



**The Corporation of the City of St. Catharines  
CITY COUNCIL AGENDA  
Regular, Monday, September 10, 2018  
Council Chambers, City Hall, 6:30 PM**

*His Worship Mayor Walter Sendzik takes the Chair and opens the meeting*

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- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Adoption of the Minutes (Council and General Committee)**
  - 3.1 Regular Meeting of Council, [Minutes of August 27, 2018](#)
  - 3.2 General Committee, [Minutes of August 27, 2018](#)
- 4. Declarations of Interest**
- 5. Public Meetings Pursuant to Planning Act and Notice By-Law**

- |         |  |
|---------|--|
| 4 - 18  | <b>5.1 Public Meeting Pursuant to Planning Act</b><br>Planning and Building Services, Planning Services<br><i>Planning Act Public Meeting - Information Report</i><br>Application for Official Plan Amendment and Zoning By-law<br>Amendment; 99 South Drive; Owner: 1473941 Ontario Ltd.; Agent: Adele<br>Arbour<br>(Report contains links; copies available upon request)                            |
| 19 - 69 | <b>5.2 Public Meeting Pursuant to Planning Act</b><br>Planning and Building Services, Planning Services<br><i>Planning Act Public Meeting - Information Report</i><br>Application to Amend Zoning By-law 2013-283 and Draft Plan of<br>Condominium; Subject Lands: 525 Niagara Street; Owner: Grey Forest<br>Homes Ltd.; Agent: Upper Canada Consultants   |
| 70 - 86 | <b>5.3 Public Meeting Pursuant to Planning Act</b><br>Planning and Building Services, Planning Services<br><i>Planning Act Public Meeting - Information Report</i><br>Application for Official Plan Amendment and Zoning By-law<br>Amendment; Subject Lands: 104 Maple Street; Owner: Global Travel<br>Investment Group Ltd.; Agent: Exp.<br>(This Public Meeting will be rescheduled at a later date) |

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- 87 - 99      5.4      **Public Meeting Pursuant to Planning Act**  
Planning and Building Services, Planning Services  
*Planning Act Public Meeting - Information Report*  
Application for Draft Plan of Standard Condominium; 6, 6A, and 10  
Dalhousie Avenue; Owner: The Beaches at Port Inc.; Agent: Niagara  
Planning Group
- 100 - 114      5.5      **Public Meeting Pursuant to Planning Act**  
Planning and Building Services, Planning Services  
*Planning Act Continuation of Public Meeting – Recommendation Report*  
Application for Draft Plan of Standard Condominium; 43 Church Street;  
Owner: 43church.ca Inc.; Agent: Brent Larocque  
(Report contains links; copies available upon request)
- 115 - 125      5.6      **Public Meeting Pursuant to Planning Act**  
Planning and Building Services, Planning Services  
*Planning Act Continuation of Public Meeting – Recommendation Report*  
Application for Draft Plan of Standard Condominium; 405 Merritt Street;  
Owner: 2605831 Ontario Inc.; Agent: Better Neighbourhoods Inc.  
(Report contains links; copies available upon request)
- 126 - 129      5.7      **Public Meeting Pursuant to Notice By-law**  
Legal and Clerks Services, Legal Services  
Business Licensing By-law – Amendment to Regulation of Amusement  
Arcades

**6. Delegations**

**7. Presentations**

**8. Motions**

- 8.1      Manufacturer's Limited Liquor Sales License for Coldbreak Brewing  
Company (193 St. Paul St. West)  
*Councillor Siscoe will present the following motion:*

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO)  
requires a municipal resolution supporting the issuance of a license to  
sell and serve beer for consumption at a manufacturing site  
(Manufacturer's Limited Liquor Sales License);

THEREFORE BE IT RESOLVED that the City of St. Catharines  
supports the application of Yates Street Brewing Company Inc.  
operating as Coldbreak Brewing Company, located at 193 St. Paul St.  
West, St. Catharines, for a Manufacturer's Limited Liquor Sales License.

