan B sketch); and,
3. A reduction of the minimum interior side yard setback from 1.2 metres to 0.4 metres (at the pinch point) (Plan B sketch) for the proposed garage.

Location and Site Description

The subject property is located on the southeast corner of Regent Drive and Dundalk Court and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E3 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

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

Report

Variance 1 requests a reduction of the minimum exterior side yard setback along Dundalk Court from 4 metres to 2.3 metres for the proposed construction of an addition to the dwelling. The intent of the exterior side yard setback of the Zoning By-law is to ensure that adequate sight lines are maintained for drivers approaching the corner point, to maintain a degree of distance for safety from the road, and ensure amenity space and landscaping is maintained in the yard. The requested reduction to the exterior side yard setback for an addition is not expected to have negative impacts on neighbouring properties or sight lines for vehicles. Sufficient amenity space and landscaping opportunities is still provided on the site.

The variance to the exterior side yard setback can be supported by staff. However in the opinion of staff, the location of the proposed addition, being set forward ahead of the front façade of the existing dwelling, will have undesirable effects on the streetscape and the views of the dwelling from Regent Street.

The City's Urban Design Guidelines maintain that designs should blend with the surrounding building fabric to maintain a harmonious streetscape, and new development should be proportionate to existing homes within the neighbourhood. The configuration of the dwelling should reflect predominant neighbourhood patterns. As such, permitting an addition to the dwelling that sits in front of the dwelling, especially being a corner lot which has to consider the streetscape from both Dundalk Court and Regent Drive, would allow for a rather unusual building design on the property. Staff are supportive of the


addition provided that the proposed addition be located flush with or behind the front façade (Regent Drive) of the existing dwelling.

Variance 2 requests a reduction of the minimum rear yard setback from 7.5 metres to 6.4 metres and variance 3 requests a reduction of the minimum interior side yard setback from 1.2 metres to 0.4 metres in order to facilitate the construction of an attached 2-car garage. These requested variances are not expected to significantly impact the subject or surrounding properties. The intent of the minimum rear yard setback is to ensure, in part, that there is adequate amenity space provided on site and that there is sufficient spacing between buildings on the adjacent properties. The intent of the minimum interior side yard setback of the Zoning By-law is to ensure that sufficient distance and a buffer is maintained between structures on adjacent properties and sufficient distance from property lines is maintained to support on-site drainage and access to rear yards. The reduction of the minimum rear yard setback will not substantially limit the amount of amenity space available for the dwelling or negatively impact the spacing of dwellings on adjacent lots, and should not impact any potential overlook or privacy concerns with respect to adjacent properties. The reduction of the minimum interior side yard setback will not negatively impact the spacing between the adjacent lot and subject property since it reflects a pinch point, beyond which the side yard increases beyond the minimum required. 2 cars are currently able to park side by side on the driveway provided, which currently houses a carport and a shed that already sits quite close to the property line. The proposed attached 2-car garage will provide coverage for both vehicles that already use the paved space provided. The variances are considered minor in nature, appropriate and desirable for the use of the land.


Conclusion

Staff are satisfied that the variances requested through Submission **A-77/18** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved subject to the conditions outlined in the recommendation.


Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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

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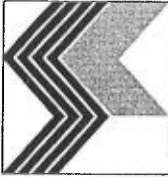
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Planning and Building Services

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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

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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

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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

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:

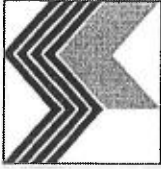
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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



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-81/18

File: 60.81.5370

Subject: 32 Briarfield

Recommendation

That Submission **A-81/18** by Bill & Pauline Hicks, as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-81/18** is not minor in nature, not desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

Proposed Development

Application **A-81/18** is requesting to vary the Zoning By-law to request a reduction in the minimum interior side yard setback from 1.2 metres to 0 metres (at the pinch point) and for a reduction to the front yard setback requirement of a garage from 7 metres to 4.77 metres to accommodate the proposed construction of an attached garage.

