

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

i) Item #8:

75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

A request has been received by the Agent to adjourn the above applications and supported by staff as the Owner is unable to attend and to use extra time to evaluate the City's request for a Hazard Land Dedication.

ii) Item #4:

79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

A request has been received by staff to adjourn the above minor variance application until such time as Development Engineering staff are able to do a field investigation or alternatively, are provided with confirmation from an Ontario Land Surveyor that grading has not changed from what was originally approved.

5. Adoption of the Minutes held June 27, 2018 & July 25, 2018
6. Application:

1. 54 Wellington Street, Minor Variance Application, A-90/18 – 60.81.5379
2. 333 & 347 Main Street, Minor Variance Application, A-26/18 – 60.81.5313
3. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383
3. * 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386
5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390
6. * 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389
7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400
9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 – 60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395
10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209
- 11.* 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

* Planning Report will be available on Monday, August 27, 2018

7. New Business:
8. Date of next Hearing: September 26, 2018
9. 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-64/18SC (60.84.2207),
A-103/18 (60.81.5392)
& A-104/18 (60.81.5393)**

75 Simpson Road

**DATE OF HEARING:
August 29, 2018**

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

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



August 16, 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-64/18SC
75 Simpson Road
St. Catharines
Bell File: 905-18-341

We acknowledge receipt and thank you for your correspondence dated August 8, 2018.

Subsequent to review by our local engineering department, Bell Canada has identified that we require protection for existing buried 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 landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the decision. We look forward to the owner's solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

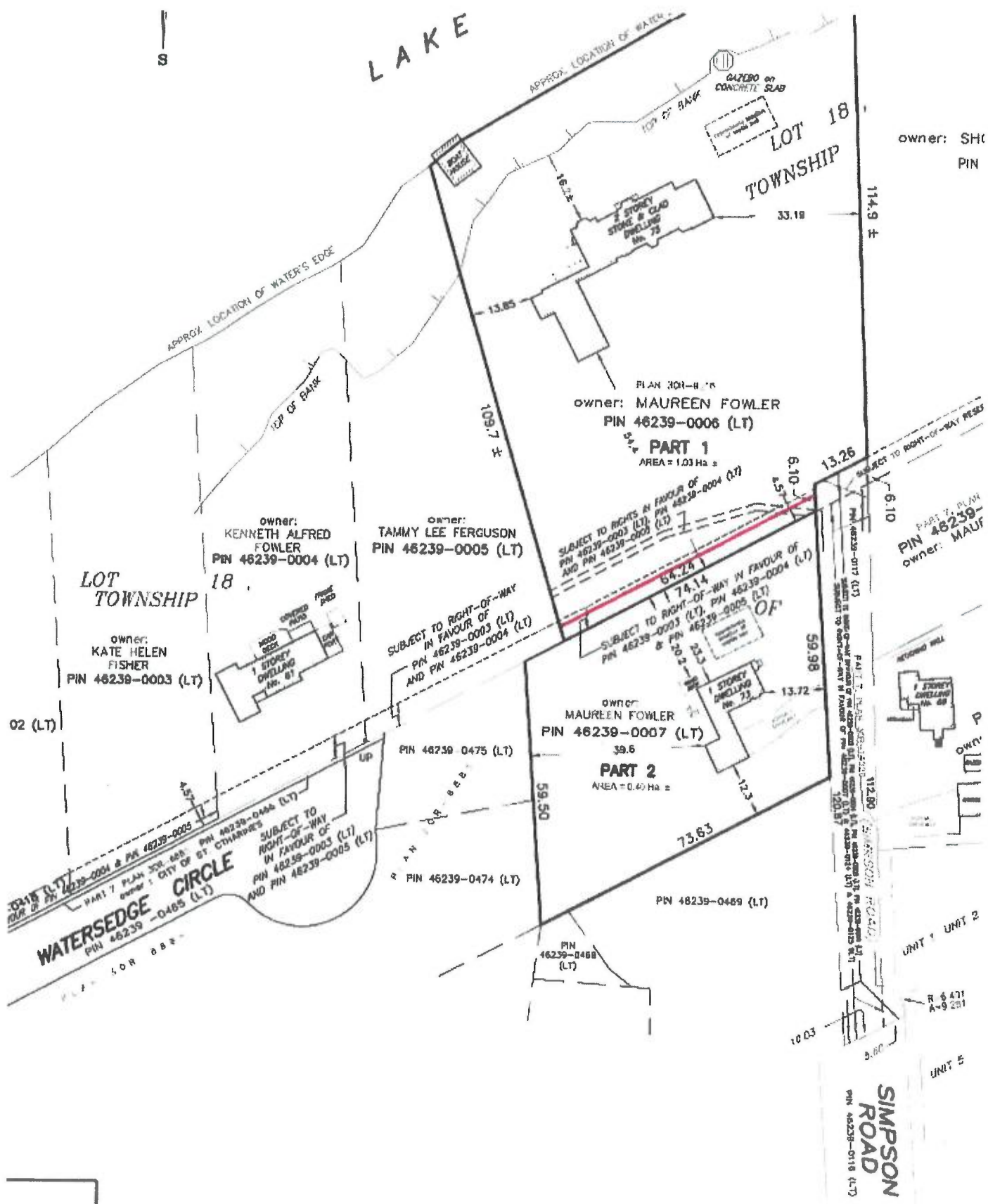
If you have any questions or concerns, please feel free to contact me.

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 August 29/18 CofA Hearing, City of St. Catharines - Email 4

75 Simpson Road
19 John St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:41 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 4

Hi Elaine
Email 4
Cogeco has no issues or concerns with this applications
Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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

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

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- [Contact us](#)

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

August 08, 2018

Our File No.: PLCON201800727

BY E-MAIL ONLY

CITY OF ST CATHARINES
P. O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Attention: Elaine Munro, Secretary-Treasurer

Subject: 73- 75 Simpson Road
B-64/18, A-103/18 and A-104/18

The Conservation Authority has reviewed the above noted applications and offers the following comments and recommendations for your hearing.

This application has been made to sever Part 2 which will recreate the lot known as 73 Simpson Road. Part 1 will be retained for continued residential use. There are two concurrent minor variance applications associated with this file which seek permission to have these lots front onto a private road.

At this time, these applications have been made to correct a merging of the properties. There is no development proposed under these applications.

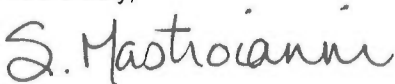
The subject lands lie adjacent to the Lake Ontario Shoreline which may be prone to property damage due to erosion processes and slope stability concerns. In accordance with NPCA policies (as well as the Provincial Policy Statement), development and site alterations within areas designated as hazard areas may be permitted where the effects and risk to public safety are minor and have been properly mitigated.

Should future development or site alterations be proposed on either lot, further studies and permits will be required by the NPCA. Adequate shoreline protection along the shoreline frontage will also be required to mitigate the Erosion Hazard which extends onto 73 Simpson Road.

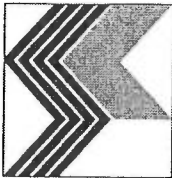
Based on the above, the NPCA offers no objections to the approval of these applications. Any new development or site alterations proposed on these lands must be circulated to the NPCA for review and approval prior to the commencement of any works.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter.

Yours truly,



Sarah Mastroianni,
Watershed Planner
(905) 788-3135, ext. 249



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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

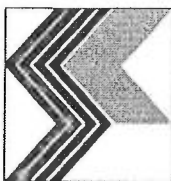
- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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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

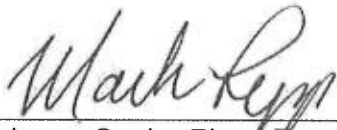
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-64/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Maureen Fowler

Location: 75 Simpson Road

MUNICIPAL SERVICES **Simpson Road**

Water: 100mm (4") C.I. (easement dedicated to the City over the private section of Simpson Road fronting this property)

Sanitary Sewer: None

Storm Sewer: Roadside Ditching

Sidewalks: None

Road Allowance Width: 11.0m (36') ±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 recreating the lot known as 73 Simpson Road with the existing 1-storey single detached dwelling. A remnant parcel (Part 1) with the existing 2-storey dwelling known as 75 Simpson Road will be retained for continued residential use.

Roads

Simpson Road along this section is currently private and subject to a right-of-way in favour of 66, 68, 73, 75, 79, 81 & 83 Simpson Road. It is in under private ownership of 70 Simpson Road.

Its current width varies from the north limit of 58 Simpson Road, where the City's ownership ends and where private ownership begins, however along the frontage of the subject lands, it's width is approximately 11.0m± (36'). With respect to Municipal standards, it is severely deficient in regards to emergency vehicle access, public waste collection, snow removal, maintenance and construction vehicle access, etc. It is also in a semi-urban state with roadside ditching and a gravel surface.

In accordance with the City's Official Plan, the public realm of Simpson Road to the south is considered a Local road with a required right-of-way width of 20.0m. The subject lands in this application front a private section, whereas the City would request a widening along the applicant frontage measured from the centerline of the original road allowance, in order to obtain half of the desired width required to achieve a 20.0m right-of-way, if this section was public realm.

Engineering Services

A local Municipal 100mm water main exists from the public limit of Simpson Road to the north limit of the subject property, within and along this private road frontage. The City currently has easement rights over the private road way for maintenance of this main, as well as for

emergency services access to the existing fire hydrant on the east side of the private road across from the subject lands. There are no other existing municipal services within the private road to which the City is responsible to maintain.

Private Sewage and Water Systems

The City does not have record of the subject lands being connected to any public sanitary sewer system, or the locations of the existing water service connections for the above noted dwellings, therefore the conclusion rests that the sites are currently dependent on private septic systems, as well as potential private connections to the City's Municipal 100mm main, and/or the private water main further north. As a condition of severance, the City shall require the Applicant hire an independent contractor to inspect and trace both the existing sanitary sewer laterals and water service laterals in order to confirm the locations of both private sanitary lateral and watermain connection locations, and provide to the City to confirm:

1. Field locations of water and sewer services for the City's records,
2. Any potential conflicts with the existing services that would cross proposed and existing property boundaries;
3. If conflicts exist, provisions be made to resolve the servicing conflicts to no longer cross proposed and existing property boundaries;

Condition(s):

Prior to the severance finalization the Owner shall;

- hire an independent contractor to inspect and trace both the existing sanitary and water service laterals in order to confirm the locations of both and provide this information to the City;
- Make provisions if conflicts exist to the locations of the above services, to resolve the conflicts to no longer cross proposed and existing property boundaries and provide this confirmation to the City;



Prepared By:

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

c

Sandra Burrows, PBS
James Denham, PBS



Memorandum

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

Cc: Kirstin Jensen, Planner I
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018
Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

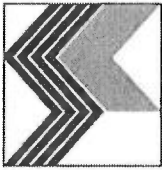
properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'Brad Johnston', written in a cursive style.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-98/18 (60.81.5387)

79 Elma Street

DATE OF HEARING:
August 29, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Hearing: August 29, 2018

Submission(s): A-98/18

File: 60.81.5387

Subject: 79 Elma Street

Recommendation

That Submission **A-98/18** by Brian James Korz and Theresa April Korz, as outlined in the Notice of Hearing, be deferred.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-98/18** 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-98/18** is requesting to vary the Zoning By-law as amended, for a reduction of the required southern interior side yard setback for a 10'x16' shed from a required 0.6 metres to a setback of 0.42 metres.