**9. Call for Notices of Motion**

**10. Resolve into General Committee**

**11. Motion Arising from In-Camera Session**

**12. Motion to Ratify Forthwith Recommendations**

**13. By-laws**

13.1 Reading of By-laws

**14. Agencies, Boards, Committee Reports**

14.1 Minutes to Receive:

- Cultural Sustainability Committee, [August 14, 2018](#) (Draft)
- Economic Sustainability Committee, [August 28, 2018](#) (Draft)
- Heritage Advisory Committee, [July 19, 2018](#) (Draft)
- Public Art Advisory Committee, [July 25, 2018](#) (Draft)
- Recreation Master Plan Advisory Committee, [July 30, 2018](#) (Draft)
- Social Sustainability Committee, [August 30, 2018](#) (Draft)

**15. Adjournment**



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 22, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-212-2018

**File:** 60.30.340 and 60.35.1044

**Subject:** *Planning Act Public Meeting - Information Report*  
Applications for Official Plan Amendment and Zoning By-law Amendment;  
99 South Drive; Owner:1473941 Ontario Ltd.; Agent: Adele Arbour

## Recommendation

That Council consider this Information Report as part of the Public Meeting in accordance with the Planning Act; and

That Council consider a recommendation report regarding applications for approval of an Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 99 South Drive at the meeting of September 24, 2018, pursuant to the two-step process for planning applications previously approved by Council. FORTHWITH

## Summary

This Information Report provides Council and the public with information concerning applications for an Official Plan Amendment and Zoning By-law Amendment at 99 South Drive to be considered at a Public Meeting scheduled for September 10, 2018, in accordance with the Planning Act. This Information Report provides an overview of the applications, and a summary of applicable planning policies and circulation comments.

The applicant is requesting changes to the Official Plan Policies and Zoning By-law to permit the conversion of the former school building into 10 condominium apartment dwelling units. The following amendments are proposed:

Official Plan: Retain the Low Density Residential designation and add a site-specific policy to permit apartment dwelling units on the subject lands.

Zoning By-law: Retain the Local Neighborhood Institutional (I2) zoning category and add a new special provision to permit apartment dwelling units on the subject lands. A reduction in the minimum landscape buffer beside a parking area is also proposed.

A Recommendation Report containing a planning analysis addressing any concerns raised at the Public Meeting, and providing a staff recommendation will be considered by Council at the meeting tentatively scheduled for September 24, 2018.



The conceptual proposed site plan (Appendix 2) is attached for Council's reference.

## **Background**

The subject lands are located on the east side of South Drive, between Ridgewood Road and Rockcliffe Road. The Southerly portion of the former Glenridge School site has already been severed for use as a City park and approval to sever 10 townhouse lots along the Highland Avenue and Ridgewood Road frontages has been granted by the Committee of Adjustment.

The former school building is designated under Part IV of the Ontario Heritage Act as a significant heritage building which is proposed to be adaptively reused for apartments.

## **Report**

### **Proposed Development**

The applicant seeks approval for an Official Plan and Zoning By-law amendment for the lands identified in Appendix 1 to permit the conversion of the two-storey former Glenridge School building into 10 condominium apartment units. The gymnasium of the former school will be demolished and a new parking lot will be established in its approximate location. No additions to the former school building are proposed. The applicant has advised that it is their intention to sell the apartment dwellings as condominium units. Further applications for site plan approval and draft plan of condominium approval will be needed if the proposed amendments are approved by Council.

### **Location and Site Description**

The subject lands are located on the east side of South Drive, between Ridgewood Road and Rockcliffe Road, in the City's South Planning District. A location map is attached as Appendix 1. The subject lands are approximately 0.23 hectares in size and are located in close proximity to multiple transit routes along Glenridge Avenue. Surrounding land uses include a mix of one and two-storey detached dwellings to the north, east and west and a new City park to the south which previously formed part of the school site. The construction of 10 adjacent new townhouse units is planned for the lands immediately to the north and east of the school building. A preliminary site plan for the school site is attached as Appendix 2.

### **Supporting Documentation**

The applicant has submitted the following plans and studies in support of the proposed policy amendments:

- Planning Justification Report, prepared by Adele Arbour Planning and Development Consulting Services, dated June, 2018;
- Functional Servicing Study, prepared by Upper Canada Consultants, dated June 23, 2018; and
- Heritage Impact Assessment, prepared by Meghan Hobson, Built Heritage Consultant, dated May, 2018.