Location and Site Description

The subject property is located on the north side of Briarfield Crescent, east of Woodington Crescent and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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

Report

In the opinion of staff, the requested reduction to the minimum interior side yard setback requirement from 1.2 metres to 0 metres may have adverse impacts on the adjacent property to the east and may negatively impact appropriate on-site development. The primary intent of the interior side yard setback is to ensure that sufficient spatial distance and a buffer is maintained between structures on adjacent properties. A reduction to 0 metres is a considerable departure from the required 1.2 metres, as it will provide no space between the proposed structure and the neighbouring property. Aside from the visual impacts that a 0 metre setback may inflict on a neighbouring property, it may also lead to drainage concerns and an increased likelihood of water projecting onto neighbouring properties. Also, a 0 metre setback inhibits access to the rear yard along the easterly side lot line which may impact fire service's access to the rear yard in case of an emergency. In the opinion of staff, there is no evidence to suggest the garage needs to be as wide as is proposed. The applicant has the option to reduce the width of the garage and still meet the zoning by law requirements for parking space dimensions and also enable on-site parking in excess of minimum, but still in compliance with, zoning by-law requirements.

The proposed attached garage also requires a variance to the front yard setback from the property line. The zoning by-law requires a minimum of 7 metres to be maintained between the garage and the front property line to ensure that a vehicle can be adequately parked in the driveway and to ensure the garage is recessed beyond the front façade of the dwelling. As well, the City's Urban Design Guidelines state that garages should not be the dominant feature within the composition of a dwelling nor the dominant feature along the streetscape. Their visual impact on the streetscape should be minimized in favour of front doors and windows. With the proposed reduced setback for the garage, the driveway length will only be 4.77 metres and not sufficient to meet the minimum of 5.2 metres of depth for an average sized car to park in a driveway. In the opinion of staff, the reduced setback of the garage also does not support continuity of streetscape along the road where garages are generally setback a significant distance from the roadway.

While it is acknowledged that the neighbouring property has submitted a letter to state that they do not have any concerns with the attached garage being built to the side lot line, planning staff must be cognisant of the fact that dwellings are sold and owners of neighbouring properties do not remain the same into the future.

Staff are not supportive of the requested variances to facilitate the construction of an attached garage, as proposed.

Conclusion

Staff are not satisfied that the variances requested through Submission A-81/18 support compatible development with the surrounding area, are in keeping with the general intent of the Official Plan and Zoning By-law, or are minor in nature and appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be denied.

Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Bruce Bellows
Senior Planner

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

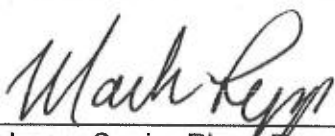
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 12, 2018

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

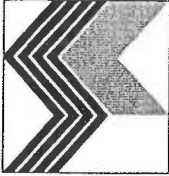
NO.	ADDRESS	COMMENTS
A-68/18	24 Yates Street	Be advised that a building permit is required for the proposed cabana.
A-69/18	35 Ramset Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/18	22 Walker Street	Be advised that a reduction in the required yard 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
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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:

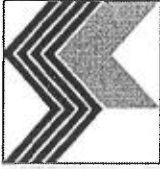
1. The Owner shall have a grading plan for the subject property prepared by a qualified Engineer or Ontario Land Surveyor.
2. The Grading Plan shall be submitted to City Staff for review and approval.