Location and Site Description

The subject property is located on the west side of Elma Street, north of Dorothy Street, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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

Report

The applicant is requesting a variance to the accessory structure (shed) in the rear yard that is proposed at 0.42 metres from the interior side lot line. A building permit was granted April 17, 2018, at which time the shed was proposed at 0.6 metres from the interior side yard lot line. The shed was subsequently built at a closer distance than was approved. The intent of the required setback of 0.6 m from an interior side or rear lot line of the Zoning By-law is to ensure that adequate space is maintained between the structure and lot line for the purposes of sufficient drainage and maintenance, and so that accessory structures do not impose on adjacent properties. The accessory structure is buffered by a fence located between the subject property and adjacent lot, and the area between the fence and shed will still provide adequate space to access the shed for any necessary maintenance.

However, Development Engineering staff have concerns regarding whether adequate 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 rear yard was submitted at the time of building permit approval, which identified adequate grades on both the abutting property and on the subject property. As a result of the shed being built closer than what was reviewed by Development Engineering previously, there is not enough evidence at this time to determine whether or not the sheds location will cause adverse effects on the adjacent property in regards to drainage and runoff. Therefore, until such time as Development Engineering staff are able to do a field investigation or alternatively, are provided with confirmation from an Ontario Land Surveyor that grading has not changed from what was originally approved, Staff are of the opinion that the requested variance should be deferred until adequate information is available.

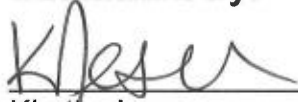
Conclusion

It is Staff's recommendation that the application be deferred.

Prepared by:

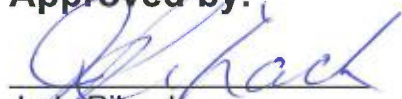

Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 1

193 St. Paul St. W.
363 & 365 Lake St.
79 Elma St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 1

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

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



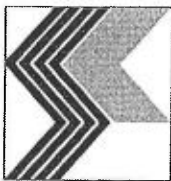
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Memorandum

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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018

Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-90/18 (60.81.5379)

54 Wellington Street

DATE OF HEARING:
August 29, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Hearing: August 29, 2018

Submission(s): A-90/18

File: 60.81.5379

Subject: 54 Wellington Street

Recommendation

That Submission **A-90/18** by Sabrina Spencer, 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-90/18** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Proposed Development

Application **A-90/18** is requesting to vary the Zoning By-law through the following variances for the proposed renovation by which the 2nd floor ceiling walls of the existing house are being extended:

1. A reduction of the minimum interior side yard setback (north side) from 1.2m to 0.68m.
2. A reduction of the minimum interior side yard setback (south side) from 1.2m to 0.39m.
3. A reduction of the minimum setback from the interior lot line to the balcony from 1.2m to 0.42 metres.
4. A reduction of the minimum required lot area per dwelling unit from 275m² to 184m².
5. A reduction of the minimum required front yard setback to the dwelling from 3m to 2.19m.

Location and Site Description

The subject property is located on the northeast side of Wellington Street, south of Welland Avenue, 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 Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential as per Schedule E10 of the GCP. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3). The R3 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, apartment buildings, as well as private road development.

Report

The requested variances for the front yard, interior side yards, setback from the interior lot line to a platform structure, and reduced lot area, are a function of the location of the existing dwelling on the lot and the size of the lot. The variances are necessary to permit an increase in the floor heights of the second storey of the dwelling.

Section 2.15.3 of Zoning By-law 2013-283, 'Rebuilding', states that an applicant may repair or renovate any lawfully constructed building or structure existing prior to the passing of the by-law, provided that any repair or renovation does not increase the height, size, volume or change the use of the building unless in compliance with this By-law. This proposal *does* increase the height, size, and volume of the building, and accordingly variances are required. As a result of the proposal to renovate the existing dwelling through the increase of the 2nd floor walls from floor to ceiling, it triggers the need for a number of variances to bring the previously non-complying dwelling into conformity with the requirements of the zoning by-law for the property.

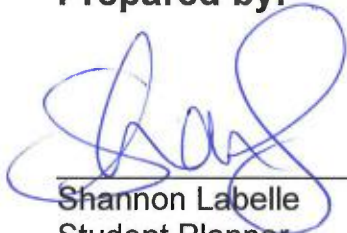
The dwelling on the property was built in 1890, thereby predating the current zoning that applies to the site. The requested variances reflect the existing building footprint and no expansion to that footprint is proposed. There is no variance to the permitted height limit for residential dwellings in this area. The proposed increase in height is the function of a renovation to increase the floor to ceiling height of the second storey and to accommodate a reconfigured roof.

The majority of dwellings in the surrounding vicinity are a full two storeys in height. Staff consider the established building setbacks (the requested minor variances) to be appropriate even with a higher dwelling height resulting from this proposed renovation. The dwelling is already a two storey dwelling. The renovation is intended to increase the usability of the second storey by redesigning the roof to eliminate sloped ceilings which compromise the usability of the interior space.

Conclusion

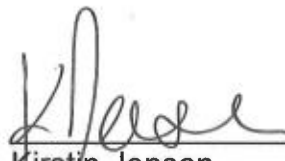
Staff are satisfied that the variances requested through Submission **A-90/18** support compatible development with the surrounding area, are in keeping with the general intent of the Official Plan and Zoning By-law, and are minor in nature and appropriate and desirable for the use of the land. It is 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 July 25/18 CofA Hearing, City of St. Catharines - Email 1

1 Dexter Street
43 York Street
54 Wellington Street
61A Village Road

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, July 09, 2018 3:08 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the July 25/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine
Email 1
No concerns or issues
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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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: July 5, 2018

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

NO.	ADDRESS	COMMENTS
A-86/18	1 Dexter Street	Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing those yards. Be advised that a building permit is required for the proposed construction of the 4 storey residential building.
A-87/18	43 York Street	Be advised that a building permit is required for the conversion to a triplex.
A-88/18	28 Trent Court	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.
A-89/18	37 Ormonde Avenue	No Comment
A-90/18	54 Wellington Street	Be advised that a building permit is required for the proposed alterations.
A-91/18	61A Village Road	Be advised that a building permit is required for the proposed building.
A-92/18	94 Grapeview Drive	Be advised that a building permit is required for the conversion to a triplex. Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing those yards.
A-93/18	41 Ormonde Avenue	No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\13 bcoa memo-mv-July25, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: July 10, 2018
Subject: Committee of Adjustment Hearing – May 30, 2018

1. 1 Dexter Street, Minor Variance Application, A-86/18 – 60.81.5375

River rock is not considered to be landscaping. Should space be available a minimum of 1.5m is typically required to sustain landscaping. Privacy fencing along the lot line will be addressed through the site plan agreement.

2. 43 York Street, Minor Variance Application, A-87/18 - 60.81.5376
No comment.

3. 37 Ormonde Avenue, Consent Application, B-58/18SC – 60.84.2201
37 Ormonde Avenue, Minor Variance Application, A-89/18 – 60.81.5378
41 Ormonde Avenue, Minor Variance Application, A-93/18 – 60.81.5382

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

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

4. 54 Wellington Street, Minor Variance Application, A-90/18 – 60.81.5379
No Comment.
5. 61A Village Road, Minor Variance Application, A-91/18 – 60.81.5380
No Comment.
6. 94 Grapeview Drive, Minor Variance Application, A-92/18 – 60.81.5381
No comment.
7. 8 Haynes Avenue, Consent Application, B-59/18SC – 60.64.2202

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

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

8. 28 Trent Court, Minor Variance Application, A-88/18 – 60.81.5377
No comment.

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



Memorandum

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

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

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

Date: July 6th, 2018
Hearing Date: July 24th, 2018

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

1 Dexter Street, A-86/18
43 York Street, A-87/18
28 Trent Court, A-88/18
37 & 41 Ormonde Avenue, A-89 & 93/18
54 Wellington Street, A-90/18
61A Village Road, A-91/18
94 Grapeview Drive, A-92/18

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;

Comments:

1 Dexter Street, A86/18:

Servicing and Grading issues will be handled through the Site Plan Agreement process.

28 Trent Street, A88/18:

Development Engineering notes that a revised sketch was submitted showing the rear yard setback at 3.1 meters to eliminate a potential conflict with the sewer easement.

37 & 41 Ormonde Avenue, A89 & 93/18:

It is noted that road widenings and a day lighting triangle are being taken through severance B-58/18SC.

Condition(s):

None

Respectfully Submitted by:

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

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

JD/jd



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: July 4, 2018

Subject: Committee of Adjustment
Public Hearings – July 25, 2018
File No. 305-17-01

60.81.5375
60.81.5376
60.84.2201
60.81.5378
60.81.5382
✓ 60.81.5379
60.81.5380
60.81.5381
60.84.2202

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-26/18 (60.81.5313)

333 & 347 Main Street

DATE OF HEARING:
August 29, 2018



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2018

Date of Hearing: August 29, 2018

Submission(s): A-26/18

File: 60.81.5313

Subject: 333 Main Street

Recommendation

That Submission **A-26/18** by Tony Di Paola (347 Main Street) and Rocco Di Paola (333 Main Street), 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-26/18** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained.

Proposed Development

Application **A-26/18** is requesting to vary the Zoning By-law for the following variances for the proposed Vacant Lot Condominium, creating 12 lots and 1 block for common element; as indicated on the sketch submitted with this application by Better Neighbourhoods Development Consultants, dated August 8, 2018, and attached to this report as Appendix 1:

1. A reduction of the minimum setback from the rear lot line (Main Street) to a platform structure that is 1.1m above grade from 3.0m to 1.5m.
2. A reduction of the minimum setback from the end wall to the private road from 3.0m to 1.5m.
3. A reduction of the interior side yard to the rear wall from 6.0m to 2.0m.
4. A reduction of the minimum setback from the front lot line to a platform structure from 3.0m to 0.9m.
5. A reduction of the minimum distance from the private road to dwelling from 3.0m to 1.9m.
6. A reduction of the minimum distance from the private road to dwelling from 3.0m to 1.9m.
7. A reduction of the distance between buildings from 3.0m, 6.0m and 7.5m to 2.4m.
8. A reduction of the parking space width for a space obstructed on 1 side (double car garage) from 6.0m to 5.5m.
9. A reduction of the parking space width for a space obstructed on 2 sides from 3.5m to 3.4m.
10. A reduction of the interior side yard to end wall from 3.0m to 1.6m.

Location and Site Description

The subject property is located on the south side of Main Street with frontage onto Port Royal Crescent and backing onto Main Street. The property is surrounded by detached dwellings.

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

Report

The minor variances being requested are intended to enable the lands to be developed as a vacant lot condominium, creating 12 lots. The subject lands are designated under the Ontario Heritage Act by By-law 2017-266. The dwelling on the lands was constructed in 1914 and contains features of the Edwardian Classicism and Prairie schools of architecture. The interior and exterior of the premises are designated under the Act. The low stone wall which projects into the front yard functions as a retaining wall and is noted in the designating by-law. The property is known as “Hollydean”.

The Official Plan contains policies related to cultural heritage resources.

Part C, Section 3, of The Garden City Plan (the City’s Official Plan) provides Cultural Heritage policies. Section 3.1.4 states that all development/redevelopment shall have regard for cultural heritage resources and shall, wherever feasible, incorporate these resources into any development plan. The City may require a cultural heritage impact assessment (HIA) where a proposed development has the potential to adversely affect cultural heritage resources.