Digital copies of the various documents are also available of viewing on the City's website, at the following address: <http://www.stcatharines.ca/development>.

## Planning Policy Context

The decision of an approval authority on a planning application must be consistent with the Provincial Policy Statement (2014), and must conform with and not conflict with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to the proposal, and the staff recommendation will be formulated accordingly. For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 6.

### Provincial Policy Statement (2014)

Provincial policies place an emphasis on intensification and infill in appropriate locations to foster the development of complete communities which efficiently use land, resources, infrastructure and public service facilities. The following provides an overview of the Provincial Policy Statement themes that apply more specifically to this Application for Official Plan Amendment and Zoning By-law Amendment.

- Accommodate an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;
- Conserve built and cultural heritage resources;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- Promote the wise use and management of land use change;
- Support an accessible, connected and complete community;
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form; and
- Provide for a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need.

### Provincial Growth Plan for the Greater Golden Horseshoe (2017)

Policies within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards." Policies ensure that a range and mix of housing options are available to promote complete communities.

The following provides an overview of the Provincial Growth Plan themes that apply more specifically to these Applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Conserve built and cultural heritage resources;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support multi modal transportation, including active transportation and transit;
- Provide for a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Mitigate/adapt to climate change impacts; and
- Support complete communities;

## Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/conformity amendment), which will be the focus of residential and employment intensification and redevelopment within the Region over the long term. The Regional Plan directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The ROP also establishes a residential intensification target of 95% for the St. Catharines Built-Up Area.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) of their Official Plan to bring it into conformity with the PPS and the Provincial Growth Plan. Once completed, local area municipalities will be required to update their Official Plans accordingly.

## City Official Plan (Garden City Plan)

The City's Official Plan, The Garden City Plan (GCP) designates the lands as Neighbourhood Residential (see Appendix 3), providing for a range of housing opportunities, types, forms and densities. Schedule E8 of the GCP (see Appendix 4) provides additional direction for the South Planning District and designates the lands as Low Density Residential.

The Low Density Residential designation permits a variety of residential uses, including detached, semi-detached, duplex, quadruplex, fourplex and townhouse dwellings generally at a density range between 20 and 32 units/ha. Apartment dwelling units are not identified as a permitted use. The proposed development (school site only) represents a density of 43.5 units/ha. When considering the larger development

proposal which includes both the school building and the 10 townhouse units, the total project density is 33.3 units per hectare. An Official Plan Amendment is required to permit apartment dwellings as a land use on the property.

Section 16.1 of the GCP details specific matters that must be evaluated when considering applications of an Official Plan Amendment. Every application for amendment is to be evaluated on the basis of the following considerations:

- i) “the degree of conformity of the proposed amendment to the general intent, purpose and philosophy of the Plan, particularly the vision, planning principles and general policies of the Plan;
- ii) consistency with Provincial and upper tier government plans, policies and legislation;
- iii) the availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use;
- iv) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- v) the potential of the proposal to cause instability within an area intended to remain stable;
- vi) the ability of the City’s infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City;
- vii) the financial implications, both costs and revenues, to the City; and
- viii) the degree to which approval of the amendment would establish an undesirable precedent”.

These considerations will be assessed in the future Recommendation Report.

## **Zoning By-law**

Zoning By-law 2013-283 zones the lands as Local Neighbourhood Institutional, Special Provision 122 (I1-122) (see Appendix 5). The I1 Zone permits a broad range of institutional and community uses, including schools, day cares, community facilities, places of worship, long term care facilities and social service facilities, subject to the applicable zoning provisions. The I1 zone also permits residential uses including detached, semi-detached and townhouse dwellings, subject to the low density residential zoning standards. Special Provision 122 describes that any residential uses shall comply to the Low Density Residential – Traditional Neighbourhood (R2) zone standards. The surrounding lands are all zoned as Low Density Residential – Traditional Neighbourhood (R2). An apartment building is not a permitted use in either the I1 or the R2 zone and a Zoning By-law Amendment is requested to add apartment buildings as a permitted land use through the creation of a new Special Provision.