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/

Revised Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held May 30, 2018 to be approved at the July 25, 2018 Hearing.
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
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 - 99 South Drive, Consent Application, B-53/18SC – 60.84.2196
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 - 116 Highland Avenue, Minor Variance Application, A-84/18 – 60.81.5373
 - 118 Highland Avenue, Minor Variance Application, A-85/18 – 60.81.5374On 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-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**



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):	B-48/18SC	File:	60.84.2191
	B-49/18SC		60.84.2192
	B-50/18SC		60.84.2193
	B-51/18SC		60.84.2194
	B-52/18SC		60.84.2195
	B-53/18SC		60.84.2196
	B-54/18SC		60.84.2197
	B-55/18SC		60.84.2198
	B-56/18SC		60.84.2199
	B-57/18SC		60.84.2200
	A-83/18		60.81.5372
	A-84/18		60.81.5373
	A-85/18		60.81.5374

Subject: 99 South Drive
116 Highland Avenue
118 Highland Avenue
120 Highland Avenue
122 Highland Avenue
124 Highland Avenue
14 Ridgewood Road
16 Ridgewood Road
18 Ridgewood Road

Recommendation

Consent to Sever

That Applications **B-48/18SC, B-49/18SC, B-50/18SC, B-51/18SC, B-52/18SC, B-53/18SC, B-54/18SC, B-55/18SC, B-56/18SC & B-57/18SC** by 1473941 Ontario Limited, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the applicant obtain a demolition permit for removal of the "2 storey addition" at the north end of the existing building and that demolition be completed to the satisfaction of the City's Chief Building Official;
2. That the applicant satisfy the City's Chief Building Official that glazed openings and wall construction for the north and east faces of the existing building (on Part

11) comply with the requirements of subsections 9.10.14 and 9.10.15 of the 2012 Ontario Building Code;

3. That payment of 5% of the appraised value of the new lots (Parts 1 to 10 inclusive) 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'; and that the necessary appraisal be completed by a qualified appraiser;
4. That the applicant pay the fee for City crews to locate the water and sewer laterals servicing the existing building (on Part 11), in accordance with the current Schedule of Rates and Fees; and that the sewer and water services for Part 11 be designed so that they are independent and do not cross future adjacent property lines; and that the applicant provide services to each of the proposed ten lots in order that each property can be serviced individually;
5. That the applicant enter a Development Agreement with the City of St. Catharines, to be registered against the title of the lands (Parts 1 through 10), to address the following matters:
 - i. That the applicant submit a payment of \$451.40 for each new lot, for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees;
 - ii. That the applicant submit a payment of \$5,416.80 (\$451.40 x 6 trees x 2) as compensation for the removal of 6 municipal boulevard trees;
 - iii. That the applicant pay to the City a cash deposit for the installation of a 1.5 metre-wide sidewalk along the Highland Avenue frontage after construction of the new dwellings is complete;
 - iv. That the municipal sidewalk be offset in the standard location from the lot line along Highland Avenue for Parts 5, 6 and 7 as per the City's standard road cross section;
 - v. That the proposed colour scheme of the exterior building elevations generally reflects that of the existing school building;
 - vi. That the applicant complete the design and construction of the required servicing works to the satisfaction of the City Engineer, including, but not limited to:
 - installation of all water, storm, and sanitary laterals to each of the ten units;
 - installation of rear yard catch basins, if required;
 - preparation of a Master Grading Control Plan for the entire development and completion of final grading for all properties in accordance with the Master Grading Control Plan;

- replacement of asphalt paving for the full width of the road adjacent to the Ridgewood Road and Highland Avenue frontages;
 - vii. That the applicant retain the services of a professional engineer for the design of all works to be covered by this agreement, the preparation of servicing and grading plans, profiles and specifications, the preparation of applications to the necessary authorities for approval of the works, prior to their construction, the supervision and inspection of 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;
 - viii. That the applicant be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the Ministry of the Environment and Climate Change;
 - ix. That the applicant be responsible for all costs associated with the construction of the works covered by the agreement, including City inspection of the work;
 - x. That the applicant 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;
 - xi. That the applicant provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works.
6. That the applicant dedicate to the City free and clear of any encumbrances a 1.0m road widening along the frontage of both Ridgewood Road and Highland Avenue; and
7. That the applicant submit for the City's review and approval a draft reference plan, prepared by an Ontario Land Surveyor, describing the lands along Ridgewood Road and Highland Avenue to be dedicated to the City for road widening purposes.