Section 3.2.7 also states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and certain general principles where there is potential to impact any cultural heritage resources, including that; Heritage

buildings, associated landscape features and archaeological sites including their surroundings shall be protected from any adverse effects of change (3.2.7(a)), and that new construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation of adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape (3.2.7 (d)).

The dwelling on the lands is located centrally on the property. The proposed development will surround the dwelling. The applicant has provided an HIA prepared by Megan Hobson in support of the proposal. Staff generally concur with the HIA. Site plan agreement approval has been applied for and is being processed. The Owner will be required to implement the recommendations of the HIA as part of the site plan agreement.

The proposed infill development incorporates the heritage building in a manner that maintains its prominence. This is achieved through the situation of the proposed new construction and height not exceeding the original dwelling. The heritage attributes identified by By-law 2017-266 will not be adversely impacted by the proposal. In addition to identifying a number of heritage attributes associated with the main dwelling, the by-law includes a low stone wall in the front yard which functions as a retaining wall. The fieldstone wall will be retained as part of the development of the lands.

Cumulatively, the variances are intended to allow the site to be developed for 12 residential dwellings, including the existing heritage building on the premises.

It is important to note that the shortest public road frontage, being on Port Royal Crescent, is the "lot frontage" as defined by the Zoning By-law. The Main Street frontage is actually the rear lot line under the Zoning By-law.

Main Street is the rear yard of the premises in accordance with the Zoning By-law. Variances 1 and 2 relate to unit 5 on the sketch submitted with the application. Variance 1 seeks a reduction of the platform (deck) structure along Main Street. The proposed reduction is limited to the platform structure and maintains the relationship of the dwellings in this location to the streetscape. Variance 2 seeks to reduce the setback from the end wall to the private road. The reduction is internal to the site and will not impact site function. Variance 3 relates to unit 6 and seeks to reduce the interior (west) side yard to rear wall. The reduction is limited to an area that abuts the garage of the adjacent property's yard. Amenity space on the adjacent yard will not be impacted and amenity space on the subject lands will be provided by way of a deck on the opposite side of the dwelling unit (unit 6).

Variance 4 relates to unit 8 and seeks a reduction of the platform structure to the private road. The proposed reduction is limited to a small corner of the platform structure and does not create any impacts on the function of the site. Variances 5, 6 (unit 9), and 7 (units 10 and 11) seek reductions to setbacks of the proposed dwellings and garage from the proposed private road, and of buildings from one another respectively. The configuration of the proposed internal private road has been reviewed and is considered

functional with the location of the buildings being proposed. As previously noted the heritage building on the premises is located centrally on the property. With that in mind, staff are prepared to consider a more compact form of development as long as site function is maintained. Variances 8 (unit 6) and 9 (unit 12) seek reductions to obstructed parking space width on one and two sides, respectively. In both cases the proposed reductions can be considered as minor. Variance 10 (unit 9) seeks a reduction in the interior (southwest) side yard to end wall. The reduction is limited to a "pinch point" abutting the adjacent property's yard. Amenity space on the adjacent yard is screened by vegetation.

Heritage permit approval (HPA) will be required for any new construction and demolitions 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 applicable designating by-law (2017-266).

The City's building staff have advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing those yards.

Conclusion

Staff is satisfied that the variances requested through Submission **A-26/18** support compatible development with the surrounding area, are in keeping with the general intent of the Official Plan and Zoning By-law, and 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:



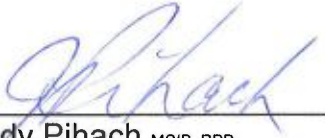
Kevin Blozowski, MCIP, RPP, CAHP
Heritage Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

"HOLLYDEAN"

St. Catharines, Ontario

APPENDIX 1



KEY MAP - NOT TO SCALE

LAND USE SCHEDULE		
AREA	(sq. m.)	%
BUILDING COVERAGE	1764.0	37
PAVEMENT COVERAGE	877.0	19
LANDSCAPING COVERAGE	2083.7	44
TOTAL	4724.7	100

SITE STATISTICS	
HOUSING UNITS	12 UNITS
DENSITY	26.6
PARKING	# OF SPACES
GARAGES	19
DRIVEWAYS	7
VISITORS	4
TOTAL	30

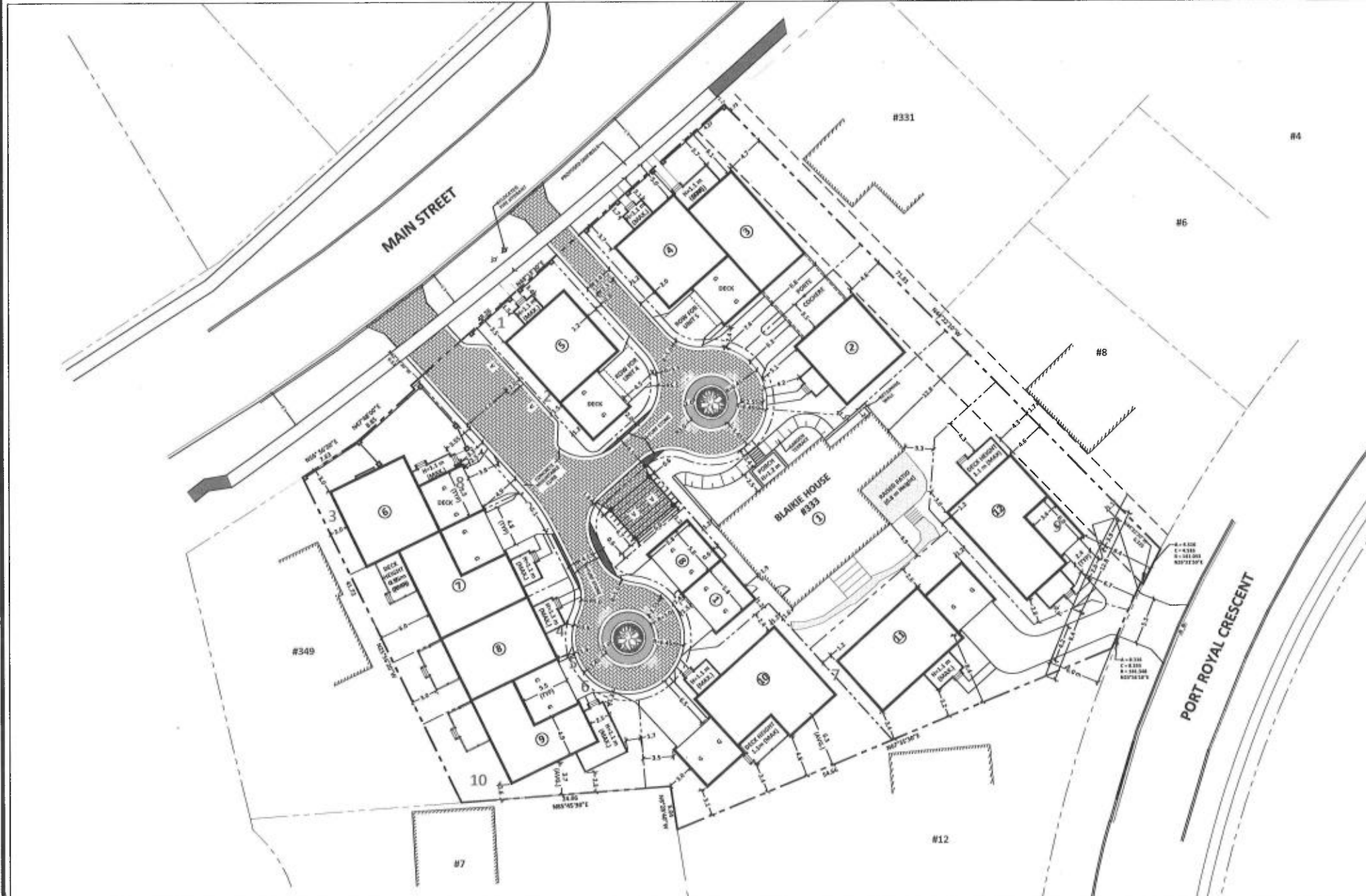


SCALE : 1:200

#	DATE	REVISIONS
4	2018 04 05	FOR ZONING REVIEW
3	2018 01 12	FOR MINOR VARIANCE
2	2017 11 27	FOR SIDEWALK ADJUSTMENT
1	2017 04 28	FOR SITE PLAN AGREEMENT
0	2016 05 06	FOR PRE-CONSULTATION

b better
neighbourhoods
development consultants
190A Ontario Street, Ontario L2R 5K9
Office: 905.684.8595 betterneighbourhoods.ca

DRAWING TITLE
SITE PLAN
DATE OF ISSUE
2018 08 09
DRAWING NO.
0198 SP - 1
REV. NO.
4



Munro, Elaine

Subject: RE: Outstanding Minor Variance Application. RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5

333 Main Street

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

Sent: Monday, August 13, 2018 11:44 AM

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

Subject: RE: Outstanding Minor Variance Application. RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5

Hi Elaine

Cogeco has no issues or concerns with this applications

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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

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

*

*

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August 15, 2018

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

Attention: Elaine Munro

File# 60.81.5313

Re: 333 & 347 Main St

In response to your correspondence dated August 9, 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 dark ink, appearing to be 'Mark Jakubowski', with a long horizontal stroke extending to the right.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

From: Blozowski, Kevin
Sent: Tuesday, August 14, 2018 10:24 AM
To: Munro, Elaine
Cc: Pihach, Judy
Subject: 333 Main Street Variance requests.

The minor variances being requested to are intended to enable the lands to be developed as a vacant lot condominium, creating 12 lots. The subject lands are designated under the Ontario Heritage Act by By-law 2017-266. The dwelling on the lands was constructed in 1914 and contains features of the Edwardian Classicism and Prairie schools of architecture. The interior and exterior of the premises are designated under the Act. The low stone wall which projects into the front yard functions as a retaining wall and is noted in the designating by-law. The property is known as "Hollydean".

Part C, Section 3, of The Garden City Plan (the City's Official Plan) provides Cultural Heritage policies. Section 3.1.4 states that all development/redevelopment shall have regard for cultural heritage resources and shall, wherever feasible, incorporate these resources into any development plan. The City may require a cultural heritage impact assessment (HIA) where a proposed development has the potential to adversely affect cultural heritage resources

Section 3.2.7, also states that in reviewing proposals for construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and certain general principles where there is potential to impact any cultural heritage resources, including that; Heritage building, associated landscape features and archaeological sites including their surroundings shall be protected from any adverse effects of change (3.2.7(a), and that new construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation of adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape(3.2.7 (d).

The dwelling on the lands is located centrally on the property. The proposed development will surround the dwelling. The applicant has provided an HIA prepared by Megan Hobson in support of the proposal. Staff generally concur with the HIA. Site plan agreement approval has been applied for. The Owner will be required to implement the recommendations of the HIA as part of the site plan agreement.

The proposed infill development incorporates the heritage building in a manner that maintains its prominence. This is achieved through the situation of the proposed new construction and height not exceeding the original dwelling. The heritage attributes identified by By-law 2017-266 will not be adversely impacted by the proposal. In addition to identifying a number of heritage attributes associated with the main dwelling, the by-law includes a low stone wall in the front yard which functions as a retaining wall. The fieldstone wall will be retained as part of the development of the lands.