The zoning by-law also includes general provisions related to the establishment of landscape buffering between parking lots and neighbouring uses. The By-law requires

that a landscape buffer having a minimum width of 3.0 metres be provided along the north and east side of the parking. A reduction to 0.5 metres is proposed.

In the Recommendation Report staff will address the appropriateness of the proposed amendments within the context of both the surrounding area and the overall planning policy framework.

## **Circulation of Applications**

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendments. The following feedback has been received:

### **Regional Municipality of Niagara**

Regional staff have advised that, in their opinion, the proposed amendments appear to align with the land use planning objectives of the Provincial and Regional Policy and that the development is considered to meet the intent of Provincial and Regional policies for residential infill development and heritage preservation. Regional staff have advised that the property may have potential for archeological resources and have requested that a Holding designation be placed on the lands which would require the completion of an archeological assessment prior to any site works. Given the site-specific nature of the application, the Official Plan Amendment is exempt from Regional approval in accordance with the Memorandum of Understanding.

### **Parks, Recreation and Community Services (PRCS)**

PRCS staff have advised that they have no objection to the proposed Official Plan and Zoning By-law Amendments. PRCS has noted that a minimum landscape buffer width of 1.5m would be required to sustain any landscaping adjacent to the parking area. PRCS has also advised that fencing, landscaping and parkland dedication will be required and dealt with through the Site Plan Agreement.

### **Transportation and Environmental Services (TES) - Traffic Division**

TES staff have advised that they have no concerns or requirements related to the proposed Official Plan and Zoning By-law Amendments.

### **Planning and Building Services (PBS) – Development Engineering Division**

A Functional Servicing Brief was submitted by the applicant. Staff are satisfied that there is sufficient system capacity to accommodate the proposed land use change which is anticipated to result in reduced peak flows compared to the previous use of the property as a school. Through site plan approval process, the Owner will be required to provide an acceptable Storm Water Management scheme prepared by a Professional Engineer.

### **Heritage Permit Advisory Committee**

The application was presented to the Heritage Permit Advisory Committee for consideration at their meeting of August 8, 2018. The Committee passed the following

motion: “That the Heritage Permit application for the proposed conversion of the designated former Glen Ridge Public School building at 101 South Drive, and removal of the 1987 gymnasium and one-storey link addition, and construction of street townhouses on the former grounds, be approved in accordance with the findings and recommendations contained in the Heritage Impact Assessment prepared by Megan Hobson (May 16, 2018) and supplemental Gymnasium Demolition Plan, also prepared by Megan Hobson (undated).”

## **Site Plan Approval**

The proposal to convert the school into a condominium apartment building with associated parking area would be subject to site plan control and require the approval and registration of a Site Plan Agreement. The Site Plan Agreement will address detailed site and building design matters such as servicing, streetscaping, parking lot design and heritage conservation. Through the site plan review process, area residents will have an opportunity to view and provide feedback on the detailed design plans for the site. Heritage permits will also be required for both the gymnasium demolition and the alterations to the remaining school building.

## **Public Open House**

A public open house was hosted by Planning and Building Services on August 16, 2018, at City Hall. The purpose of the open house was to share information with the community regarding the proposed development applications consisting of requested Official Plan and Zoning By-law amendments and to gather feedback from those in attendance. The owner and their planning consultant were in attendance to answer questions. Nineteen members of the community completed the sign-in sheet at the Open House but actual attendance was greater.

Feedback received at the Open House primarily related to questions about the proposed development and the adjacent parkland. The following questions/concerns were raised:

- The location of the existing park entrance from South Drive and the need to relocate the park entrance if the subject lands are to be developed.
- The adjacent City park should include reduced fencing to make it appear more open and inviting and feel less like a dog park.
- Parking on perimeter streets should be limited to one side of the street.
- Are the new apartment dwellings going to be operated as rental units?
- Concern about preservation of specific building architectural elements including windows and entrances; and
- Concern about existing vehicle speed issues along South Drive being worsened and need for traffic calming measures in the area;

Further analysis and responses to the above-noted themes will be provided in the Planning Recommendation Report.

## Public Notice

In accordance with established procedures, notice for the public meeting have been circulated.