Minor Variance

That Applications **A-83/18, A-84/18, and A-85/18** by 1473941 Ontario Limited, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that Applications **B-48/18SC through B-57/18SC** are desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Applications **A-83/18 through A-85/18** are minor in nature, desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law is being maintained.

The Proposal

The Applicant wishes to construct ten street townhouse dwellings (one block of four townhouses fronting onto Ridgewood Road, and two blocks of three townhouses fronting onto Highland Avenue) on the lands municipally known as 99 South Drive, and has submitted applications for consent to sever accordingly, as detailed in the table below.

Application No.	Part No.	Parcel Size	Proposed Address
B-48/18SC	Part 5	502.73m ²	114 Highland Avenue
B-49/18SC	Part 6	330.71m ²	116 Highland Avenue
B-50/18SC	Part 7	368.44m ²	118 Highland Avenue
B-51/18SC	Part 8	388.28m ²	120 Highland Avenue
B-52/18SC	Part 9	348.42m ²	122 Highland Avenue
B-53/18SC	Part 10	387.62m ²	124 Highland Avenue
B-54/18SC	Part 1	409.97m ²	14 Ridgewood Road
B-55/18SC	Part 2	313.71m ²	16 Ridgewood Road
B-56/18SC	Part 3	313.71m ²	18 Ridgewood Road
B-57/18SC	Part 4	362.87m ²	20 Ridgewood Road

Each severance will result in the creation of one lot for each of the townhouse dwellings proposed, allowing each of the ten units to be owned individually. A 2,280.01m² remnant parcel (Part 11) would be retained for future residential use as a condominium apartment building.

The related Applications for Minor Variance, **A-83/18**, **A-84/18** and **A-85/18** seek to facilitate the development of Parts 5, 6 and 7. Specifically, the Applicant requests:

1. A reduction of the minimum rear yard setback from 6 metres to 5.5 meters; and
2. A reduction of the minimum front yard setback to the garage from 6 metres to 5.5 metres.

Location and Site Description

The subject property is bounded by South Drive to the west, Ridgewood Road to the north, and Highland Avenue to the east. The site is surrounded by detached dwellings. A parcel of City parkland is located to the south.

Circulation of Applications

These applications were circulated to all appropriate departments and agencies for comment. There were no objections received.

Planning Analysis

Official Plan (Garden City Plan)

Schedule D1 of the City's Official Plan, designates the subject lands as Neighbourhood Residential. Schedule E8 of the Plan provides additional direction, designating the lands as Low Density Residential, permitting a range of residential uses at a density generally between 20 and 32 units per hectare. At a density of 26.8 units per hectare, the proposed townhouse dwellings are permitted.

Zoning By-law (2013-283)

The subject lands are zoned Local Neighbourhood Institutional with Special Provision 122 (I1-122). The I1 zone permits a range of institutional and residential uses. Special Provision 122 provides that residential uses shall comply with the Low Density Residential – Traditional Neighbourhood (R2) Zone uses and provisions of the By-law. The proposed townhouse dwellings are a permitted use.

Report

Consents to Sever

The Garden City Plan (the GCP) provides that consents to sever will only be granted where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel(s) is appropriate for the use proposed and in terms of optimum development of the surrounding area (Part F, Section 16.11.3).

The applicant's proposal will facilitate the reuse of the site, while preserving the existing, albeit vacant school building, which is proposed for adaptive reuse in the future. The vacant property is currently underutilized. The proposed lots, having sufficient lot area and frontage, are appropriate for the townhouse use proposed. There are no adverse impacts on the surrounding area anticipated. Parts 1 through 10 on the submitted sketch are of similar size to most existing lots in the area. The proposal demonstrates development that is compatible in terms of both the streetscape, as well as spacing and setbacks of buildings. The proposal is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Design Review Panel (DRP)

A proposal was submitted to the DRP for review at the meeting of April 3rd, 2018. The DRP considered a proposal to sever four lots fronting onto Ridgewood Road and six lots fronting onto Highland Avenue for the purpose of constructing three blocks of townhouse dwellings. A portion of the existing school building was also proposed to be removed, with the remainder proposed to be converted to apartment dwellings (which would require a zoning by-law amendment).