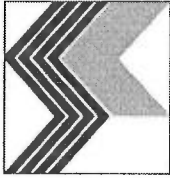
Heritage permit approval (HPA) will be required for any new construction and demolitions should these applications be approved. Application for HPA is made to the Planning and Building Services (PBS) Department and is circulated to the St. Catharines Heritage Permit Advisory Committee (SCHPAC) for consideration and recommendation based on the applicable designating by-law (2017-

266). HPA is granted by the PBS for all types of applications except for demolitions, which are considered by City Council. There is a \$250.00 fee for HPA (2018).

Regards

Kevin

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



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

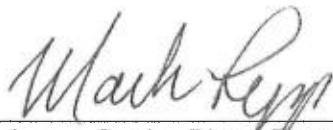
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. **125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205**
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. **75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207**
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Gardne City Plan and request a deferral at this time.

9. **18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208**
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. **19 John Street, Consent Application, B-66/18SC – 60.84.2209**

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018
Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A-102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-96/18 (60.81.5385)
& A-97/18 (60.81.5386)**

363 & 365 Lake Street

**DATE OF HEARING:
August 29, 2018**

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 1

193 St. Paul St. W.
363 & 365 Lake St.
79 Elma St.

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

Sent: Monday, August 13, 2018 11:36 AM

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine

Email 1

Cogeco has no issues or concerns with this applications

Thanks

Doug Crown

Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines

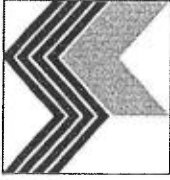
From: Vasko, Dennis
Sent: Tuesday, August 14, 2018 3:34 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Green, Mark <mgreen@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines

Hi Elaine,

The properties at 363 and 365 Lake St are in the vicinity of the Lake St. Service Centre which is built on a closed fill site (the old Welland Canal). But these subject properties are far enough away that I do not believe there should be any concerns with the variance application. The other properties are fine.

Dennis

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



Memorandum

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

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

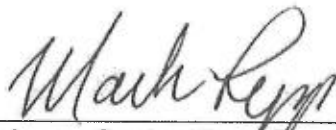
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. **125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205**
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. **75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207**
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. **18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208**
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. **19 John Street, Consent Application, B-66/18SC – 60.84.2209**

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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



Memorandum

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

Cc: Kirstin Jensen, Planner I
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018
Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-101/18 (60.81.5390)

33 Queen Mary Drive

DATE OF HEARING:
August 29, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Hearing: August 29, 2018

Submission(s): A-101/18

File: 60.81.5390

Subject: 33 Queen Mary Drive

Recommendation

That Submission **A-101/18** by Jennifer Stubbs, 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-101/18** 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.

The Proposal

Application **A-101/18** is requesting to vary the Zoning By-law for a reduction of the minimum required setback from the interior lot line for a platform structure that is 1.2m above grade from 1.2m to 0.80m. The variance is requested for a proposed 1st floor balcony which is part of the proposed 1 storey addition with a roof top access and basement walkout to the existing single detached dwelling.

Location and Site Description

The subject property is located on the southwest side of Queen Mary Drive, south of Woodrow Avenue. The subject property is surrounded by detached dwellings to the north, greenspace to the east, greenspace and detached dwellings to the south, as well as greenspace and Twelve Mile Creek to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R1). The R1 zone permits a variety of residential uses including detached, semi-detached, quadruplex, and townhouse dwellings as well as private road development.

Report

The applicant is requesting a variance to reduce the minimum required setback from 1.2m to 0.80m, from the interior lot line to a platform structure that is 1.2m above grade. The variance is requested for a proposed 1st floor balcony, which is part of the proposed one storey addition with a roof top access and basement walkout to the existing single detached dwelling. The intent of the required setback from the interior lot line to a platform structure that is over 1.2 metres above grade is to ensure that platform structures do not overwhelm adjacent properties, minimize overlook into neighbouring lots, or cause drainage and runoff issues into adjacent yards.

Staff do not support the reduction in the interior side yard. The overlook and loss of privacy implications of a roof top balcony should be minimized. Should the owner want to retain the roof top balcony option, it should be located within the central portion of the addition to minimize impact and overlook on adjacent properties.

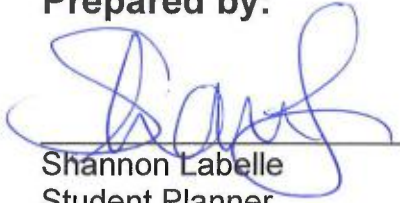
Development Engineering staff also have concerns regarding whether adequate roof and surface drainage can be achieved without negatively impacting the adjacent properties with the proposed addition and basement walkout.

Comments from the Niagara Region have advised that erosion and sediment control/tree protection fencing be installed to protect all existing trees intended to be retained and prevent any sediment laden runoff. Such fencing should be installed prior to and maintained during construction. Staff also note that the property is located within an area regulated by the Niagara Peninsula Conservation Authority (NPCA). The NPCA has been consulted with respect to their requirements and the potential need for NPCA Work Permits prior to construction however at the time of the writing of this report, comments have not been received from the NPCA.

Conclusion

Staff are not satisfied that the variance requested through application **A-101/18** is minor in nature, or desirable and compatible with the surrounding area. Staff recommend that the application be denied.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

VIA Email Only

August 16, 2018

File: D.17.08.MV-18-056

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

Re: Minor Variance Application
File: 60.81.5390
Submission No.: A-101/18
Agent: Amber Cuthbertson
Address: 33 Queen Mary Drive
City of St. Catharines

Regional Development Services staff has reviewed the information circulated for the above noted minor variance application to permit a first floor balcony which is part of the proposed 1-storey addition with a roof top access and basement walkout to the existing single detached dwelling. The applicant is seeking relief of the minimum required setback from the interior lot line for a platform (i.e. balcony) that is 1.2m above grade. The balcony is being considered at a setback 0.80m (2.7ft) from the required 1.2m. Regional staff notes that a pre-consultation meeting was not held for this proposal.

The following Provincial and Regional comments are provided to assist the Committee in considering this application.

Provincial and Regional Policy

The subject lands are located within a Settlement Area under the Provincial Policy Statement (PPS) and within the Built-Up Area under the Places to Grow Plan for the Greater Golden Horseshoe (Growth Plan). Further, the southern portion of the subject lands is designated Protected Countryside within the Greenbelt Plan. The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available. The Growth Plan contains policies that encourage the development of complete communities with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities. The Greenbelt Plan permits existing uses including single dwellings on existing lots of record and allows the expansion of an existing use provided no new municipal services are required or the expansion does not impact natural heritage features. The proposed development satisfies the intent of the provincial policy by making more efficient use of urban serviced land and existing infrastructure.

The lands are within the Urban Area Boundary for the City of St. Catharines according to the Regional Official Plan (ROP). A full range of residential uses are permitted within the Urban Areas,

subject to the availability of adequate municipal services and infrastructure. The proposed development of an addition to the existing detached dwelling will not change the existing use and will continue to contribute to the variety of housing options in the area and efficient use of urban serviced land. The proposal maintains the intent of the ROP.

Natural Heritage

Regional Core Natural Heritage mapping identifies portions of Environmental Conservation Area (ECA) associated with Significant Woodlands and Significant Valleylands on and adjacent to the subject property, as well as Urban River Valley Area designated under the Greenbelt Plan (2017). As per Regional Official Plan Policy 7.B.1.11 and Table 7-1, development within 50 metres of these ECAs triggers the requirement for an Environmental Impact Study (EIS) to demonstrate there will be no significant negative impact on these features or their ecological function over the long term. However, the Region's EIS Guidelines permit waiving of the EIS requirement provided other criteria are met. In this case, the proposed addition is located more than 15 metres from the top of slope and existing woodland onsite, and privately owned lands are not subject to the Greenbelt policies of the Urban River Valley Area designation. As such, the requirement for an EIS can be waived and no further study is requested.

It is recommended that erosion and sediment control/tree protection fencing be installed to protect all existing trees to be retained and prevent any sediment laden runoff. Such fencing should be installed prior to and maintained during construction. Staff also note that the property is located within an area regulated by the Niagara Peninsula Conservation Authority (NPCA). The NPCA should be consulted with respect to their requirements and the potential need for NPCA Work Permits prior to construction.

Conclusion

Regional Planning and Development Services staff has no objection to the Minor Variance application, as the proposed changes will not impact any Regional or Provincial interests.

If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3442 or Lindsay Earl, Senior Development Planner, at extension 3387.

Please send notice of the Committee's decision on this application.

Respectfully,



Elissa Quintanilla
Development Planner

Cc: Lindsay Earl, MCIP, RPP, Senior Development Planner, Niagara Region

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 2

33 Queen Mary Drive
429 Geneva St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:38 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 2

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

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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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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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bidg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

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That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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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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
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018

Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
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193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
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105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

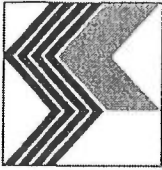
properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-61/18SC (60.84.2204),
A-99/18 (60.81.5388)
& A-100/18 (60.81.5389)**

429 Geneva Street

**DATE OF HEARING:
August 29, 2018**

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Wednesday, August 15, 2018 11:07 AM
To: Munro, Elaine
Subject: 905-18-343 - Consent Application B61/18SC - 429 Geneva Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B61/18SC regarding 429 Geneva 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

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 2

33 Queen Mary Drive
429 Geneva St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:38 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 2

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

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



*
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!

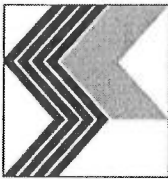
[Politique en matière de protection des renseignements personnels de Cogeco et Engagement en matière d'anti-spam](#) – [Contactez-nous](#)
Cogeco Connexion, 5 Place Ville-Marie, Bureau 1700, Montréal, Québec, H3B 0B3

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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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

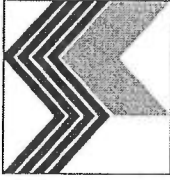
- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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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

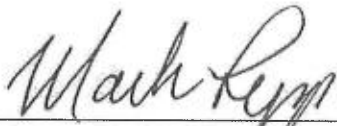
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	<p>-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m² in building area.</p> <p>-Be advised that a building permit is required for any proposed structures exceeding 10m² in building area.</p> <p>-Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.</p>
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. **333 Main Street, Minor Variance Application, A-26/18**
No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.
2. **193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383**
No comment.
3. **363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385**
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.
4. **79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387**

No comment.
5. **33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390**

No comment
6. **429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204**
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389

No objections. PRCS requirements including landscaping and parkland dedication will be addressed though the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

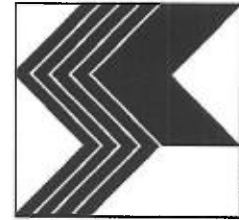
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-61/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Berthold and Diane Neufeld

Location: 429 Geneva Street

MUNICIPAL SERVICES **Geneva Street**

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

Sanitary Sewer: 300mm (12")

Storm Sewer: 675mm (27")

Sidewalks: Yes

Road Allowance Width: 26.21m (86')±

**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 merge it with the abutting southerly parcel known as 427 Geneva Street (Part 3) for a 7-unit private road development. A remnant parcel (Part 1) with the existing two-storey single detached dwelling and detached garage would be retained for continued use.