The panel was generally supportive of the proposed severances and the preliminary architectural designs, which the DRP noted appeared to be reflective of the architectural style of the school building and was favourable. The DRP also noted the applicant stated they intended to work around the existing boulevard trees. The DRP moved to endorse the proposed severances for ten street townhouse dwellings and a future apartment

building, subject to the colour scheme of the exterior building elevations generally reflecting that of the existing school building.

The applications to the Committee of Adjustment were reflective of the advice received from the DRP. In consideration of Council's direction to routinely require Development Agreements as a condition of approval, it is staff's opinion that such an agreement is necessary to ensure that a number of conditions recommended herein are adhered to. A Development Agreement is registered on title and ensures that plans submitted at the building permit stage are in accordance with the site and building details supported by the DRP as well as the City and other agencies.

While the applicant had stated to the DRP that they would be willing to work around the existing boulevard trees, an arborist report has since been completed and submitted to the City's Parks, Recreation and Culture Services department for an assessment of the municipal boulevard trees on site. The report notes that the combination of driveway access points, sidewalks, and overall tree health means that six trees are not good specimens for a pre-construction preservation plan. The report recommends these trees be removed and replaced. This information was not previously available to the DRP for consideration. PRCS has reviewed the condition of the trees and the proposed works and agrees that boulevard trees should be removed and replaced. The only effect that the boulevard trees would have on the design of the development would be in regards to the placement of driveways. It is likely and anticipated that this information regarding the removal of some of the boulevard trees would not have impacted the DRP's considerations and opinions on the design of the proposal.

The Garden City Plan provides that public trees shall be replaced at a 2:1 replacement value (Section 6.6). As such, the applicant will be responsible for depositing a cash payment for the replacement value of the existing municipal trees through the Development Agreement process and will ensure larger caliper trees are planted, positively contributing to the streetscape of the neighbourhood.

The requested reduction of the minimum front yard setback to the garage from 6 metres to 5.5 metres for Parts 5, 6 and 7 is reflective of the need for a road widening along Highland Avenue. The City's development engineering staff have noted that all abutting streets 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') ± wide, and Highland Avenue is currently 15.2m (50') wide. 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 requested reduction of the front yard setback to garages is not expected to substantially impact the subject or surrounding properties. The intent of the front yard setback is to ensure that adequate amenity and parking areas are provided. There is adequate space available for a parking area in front of each of the proposed dwelling units, in keeping with driveway locations in the neighbourhood. The variance will allow for

a new sidewalk, water line, and boulevard trees while still providing enough space between the property line and the garage for a car to fit in the driveway without overhanging the municipal sidewalk. Staff are supportive of the reductions, provided that the sidewalk is offset a minimum 1.0 metre from the lot line as per the City's standard road cross section. This is reflected in the recommended conditions above.

The requested reduction of the minimum rear yard setback from 6 metres to 5.5 metres for Parts 5, 6 and 7 also relates to a requested road widening (along Highland Avenue). The applicant has pushed the building envelopes back 0.5 metres to accommodate the requested road widening, and this has necessitated the requested variance to the rear yards. The reduction will be visibly undetectable and will therefore not substantially impact the subject or surrounding properties. The intent of the minimum rear yard setback is to ensure, in part, that there is adequate amenity space provided on site and that there is sufficient spatial separation between buildings and adjacent properties. The reduction of the rear yard setback is minor and will not limit the amount of amenity space available for the dwellings.

The applicant's proposal demonstrates development that is compatible with the existing streetscape in terms of spacing and building setback. The proposal fits with the general character of the surrounding neighbourhood and is in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

Staff are supportive of the proposed variances.