Roads

Geneva Street is designated a local Arterial road as per the City's Official Plan with a desired right-of-way width of 26.28m (86'). Its current width along the Applicant frontage of Part 1 is sufficient, however its current width along Part 3 is deficient at 23.1m± therefore similar to lands to the north, the City shall require a road widening of 3.18m (10.5') along Part 3 be dedicated free and clear of any encumbrances to be known as Public Highway Geneva Street.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet, and do not adversely affect abutting properties. Considering this shall be subject to a future Planning application, an engineering grading scheme for the development of the site shall be reviewed to meet the City's standards through the Site Plan Agreement process.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since there are existing storm sewers available along the frontage of Geneva Street at this time, the private road development site shall be required to have an on-site storm sewer system installed, designed to accommodate foundation

weeping tile drainage of the units discharged via storm lateral directly to the on-site storm sewer system. This requirement shall be reviewed with the engineering proposal of the site through the Site Plan Agreement process.

Condition(s): The Applicant shall:

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



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

c Sandra Burrows, PBS
James Denham, PBS



Memorandum

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

Cc: Kirstin Jensen, Planner I
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018
Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

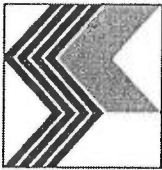
properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-62/18SC (60.84.2205),
B-63/18SC (60.84.2206),
A-102/18 (60.81.5391)
& A-111/18 (60.81.5400)**

125 Vansickle Road

**DATE OF HEARING:
August 29, 2018**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Meeting: August 29, 2018

Submission(s): B-62/18SC
B-63/18SC
A-102/18
A-111/18

File: 60.84.2205
60.84.2206
60.81.5391
60.81.5400

Subject: 125 Vansickle Road
105 Vansickle Road

Recommendation

That Submissions **B-62/18SC** and **B-63/18SC** by Club Roma, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. Prior to the severance finalization the Applicant shall construct, entirely at their cost, a 1.50m wide concrete sidewalk along their entire frontage of Vansickle Road, creating a link between the north and south sidewalks, and provide fees for City Staff inspection of the installation; or alternatively,

Pay to the City the cash-in-lieu equivalent for the future construction of approximately 278.0m of 1.50m wide concrete sidewalk by City forces, the cash-in-lieu equivalent reflective of current construction price index amounts and average City tender document pricing, at the time of payment, plus a 10% contingency, to the satisfaction of TES.

That Submission **A-102/18**, by Club Roma, as outlined in the Notice of Hearing, be approved.

And that Submission **A-111/18**, by Club Roma, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for matters under Section 51(24) of the Planning Act, staff are satisfied that the Applications **B-62/18SC** and **B-63/18SC** are desirable and appropriate for the use of the land and uphold the intent and purpose of the Official Plan. Additionally, having regard for matters under Section 45(1) of the Planning Act, staff are of the opinion that Applications **A-102/18** and **A-111/18** 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-62/18SC** is made for consent to establish an easement, in perpetuity over 352m² of land (Part 3 on the submitted sketch) for the benefit of the southerly abutting lot to be known as 105 Vansickle Road for access. A 44,380.8m² remnant parcel (Parts 2 & 3) with the existing 1-storey building (Part 1), including the banquet hall and recreational area, known as Club Roma, will be retained.

Application **B-63/18SC** is made to a partial discharge of mortgage and for consent to sever 7,069m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 105 Vansickle Road for the purpose of constructing a 5-storey, 50-unit building. A 44,380.6m² remnant parcel with the existing 1-storey building private club, including the banquet hall and recreational area, known as Club Roma, will be retained.

Application **A-102/18** is made to vary the Zoning By-law for the following variances on Part 1, for the proposed construction of 5-storey, 50 unit building (Villa Serena):

1. An increase of the maximum building height from 14m to 19.1m.
2. A reduction of the minimum required interior side yard setback from 12m to 9m.
3. A reduction of the minimum required landscape buffer (north side of parking area) from 3m to 0.7m.

Application **A-111/18** is made to vary the Zoning By-law for the following variance on Part 2, in order to facilitate the concurrent consent applications for the proposed construction of a 5-storey, 50-unit building (Club Serena):

1. A reduction of the minimum required landscape buffer (south side of parking area) from 3m to 0m.

Location and Site Description

The subject property is located on the west side of Vansickle Road, south of Mac Turnbull Drive. The subject property is surrounded by greenspace to the north, south, and west, and detached dwellings to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject 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.

Zoning By-law (2013-283)

The subject land is zoned Community Institutional (I2) with a special provision (22). The I2 zone permits cultural facilities, day cares, emergency service facilities, long term care facilities, uses permitted in the Medium Density Residential (R3) Zone, places of assembly/banquet halls, places of worship, indoor recreational facilities, outdoor recreational facilities, elementary and secondary schools, as well as social service facilities. The special provision outlines additional specifications such as minimum rear yard, maximum building height, maximum lot coverage, minimum landscaped open space, maximum number of dwelling units and minimum parking spaces.

Report

The requested consents are for the purposes of creating a new lot for Villa Serena, a 5-storey residential building with 50 units that will function as a part of Club Roma albeit on its own lot. The building will operate as an adult lifestyle (55+) life-lease building in the same manner as the currently existing Villa Roma, situated to the north of Club Roma. The parking areas available to the Club and the apartment building will function interdependently and will share common points of egress and ingress. The building will also have 51 underground parking spaces. The proposed development will be subject to site plan control. A site plan exists across the whole of the Club Roma properties, and this proposal will be subject to a major amendment to the existing site plan.

The City's Development Engineering division has advised that during a previous planning application for the existing site, the City requested the applicant construct a 1.5m sidewalk along the entire frontage of the property, or pay to the City the cash-in-lieu equivalent for City forces to complete the works. A subsequent Council Resolution directed that the City defer the requirement for the applicant to construct the sidewalk along the Vansickle Road frontage until such time as the City completed connecting sidewalk links from the south limit of the site to Pelham Road, and the north limit of the site to Rykert Street. The City recently completed these work in 2014 and 2015, respectively.

The City therefore requires that the applicant now construct the portion of the remaining 1.5m wide sidewalk along their entire frontage of Vansickle Road, in accordance with Council's direction, at the applicant's cost. Conversely, the Applicant may choose to pay the City a cash-in-lieu payment for the future construction of the sidewalk by City forces, in accordance with costs reflective of the current construction price index and average City tender document pricing, at the time of payment.

The City's Parks, Recreation and Culture Services department requires landscaping and parkland dedication, however these will be addressed through the concurrent Site Plan Agreement.

Variances

Variances are requested on Part 1 for the proposed Villa Serena for an increase of the maximum building height from 14m to 19.1m, a reduction of the minimum required interior side yard setback (south side) from 12m to 9m, and a reduction of the minimum required landscape buffer (north side of parking area) from 3m to 0.7m. Part 2, the site of the existing Club Roma, also requires a variance for a reduction of the minimum required landscape buffer (south side of parking area) from 3m to 0m.

The variances for reduced landscaping buffers on both Part 1 and Part 2 are a function of the location of the new parking spaces for the proposed apartment building being provided and their adjacency to the existing parking lot of Club Roma. For the purposes of continuity and site layout, this location for the surface parking spaces was the most efficient and logical, being adjacent to existing parking spaces, and as a result the opportunity to provide a landscaping buffer between the two lots is not available. Staff are supportive of both variances to reduce the landscaping buffers between the parking areas.

The intent of the interior side yard setback for an apartment building is to ensure that the building does not overwhelm abutting properties and provides amenity space and landscaping for the residents of the building. The proposed Villa Serena is adjacent to a sports field, and therefore the reduced interior side yard setback will not have any impact on adjacent properties.

There is also a request to permit an increase of the maximum building height from 14 metres to 19.1 metres. Section 7.1 c) of the Garden City Plan requires development to be evaluated based on the building, site and streetscape context sensitive design to ensure integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties, and the surrounding neighbourhood. The requested increase in height is a function of the architectural features of the roof (a parapet). The agent has advised that the increase allows for a higher floor to ceiling height, in order to provide the desired look for the building as well as to conceal the rooftop mechanicals.

The proposed building remains at 5 storeys, which is the original number of storeys approved through the zoning by-law and site plan process. Staff consider the increase in height to be minimal. The design of the site is such that shadows do not impact existing abutting residential uses to the east and will not affect the sports fields to the south. The site plan provides for landscaping and building design features that minimize overlook of abutting residential uses (strategic placement of windows and balconies for example), and these features are secured through site plan approval. Approval of the requested variance to maximum height maintains a development that will be integrated in a compatible manner with the existing streetscape and is in keeping with the general intent and purpose of the Official Plan.

Conclusion

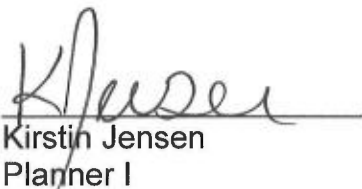
Staff are satisfied that the consents requested through applications **B-62/18SC** and **B-63/18SC** are desirable and compatible with the surrounding area and that there will be no adverse impacts on surrounding properties as a result of the application. Additionally, staff are satisfied that the variances requested through Submissions **A-102/18** and **A-111/18** 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:

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

Shannon Labelle
Student Planner

Submitted by:

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

Kirstin Jensen
Planner I

Approved by:

A handwritten signature in blue ink, appearing to read 'Judy Pihach', written over a horizontal line.

Judy Pihach, MCIP, RPP
Manager of Planning Services

Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, Ontario L3R 5Z5
www.HydroOne.com



Courier:
185 Clegg Road
Markham, Ontario L6G 1B7

VIA E-MAIL ONLY TO emunro@stcatharines.ca

August 14, 2018

City of St. Catharines - Committee of Adjustment
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Attention: Elaine Munro

Dear Elaine Munro:

Re: Proposed Application for Consent, Club Roma
125 Vansickle Rd
St. Catharines
File: B-62/18SC

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection *in principle* to the proposed severance, provided HONI's easement rights are protected and maintained.

Please be advised that any placement of permanent structures, facilities or landscaping within the transmission corridor is **prohibited** without the prior written approval of HONI.

If in the future the owner proceeds with a site plan, plan of subdivision and/or plan of condominium application, the owner must make arrangements satisfactory to HONI for lot grading and drainage, and any proposed uses on the transmission corridor. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this proposal will become the responsibility of the developer.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at dennis.derango@hydroone.com or at 905-946-6237.

Yours truly,

A handwritten signature in black ink that reads "Dennis DeRango". The signature is written in a cursive, flowing style.

Dennis De Rango
Specialized Services Team Lead, Real Estate
Hydro One Networks Inc.

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



August 16, 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-63/18SC
125 Vansickle Road
St. Catharines
Bell File: 905-18-342

We acknowledge receipt and thank you for your correspondence dated August 8, 2018.

Subsequent to review by our local engineering department, Bell Canada has identified that we require protection for existing buried 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 landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

We hope this proposal meets with your approval and request a copy of the decision. We look forward to the owner's solicitor contacting us with a draft reference plan and accompanying draft easement documents for our approval prior to registration, along with an acknowledgement and direction for our execution.

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

Yours truly,

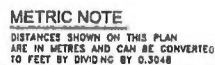
A handwritten signature in blue ink that reads "Charleyne Hall".

Charleyne Hall
Right of Way Associate



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DWG FILE : 17-0044-sket.ch

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 3

125 Vansickle Road

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:40 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 3

Hi Elaine
Email 3
Cogeco has no issues or concerns with this applications
Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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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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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

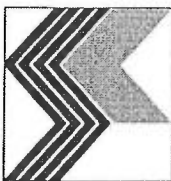
- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2018/16bcoa memo-sev-August 29th 2018.docx



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

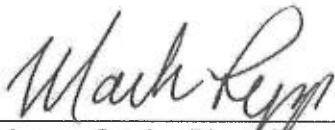
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

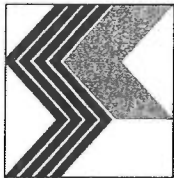
NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

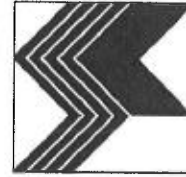
That the applicant submit a payment of \$451.40 for deposit in the general tree planting reserve fund, in accordance with the 2018 Schedule of Rates and Fees.

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.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-62-63/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Club Roma Inc.

Location: 125 Vansickle Road

MUNICIPAL SERVICES

Vansickle Road

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

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

Storm Sewer: 600mm (24") Concrete

Sidewalks: None along the property frontage
North of the property to Mac Turnbull Drive
South of the property to Pelham Rod

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, through the B-63/18SC application, proposes to sever Part 1 on the submitted sketch creating a new lot to be known as 105 Vansickle Road for the purpose of constructing a 5-storey 50-unit apartment building. A remnant parcel with the existing 1-storey private club building, including the banquet hall and recreational area known as Club Roma (Parts 2 & 3), will be retained.

Also, the Applicant, through the B-62/18SC application, proposes to establish an easement over Part 3 on the submitted sketch for the benefit of the southerly abutting lot proposed as 105 Vansickle Road, for vehicular access. A remnant parcel (Parts 2 & 3), with the existing 1-storey private club building, including the banquet hall and recreational area known as Club Roma (Parts 2 & 3), will be retained.

Roads

Vansickle Road is designated a Collector road as per the City's Official Plan with a desired right-of-way width of 26.21m (86'). It's current width along this frontage is sufficient, therefore the City shall not require any further road widenings from the Applicant with respect to these applications for consent.

Sidewalks

Sidewalks do not exist along the frontage of the property at this time. During a previous Planning application for the existing site, the City requested the Applicant construct a 1.50m wide sidewalk along the entire frontage of the property, or pay to the City the cash-in-lieu equivalent, for City forces to complete the works. It was directed by Council Resolution that the City defer the requirement for the Applicant to construct the sidewalk along the Vansickle Road frontage until such time as the City completed connecting sidewalk links from the south limit of the site to

Pelham Road, and the north limit of the site to Rykert Street. The City recently completed these works in 2015 and 2014, respectively.

The City therefore requires the Applicant to construct the portion of the remaining 1.50m wide sidewalk along their entire frontage of Vansickle Road, in accordance with Council's direction, at the Applicant's cost. Conversely, the Applicant may choose to pay the City a cash-in-lieu payment for the future construction of the sidewalk by City forces, in accordance with costs reflective of the current construction price index and average City tender document pricing, at the time of payment.

Condition(s):

Prior to the severance finalization the Applicant shall;

- Construct, entirely at their cost, a 1.50m wide concrete sidewalk along the entire frontage of the Applicant property creating a link between the north and south sidewalks, and provide fees for City Staff inspection of the installation; or
- pay to the City the cash-in-lieu equivalent for the future construction of approximately 278.0m of 1.50m wide concrete sidewalk by City forces, the cash-in-lieu equivalent reflective of current construction price index amounts and average City tender document pricing, at the time of payment, plus a 10% contingency



Prepared By: _____

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

c

Sandra Burrows, PBS
James Denham, PBS



Memorandum

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

Cc: Kirstin Jensen, Planner I
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018

Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

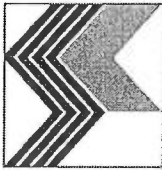
properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-65/18SC (60.84.2208),
A-105/18 (60.81.5394)
& A-106/18 (60.81.5395)**

18 & 18 ½ Thomas Street

**DATE OF HEARING:
August 29, 2018**

August 8, 2018

To whom it may concern,

It has come to my attention that 18 ½ Thomas Street is attempting to sell a portion of their land to 18 Thomas Street. I am not opposed to this transfer of land.

I have also heard that as a condition of this severance the city wants to obtain an extra 1 ½ feet of frontage from each property in case the street needs to be widened. In the case of widening Thomas Street I am very much opposed. We already have issues with people speeding up and down the street and disregarding the stop sign at the intersection of Adie Place and Thomas Street. I can only see widening the street with add to this already troublesome issue.

A few years back a child was struck by a car on Thomas Street which resulted in the previously mentioned stop sign. As people continue to use this street as a through street with no regard for oncoming traffic, the safety of those crossing at the stop sign and for the many young children that live on Thomas Street, I can only assume that widening the street will add to the growing frustrations that we on Thomas Street already contend with on a daily basis.

I am also concerned with the underground transformers and hydro vaults that run along the boulevards of the street. What would happen to those? Not to mention how many older trees the street would lose if the roadway were to be widened.

For these reasons I must oppose the city obtaining the extra 1 ½ feet of frontage they have requested from 18 and 18 ½ Thomas Street.

Sincerely,

Sarah and Christopher McKie

8 Thomas Street

St.Catharines, L2R 6L6



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Meeting: August 29, 2018

Submission(s): B-65/18SC
A-105/18
A-106/18

File: 60.84.2208
60.81.5394
60.81.5395

Subject: 18 Thomas Street
18 ½ Thomas Street

Recommendation

That Submission **B-65/18SC** by Robert Bryans and Nancy Bryans, as outlined in the Notice of Hearing, be approved, subject to the condition that the applicant provide a legal undertaking certifying that Part 1 will be merged in title with Part 3.

That Submission **A-105/18**, by Robert Bryans and Nancy Bryans, as outlined in the Notice of Hearing, be approved.

And that Submission **A-106/18**, by Robert Bryans and Nancy Bryans, 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-65/18SC** is desirable and compatible with the surrounding area and will not result in adverse impacts on surrounding properties. Additionally, having regard for matters under Section 45(1) of the Planning Act, staff is of the opinion that Applications **A-105/18** and **A-106/18** 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

Application **B-65/18SC** is made for consent to sever 135.7m² of land (Part 1 on the submitted sketch), which will be added to the abutting southerly parcel of land known as 18 ½ Thomas Street (Part 3). A 606.6m² remnant parcel (Part 2) with the existing two-storey single detached dwelling would be retained. There are concurrent minor variance applications **A-105/18** and **A-106/18**.

Application **A-105/18** is made to vary the Zoning By-law, as amended, for an increase of the lot area per dwelling unit from 465m² to 606.6m² to facilitate the concurrent consent application.

Application **A-106/18** is made to vary the Zoning By-law, as amended, for the following variances as a result of the concurrent consent application for a boundary adjustment.

1. An increase of the lot area per dwelling unit from 465m² to 515.7m².
2. A reduction of the driveway width when obstructed on one side from 3.0m to 2.87m.

Location and Site Description

The subject property is located on the northeast side of Thomas Street, north of Welland Avenue. The subject property is surrounded by detached dwellings and a field to the north, a Montessori school and detached dwellings to the east and south 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 E4 of the GCP. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

The subject land is zoned Low Density Residential (R2). The R2 zone permits a variety of low density residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse dwellings, and private road developments.

Report

The applicant is requesting permission to sever a portion of the rear yard of 18½ Thomas Street (Part 2), which also includes a sliver of property along the dividing lot line between 18 Thomas Street and 18½ Thomas Street (Part 1). The severed parcel, Part 1, is to be added to 18 Thomas Street (Part 3). There is a dwelling currently existing on both properties, and there is no new development proposed. The requested boundary adjustment will result in two adjacent rectangular shaped lots, and will rectify an existing irregularly shaped lot at 18½ Thomas Street.

Section 16.11.3 of the Garden City Plan states that consents to sever for lot boundary adjustments may be supported when the size, shape and configuration of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

Variances are requested for an increase of the maximum lot area on both properties, as well as a reduction of the permitted driveway width that is obstructed on one side. The variances are necessary to facilitate the requested boundary adjustment. A number of

the lots in the surrounding area are of a similar width and depth as the proposed lots and therefore the increases to the maximum lot areas will allow the lots to maintain a measure of compatibility and character with the established neighbourhood. The requested variance to the driveway is a function of the established layout of the site at 18 Thomas Street, and the added land from the severance will actually allow for a wider driveway than was previously existing on the site, albeit still under the requirements of the zoning by-law.

Staff are supportive of the requested boundary adjustment and associated variances.

Design Review Panel (DRP)

Consent applications received after September 14, 2017 for the creation of a new lot are required to first go before the Design Review Panel prior to submitting the complete application. In this instance, the requested severance is for a boundary adjustment rather than the creation of a new lot, and therefore the application was exempt from review by the DRP.

Conclusion


Staff are satisfied that the consent requested through application **B-65/18SC** is desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of the application. Additionally, staff are satisfied that the variances requested through Submissions **A-105/18** and **A-106/18** 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 consent and variances be approved

Prepared by:



Shannon Labelle
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Wednesday, August 15, 2018 11:48 AM
To: Munro, Elaine
Subject: 905-18-344 - Consent Application B65/18SC - 18 1/2 Thomas Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B65/18SC regarding 18 ½ Thomas 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

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5 (Last email :)

18 & 18 ½ Thomas Street
71 Bradley Street

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:43 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5 (Last email :)

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

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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

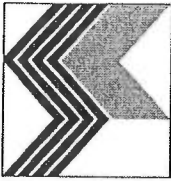
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Cogeco Connexion, 5 Place Ville-Marie, Suite 1700, Montreal, Quebec, H3B 0B3



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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

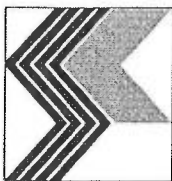
- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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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

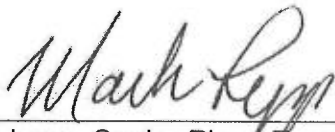
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 29, 2018 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-26/18	333 Main Street	-Be advised that reductions in required yards will have spatial separations implications affecting the permitted area of unprotected openings. The permitted type of construction and allowable size of combustible projections on exterior walls as per 9.10.14 and 9.10.15 of part 9 of the Ontario Building Code.
A-94/18	193 St. Paul Street West	-Be advised that a building permit is required for the conversion to a brewery .
A-96/18	363 Lake Street	-Be advised that a building permit is required for the proposed alterations and addition.
A-97/18	365 Lake Street	-Be advised that a building permit is required for the proposed addition.
A-98/18	79 Elma Street	-Be advised that a building permit is required for the proposed shed. -Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-99/18	429 Geneva Street	-No Comment

NO.	ADDRESS	COMMENTS
A-100/18	427 Geneva Street	-Be advised that the existing structures are to be removed and a demolition permit is required for each structure which exceed 10m ² in building area. -Be advised that a building permit is required for any proposed structures exceeding 10m ² in building area. -Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the these yards.
A-101/18	33 Queen Mary Drive	-Be advised that a building permit is required for the proposed one story addition and balcony.
A-102/18	105 Vansickle Road	-Be advised that reductions in the southerly setback will have spatial separation implications affecting the permitted area of unprotected openings and the permitted type of construction facing the South lot lines.
A-103/18	75 Simpson Road	-No Comment
A-104/18	73 Simpson Road	-No Comment
A-105/18	18 ½ Thomas Street	-No Comment
A-106/18	18 Thomas Street	-No Comment
A-111/18	125 Vansickle Road	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2018\15B bcoa memo-mv-August 29, 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-65/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Robert & Nancy Bryans

Location: 18 ½ Thomas Street

MUNICIPAL SERVICES **Thomas Street**

Water: 150mm (6")

Sanitary Sewer: 200mm (8")

Storm Sewer: 375mm (15")

Sidewalks: Yes

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 to be added to the abutting southerly property known as 18 Thomas Street (Part 3). A remnant parcel (Part 2) with the existing two-storey single detached dwelling would be retained.