Conclusion

Staff are satisfied that the consents requested through Applications **B-48/18SC thru B-57/18SC** are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the applications. Additionally, staff are satisfied that the variances requested through Applications **A-83/18 thru A-85/18** are in keeping with the general intent and purpose of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. Staff recommend that the requested consents to sever and minor variances be approved, subject to the conditions outlined in the recommendation.

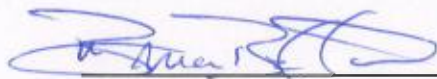
Prepared by:


Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner 1

Approved by:


Bruce Bellows
Senior Planner

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:

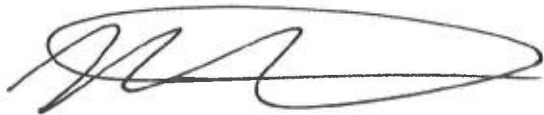
- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra 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:

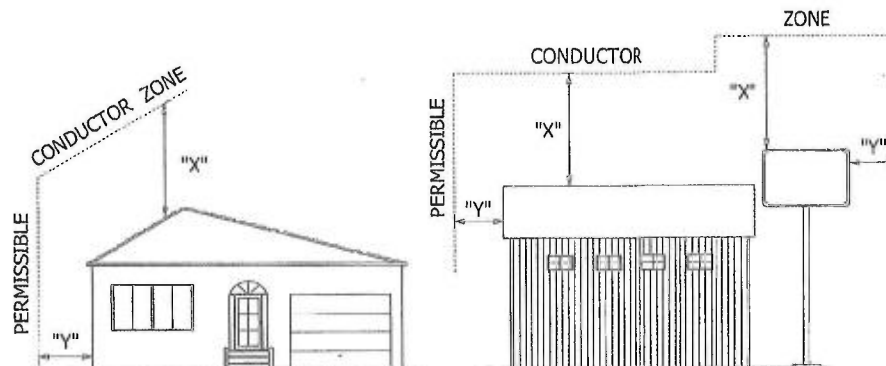
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's 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



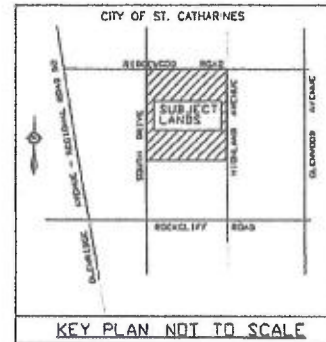
PRELIMINARY SKETCH FOR LAND SEVERANCE OF
PART OF LOT 2625,
CORPORATION PLAN No. 2
IN THE

CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

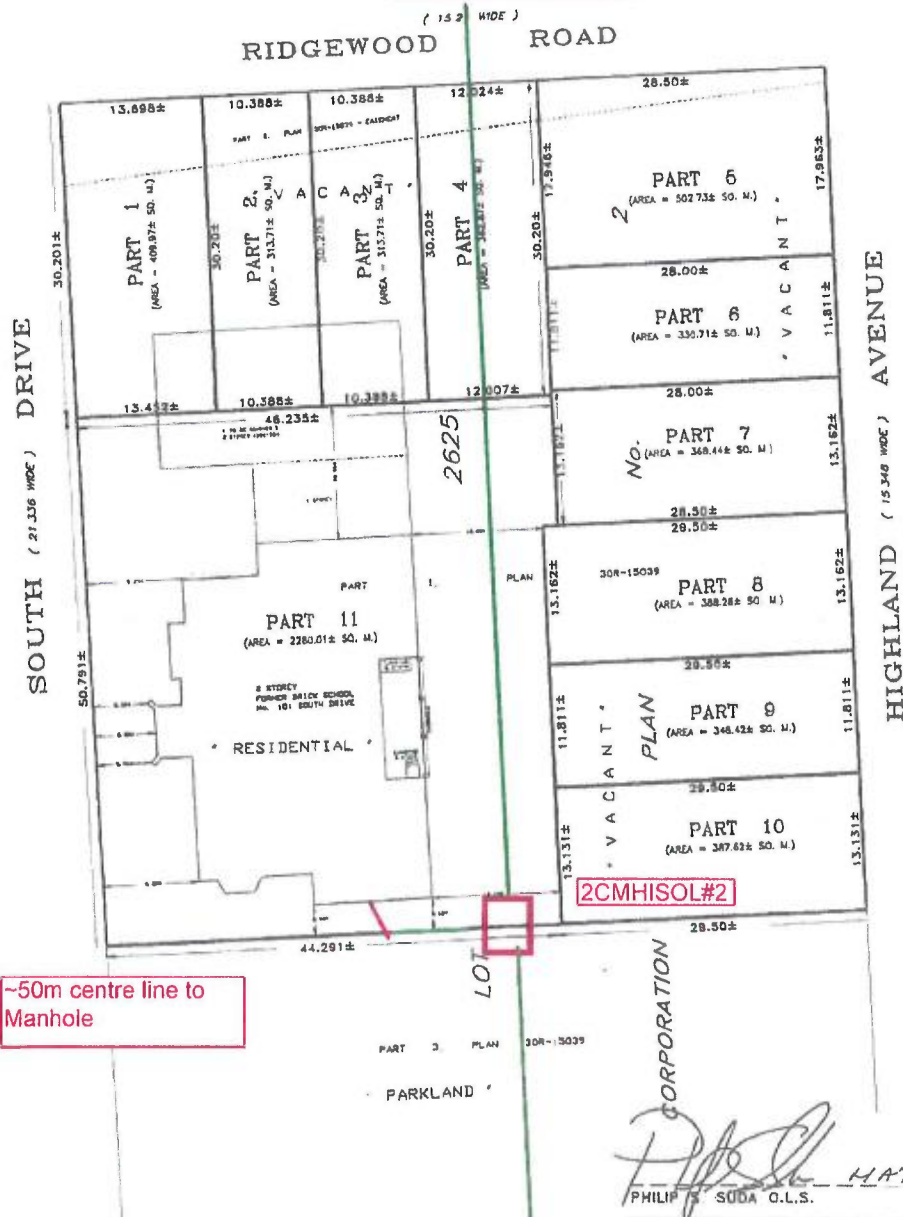
SCALE: 1 : 400

10 5 0 5 10 15 20
METRES

2018



~80m centre line to
Manhole



~50m centre line to
Manhole

THIS SKETCH IS
SURVEYOR'S SEAL
CAUTION: THIS
BE USED FOR ANY
TITLE BLOCK

~60m to OPI/ONU PED S
101 South Dr

PHILIP S. SUDA O.L.S. MAY 16, 2018 DATE

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

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

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

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

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

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

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

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

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

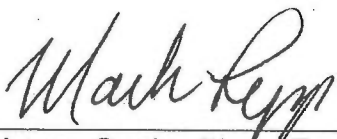
B-57/18SC – 99 South Drive

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

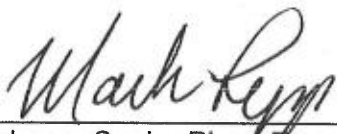
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

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.

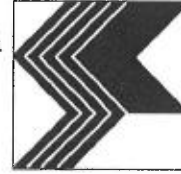
That the applicant submit a payment of \$5,416.80 ($\$451.40 \times 6 \text{ trees} \times 2$) as compensation for the removal of 6 public trees.

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

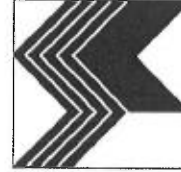
- If the Owner decides to complete the servicing works the Owner shall enter into an Agreement with the City of St. Catharines for the design and construction of services to the satisfaction of the City Engineer and shall include but not be limited to:
 - Install all water, storm and sanitary laterals 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/