Roads

Thomas Street is designated a local road in the City's Official Plan with a desired right-of-way width of 20.0m (66'). Its current width meets the required Official Plan designation, therefore a road widening will not be required at this time.

Engineering Services

There are no engineering comments with respect to this application at this time.

Condition(s): None

Development Engineering staff have no further comments or concerns with this application and have no objection to the approval of this severance application.

A handwritten signature in black ink, appearing to be 'Brad Johnston', written over a horizontal line.

Prepared By: _____
Brad Johnston, C.E.T.
Development Engineering Technologist

c Sandra Burrows, PBS
James Denham, PBS



Memorandum

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

Cc: Kirstin Jensen, Planner I
Shannon Labelle, Planning Student
Jim Denham, Development Engineering Technologist
Sandra Burrows, Manager of Building & Development

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

Date: August 16th, 2018
Hearing Date: August 29th, 2018

Subject: Engineering Comments Regarding Minor Variance applications for the following;
333 Main Street, A-26/18
193 St. Paul Street, A-94/18
363 – 365 Lake Street, A-96-97/18
79 Elma Street, A-98/18
33 Queen Mary Drive, A-101/18
429/427 Geneva Street, A-99-100/18
105/125 Vansickle Road, A102&111/18
75-73 Simpson Road, A-103-104/18
18-18½ Thomas Street, A-106-105/18

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;

79 Elma Street, A-99/18:

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 rear yard identifying existing grades on the abutting property and existing and proposed grades on the subject property be prepared and certified by a qualified Engineer or Ontario Land Surveyor and be submitted to City Staff for review and approval prior to a Building permit being issued.

33 Queen Mary Drive, A-101/18:

Development Engineering has concerns whether or not roof and surface drainage can be achieved without negatively impacting the adjacent

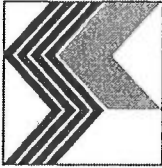
properties with the proposed addition and basement walkout. The Site Plan shall be revised to include existing grades on the abutting easterly property and existing and proposed grades on the subject property identified and certified by a qualified Engineer or Ontario Land Surveyor for the proposed addition and basement walkout be submitted to City Staff for review and approval prior a building permit being issued.

Respectfully Submitted by:

A handwritten signature in black ink, appearing to be 'BJ' with a stylized flourish.

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

BJ



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-66/18SC (60.84.2209)

19 John Street

DATE OF HEARING:
August 29, 2018



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 22, 2018

Date of Hearing: August 29, 2018

Submission(s): B-66/18SC

File: 60.84.2209

Subject: 19 John Street
17 John Street

Recommendation

That Submission **B-66/18SC** by Isabel Sorley and Peter Sorley, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the applicant submits 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 the applicant submits an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree;
3. For Part 1, the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws;
4. 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', and that the appraisal be completed by a qualified appraiser;
5. 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;
6. The Owner shall pay for and have City Crews relocate, if necessary, any existing sewer laterals or water services within the right-of-way of John Street, that are identified to cross existing and future property lines created as a result of the severance;
7. The Owner shall carry out all necessary relocation work on private property for the sanitary lateral and water service identified as crossing existing and/or future property lines as a result of these severances through a Plumbing Only permit;

8. 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 meet the Ontario Building Code subsections 9.10.14 and 9.10.15 for the southeast face of the existing dwelling on Part 1;
9. That the existing shed on Part 2 be removed;
10. That the existing decks to the remaining dwelling be removed;
11. That the above ground pool situated on the proposed lot line be relocated to be fully contained on either Part 1 or Part 2; and,
12. For Part 2, Building Permit Plans be submitted, reviewed and able to be issued indicating the new dwelling includes a covered front porch having a minimum depth of 1.8 metres.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff are satisfied that application **B-66/18SC** is desirable for the appropriate use of the land and upholds the intent and purpose of the Official Plan.

The Proposal

Application **B-66/18SC** is made for consent to sever 322m² of land (Part 2 on the submitted sketch) creating a new lot to be known as 17 John Street for the proposed construction of a single-detached dwelling. A 348m² remnant parcel would be retained for the existing single 2-storey detached dwelling and sheds.

Location and Site Description

The subject properties are located on the southwest side of John Street, north of Lakeshore Road, and is surrounded by detached dwellings in all directions.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential (R2). The R2 zone permits a variety of dwelling types which include, detached, semi-detached, duplex, triplex, fourplex, quadruplex, 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 new 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 some of the existing lots in the immediate surrounding area, however to the north of the property, a number of lots have been recently severed in a similar nature and as such the proposal will be in character with the established form of the neighbourhood. The proposed lots will still provide adequate lot size to fit a dwelling on each. Both Parts 1 and 2 meet all requirements of the zoning by-law for the R2 zone and no variances are required. 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.

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.

The City's Parks, Recreation and Culture Services section requires that a tree deposit be provided for every new lot created throughout the City. As such, the applicant is required to 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. This condition is reflected in the recommendation. PRCS has also identified that a boulevard tree is located on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements. PRCS has also requested that landscaping be reinstated in the front yard of the subject property at 19 John Street, between the dwelling and the sidewalk. The severance of the lot results in a reduction of amenity area on the remnant property, and the landscaping should be reinstated to ensure that amenity space is existing in the front yard of the existing dwelling. A portion of City property has also been turned into a parking area in the front of the dwelling, and as such this must also be reinstated with landscaping as this part of the property does not belong to the applicant.

The City's Building division has advised that the applicant must satisfy the Chief Building Official for the City that the spatial separation requirements for glazed openings and wall construction meet the Ontario Building Code for the southeast face of the existing dwelling

and on Part 1. This has also been reflected in the conditions of the recommendation. The existing shed on Part 2 must also be removed.

The City's Development Engineering division has noted that 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 not an existing storm sewer on John Street, sump pump flows shall be discharged to grade at the front of the dwelling and be directed towards John Street. 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 to ensure they do not cross the future property lines to be created as a result of the severance. The size and condition of the existing services shall also be confirmed at that time to determine suitability for reuse.

Design Review Panel (DRP)

Consent applications received after September 14, 2017 to create new residential lots are required to first go before the Design Review Panel prior to submitting the complete application.

The DRP considered a proposal to sever the side yard of the existing home to facilitate the construction of a new two-storey detached dwelling. The Panel noted that both the new and existing lots appear to comply with the zoning by-law. The Panel expressed general support for the proposed severance, but questioned the provision of landscaping and the usability of the proposed front porch. The Panel suggested that the new home should include a front porch having a minimum depth of 1.8 metre. Staff are supportive of the Panel's suggestion and this has been reflected in the conditions of the recommendation.

Conclusion

Staff are satisfied that the consent requested through application **B-66/18SC** 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 application upholds the intent and purpose of the Official Plan and Zoning By-law, and it is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Shannon Labelle
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Wednesday, August 15, 2018 11:30 AM
To: Munro, Elaine
Subject: 905-18-340 - Consent Application B66/18SC - 19 John Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B66/18SC regarding 19 John 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

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 4

75 Simpson Road
19 John St.

From: Doug Crown [mailto:Doug.Crown@cogeco.com]
Sent: Monday, August 13, 2018 11:41 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 4

Hi Elaine
Email 4
Cogeco has no issues or concerns with this applications
Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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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August 15, 2018

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

Attention: Elaine Munro

File# 60.84.2209

Re: 19 John St

In response to your correspondence dated August 8, 2018, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- We have NO objection(s).

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-10, Overhead System

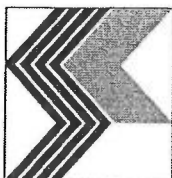
▪ C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Mark Jakubowski', written over a horizontal line.

Mark Jakubowski
Supervisor, Design, Customer Capital



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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2018/16bcoa memo-sev-August 29th 2018.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. 125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. 75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. 18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. 19 John Street, Consent Application, B-66/18SC – 60.84.2209

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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

REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-66/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Isabel & Peter Sorley

Location: 19 John Street

MUNICIPAL SERVICES **John Street**

Water: 150mm PVC

Sanitary Sewer: 250mm PVC +/-2.0m Depth

Storm Sewer: None

Sidewalks: Yes

Road Allowance Width: 20.0m (66')

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

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

Roads

John Street is designated a Local Road as per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width along the frontage of the subject lands is adequate, 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 not an existing storm sewer on John Street, sump pump flows shall be discharged to grade at the front of the dwelling and be directed towards John Street.

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 to ensure they do not cross the future property lines to be created as a result of the severance. 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 to the Planning & Building Services department shall be made as a condition of severance.

Any sewer laterals or water services that are identified to outlet across existing/future property lines shall be addressed via termination and/or relocation to ensure separate independent services exist for each property. Any relocation works shall be carried out prior to finalization of the severance. Such work within the John 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 a new sanitary and water service lateral installed by City Crews from the municipal sewers and watermain on John Street to the front property line. The fees charged shall be in accordance with the City's current Schedule of Rates & Fees and paid at the Building Permit Application stage.

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 John Street, that are identified to cross existing and future property lines created as a result of the severance; and
- Carry out all necessary relocation work on private property for the sanitary lateral and water service identified as crossing existing and/or future property lines as a result of these severances through a Plumbing Only permit



Prepared by: _____

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

c

Sandra Burrows, PBS
James Denham, PBS



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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-67/18SC (60.84.2210)

71 Bradley Street

DATE OF HEARING:
August 29, 2018

Niagara Escarpment Commission

232 Guelph St.
Georgetown, ON L7G 4B1
Tel: 905-877-5191
Fax: 905-873-7452
www.escarpment.org

Commission de l'escarpement du Niagara

232, rue Guelph
Georgetown ON L7G 4B1
No de tel. 905-877-5191
Télécopieur 905-873-7452
www.escarpment.org



Niagara Escarpment Commission
An agency of the Government of Ontario

August 9, 2018

Elaine Munro
Secretary-Treasurer, Committee of Adjustment
50 Church Street
St. Catharines, ON L2R 7C2

Dear Ms. Munro:

RE: Committee of Adjustment Application: B-67/18SC
71 Bradley Street.
Part of Lot 819, Corporation Plan 6
Being Parts 11 & 12 on RP 30R-10790
City of St. Catharines, Region of Niagara.

This is in response to the Notice of Public Meeting regarding the above-captioned Consent Application.

The subject lands are located completely within the Niagara Escarpment Development Control area as established through *O.Reg. 826/90 – 'Designation of Area of Development Control'*. Lands within Development Control are not regulated by zoning administered under the *Planning Act* but instead are subject to a development permit system administered under the *Niagara Escarpment Planning and Development Act (NEPDA)*. Under this system the definition of 'development' includes a change in use of any land, building or structure, and **lot creation**.

The lands subject to the proposed consent application are designated as 'Urban Area'.

Application B-67/18SC

The purpose of the above captioned application is to sever 373.2 m² of land creating a new lot for the proposed construction of a semi-detached dwelling. A ±340.0 m remnant parcel would be retained for the other half of the proposed semi-detached dwelling. Given the provided description of the application, NEC Staff are of the understanding that one (1) new lot is proposed to be created.

Niagara Escarpment Planning and Development Act (NEPDA)

The Niagara Escarpment Planning and Development Act (NEPDA) treats lot creation within the area of Development Control as a form of development that would require an NEC Development Permit. In the context of the current proposal, NEC Staff are of the opinion that lot creation is being proposed thus a **Development Permit is required** from the NEC.

Section 24(3) of the NEPDA provides the following:

No building permit, work order, certificate or licence that relates to development shall be issued, and no approval, consent, permission or other decision that is authorized or required by an Act and that relates to development shall be made, in respect of any land, building or structure within an area of development control, unless the development is exempt under the regulations or,

(a) a development permit relating to the land, building or structure has been issued under this Act; and

(b) the building permit, work order, certificate, licence, approval, consent, permission or decision is consistent with the development permit.

As there is no Development Permit issued that makes allowances for lot creation on the property, and understanding that lot creation is not a form of development afforded an exemption under O.Reg 828/90, as amended, the St. Catharines Committee of Adjustment is restricted from issuing a consent approval pursuant to Section 24(3) of the *Niagara Escarpment Planning and Development Act* until such time as a Development Permit has been issued by the Niagara Escarpment Commission.

Given the above analysis, NEC Staff respectively requests **deferral** of Consent Application B-67/18SC.

Additional Information

On October 5, 2017 NEC Staff issued Development Permit #11299/N/R/2017-2018/182. This Permit authorized development of a 2-storey, $\pm 418.0 \text{ m}^2$ ($\pm 4,500 \text{ ft}^2$) single family dwelling, including walkout basement, with a maximum height to peak of $\pm 11.8 \text{ m}$ ($\pm 38.7 \text{ ft}$), retaining wall, and associated landscaping on lands municipally known as 71 Bradley St., City of St. Catharines (the lands subject to Consent Application B-67/18SC). As the development proposal as now been altered both in proposed built-form and the introduction of an additional lot a new, a Development Permit is required. NEC Staff are confident that both the lot creation and the built-form can be addressed through a single application.

Conclusion

NEC Staff request **deferral** of Consent Application B-67/18SC

Regards,



John Stuart, RPP, MCIP
Senior Planner
Niagara Escarpment Commission

Munro, Elaine

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Wednesday, August 15, 2018 11:03 AM
To: Munro, Elaine
Subject: 905-18-345 - Consent Application B67/18SC - 71 Bradley Street

Good morning Elaine,

Bell Canada has no concerns with Application for Consent B67/18SC regarding 71 Bradley 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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Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5 (Last email :)

18 & 18 ½ Thomas Street
71 Bradley Street

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

Sent: Monday, August 13, 2018 11:43 AM

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

Subject: RE: Committee of Adjustment Notices and Applications for the August 29/18 CofA Hearing, City of St. Catharines - Email 5 (Last email :)

Hi Elaine

Email 5

Cogeco has no issues or concerns with this applications

Thanks

Doug Crown

Network Planning Department

Doug.crown@cogeco.com

T 289-296-6266 | C 905-401-9967

7170 Mcleod Rd
Niagara Falls Ont Canada



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

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

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

August 15, 2018

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

Attention: Elaine Munro

File# 60.84.2210

Re: 71 Bradley St

In response to your correspondence dated August 9, 2018, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.

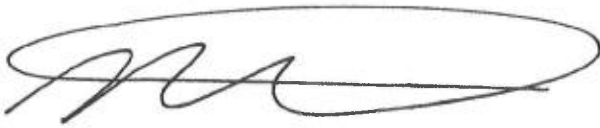
We would also like to stipulate the following:

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

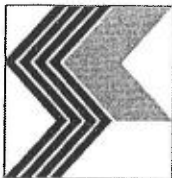
- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-10, Overhead System
- C22.3 No. 7-10 Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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: August 9, 2018

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 29th, 2018 hearing - File No.: 300-036

B-61/18SC – 429 Geneva Street

Comment:

- Shed to become part of new boundary for 427 Geneva. - Be advised that a BLDG Permit is required for each individual building that is part of the proposed private road development which exceeds 10m² in building area.

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 southwest face of the garage on Part 1.

B-62/18SC – 125 Vansickle Road

Comment:

- No Comment

Condition:

- No Comment

B-63/18SC – 125 Vansickle Road

Comment:

- Be advised that a building permit is required for the proposed 5 storey building on Part 1

Condition:

- No Comment

B-64/18SC – 75 Simpson Road

Comment:

- No Comment

Condition:

- No Comment

B-65/18SC – 18 ½ Thomas 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast faces of the existing dwelling and on Part 2.

B-66/18SC – 19 John Street

Comment:

- Be advised that a building permit is required for the proposed single detached 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 for subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code for the southeast face of the existing dwelling and on Part 1.
- A BLDG Permit is required for the alteration of the building to remove the existing deck areas and partial roof. – Existing shed on Part 2 to be removed. Demolition permit required over 10m² in BLDG Area.

B-67/18SC – 71 Bradley Street

Comment:

- Be advised that a building permit is required for this proposed semi-detached dwelling on Parts 1 & 2.

Condition:

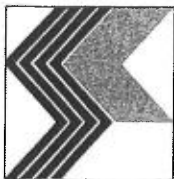
- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 16, 2018
Subject: Committee of Adjustment Hearing – August 29, 2018

1. 333 Main Street, Minor Variance Application, A-26/18

No objection. PRCS requirements, including detailed landscaping and fencing design, boulevard plantings, and cash in lieu of parkland dedication will be addressed through the concurrent Site Plan Agreement.

2. 193 St Paul Street West, Minor Variance Application, A-94/18 – 60.81.5383

No comment.

**3. 363 Lake Street, Minor Variance Application, A-96/18 – 60.81.5385
365 Lake Street, Minor Variance Application, A-97/18 – 60.81.5386**

No concerns. The proposed reductions are consistent with existing situations and will maintain a sufficient buffer to maintain the adjacent tree canopy.

4. 79 Elma Street, Minor Variance Application, A-98/18 – 60.81.5387

No comment.

5. 33 Queen Mary Drive, Minor Variance Application, A-101/18 – 60.81.5390

No comment

**6. 429 Geneva Street, Consent Application, B-61/18SC – 60.84.2204
429 Geneva Street, Minor Variance Application, A-99/18 – 60.81.5388
427 Geneva Street, Minor Variance Application, A-100/18 – 60.81.5389**

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

7. **125 Vansickle Road, Consent Application, B-62/18SC – 60.84.2205**
125 Vansickle Road, Consent Application, B-63/18SC – 60.84.2206
105 Vansickle Road, Minor Variance Application, A-102/18 – 60.81.5391
125 Vansickle Road, Minor Variance Application, A-111/18 – 60.81.5400

No objections. PRCS requirements including landscaping and parkland dedication will be addressed through the concurrent Site Plan Agreement.

8. **75 Simpson Road, Consent Application, B-64/18SC – 60.84.2207**
75 Simpson Road, Minor Variance Application, A-103/18 – 60.81.5392
73 Simpson Road, Minor Variance Application, A-104/18 – 60.81.5393

Staff have reviewed the above noted application. Staff are reviewing requirements for natural areas dedication in accordance with the Garden City Plan and request a deferral at this time.

9. **18 ½ Thomas Street, Consent Application, B-65/18SC – 60.84.2208**
18 1/2 Thomas Street, Minor Variance Application, A-105/18 –
60.81.5394
18 Thomas Street, Minor Variance Application, A-106/18 – 60.81.5395

No comment.

10. **19 John Street, Consent Application, B-66/18SC – 60.84.2209**

Please be advised that we have reviewed the above-noted applications and note the following comments:

There is a boulevard tree on city property in front of the proposed driveway. The removal of this tree will be completed by City crews at the expense of the applicant. The applicant will additionally be responsible for the replacement cost of this, in addition to standard boulevard tree requirements.

PRCS requests the following be included as a conditions 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.

That the applicant submit an additional payment of \$451.40 for deposit in the general tree planting reserve fund for replacement of the existing boulevard tree.

That the applicant re-instate landscaping in the front yard and within the municipal boulevard, in accordance with the City's By-laws.

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. 71 Bradley Street, Consent Application, B-67/18SC – 60.84.2210

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

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-71/18SC



August 16, 2018

ENGINEERING FILE 300-36

Hearing Date: August 29, 2018

Applicant: Lionstone Homes

Location: 71 Bradley Street

MUNICIPAL SERVICES **Bradley Street**

Water: 150mm P.V.C

Sanitary Sewer: 600mm Regional Trunk Sewer

Storm Sewer: 600mm traversing the easterly limit through an access and maintenance easement to the City of St. Catharines (Part 3 on the attached sketch).

Sidewalks: None

Road Allowance Width: 20.0m (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 purpose of creating a new lot to be known as 71A Bradley Street for the proposed construction of a semi-detached dwelling. A remnant parcel (Part 2) with the other half of the proposed semi-detached would be retained, as well as a parcel (Part 3) for continued Municipal sewer easement access and maintenance purposes.

Roads

Bradley Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m (66'). Its current width is sufficient and therefore no further widenings will be obtained through this application. It is currently in a semi-urban cross section state, where no curb and gutter exist, nor sidewalks.

Sidewalks

As mentioned, sidewalks do not exist along the frontage of this property, however Council is looking for "Complete Streets and Walkable Communities" which in addition to accommodating vehicles, right-of-ways shall provide a "safe, functional and attractive pedestrian and cycling environment". The Garden City Plan indicates (Section 5.2.1D) that sidewalks should be provided on both sides of all local streets, and Section 5.2.3 states all existing roads shall be brought up to today's standards. The Applicant shall be required to pay the cash-in-lieu equivalent for the future construction of a 1.50m wide concrete sidewalk along the frontage of the Applicant property, the fee in accordance with costs reflective of the current construction price index and average City tender document pricing, at the time of payment, plus an additional 10% contingency.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Individual lot drainage plans are a requirement for review and approval at the building permit stage and shall be submitted at that time to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet, and 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 along Bradley Street fronting the westerly proposed unit, foundation weeping tile flows for that unit shall be collected and discharged to grade via sump pump. The discharge location shall be towards the front of the lot only, not towards the side lot line. With respect to the easterly proposed unit, a City storm sewer exists along the easterly property line of the subject lot, therefore foundation weeping tile flows for the easterly unit shall be collected and discharged to this storm sewer via sump pump and storm lateral connection to the existing manhole in the Bradley Street boulevard.

The lot has already been accommodated with one set of water and sewer services through a previous development agreement application for the subject lands. The Owner shall be responsible to pay the City the fees to install the additional water and sanitary sewer laterals required for the easterly unit, through the building permit process. The fees shall be in accordance with the City's current Schedule of Rates and Fees. The Applicant shall note that since a local sanitary sewer does not exist on Bradley Street, the additional sanitary lateral required for the easterly unit must be authorized by the Region for City crews to connect a new sanitary lateral to the Region's trunk sewer, at a cost to the Applicant of \$1,250.00 in accordance with the Region's 2018 Fees and Charges By-law 2017-111. This fee shall be collected by the City through the building permit process.

Condition(s):

Prior to the severance finalization the Owner shall;

- pay to the City the cash-in-lieu equivalent for the future construction of approximately 20.0m of 1.50m wide concrete sidewalk by City forces, the cash-in-lieu equivalent reflective of current construction price index amounts and average City tender document pricing, at the time of payment, plus a 10% contingency

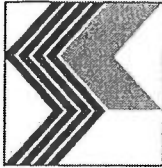


Prepared by:

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

c

Sandra Burrows, PBS
James Denham, PBS



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 8, 2018

Subject: Committee of Adjustment
Public Hearings – August 29, 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/