## Financial Implications

All costs associated with this development will be borne by the developer. No direct financial impacts to the City are triggered by these approvals. If approved and constructed, additional tax revenues would be generated by the development.

## Relationship to Strategic Plan

The proposed development has the potential to tie into several aspects of the City's Strategic Plan. These related goals and actions are listed below. The degree to which the below goals of the Strategic Plan will be achieved will be evaluated as part of the future recommendation report.

### Economic Sustainability

- Goal: Attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business

### Cultural Sustainability

- Goal: Embrace our diversity and celebrate our heritage and history

## Conclusion

In summary, this report provides the planning context and explains the applications for Official Plan Amendment and Zoning By-law Amendment for 99 South Drive. The amendments will facilitate the interior conversion of the former school building into 10 condominium apartment dwelling units. A Recommendation Report is tentatively scheduled for consideration by Council at the meeting of September 24, 2018.

## Notification

It is in order to advise Adele Arbour, 3020 Fire Route 44, Lakefield, ON, K0L 2H0, the owner's agent.

### Prepared by:

Scott Ritchie, MCIP RPP  
Urban Design Planner

### Submitted by:

Judy Pihach, MCIP, RPP  
Manager, Planning Services

### Approved by:

James N. Riddell, M.PL., MCIP, RPP  
Director, Planning and Building Services

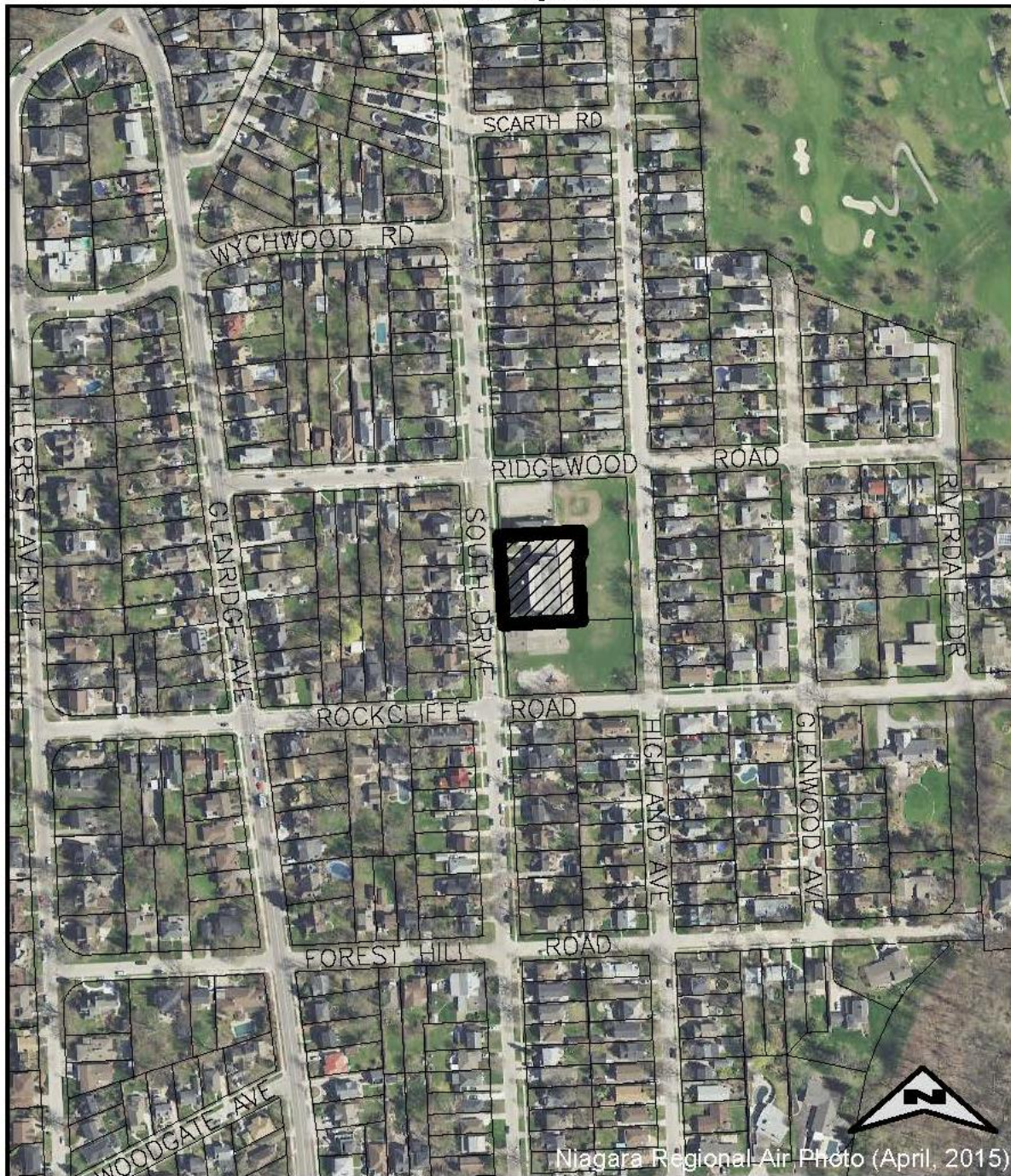
## **List of Appendices**

1. Location Map
2. Concept Site Plan
3. Official Plan – Schedule D1, General Land Use Plan Map
4. Official Plan – Schedule E8, South Planning District
5. Zoning By-law 2013-283, Schedule A20
6. Ontario Land Use Planning Framework Diagram



# Location Map

Surrounding Area



Niagara Regional Air Photo (April, 2015)



**Subject Lands**

99 South Drive

Files: 60.30.340 & 60.35.1044

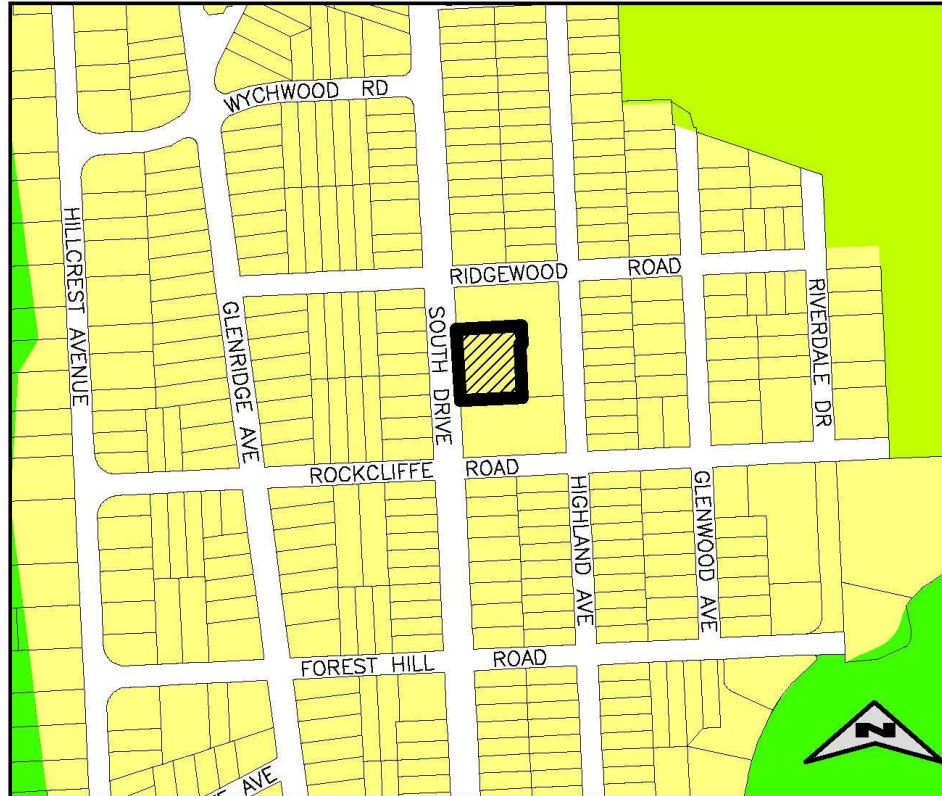


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Official Plan – Schedule D1, General Land Use Plan Map

Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands

99 South Drive

Land Use Designations

Neighbourhood Residential  
Natural Areas

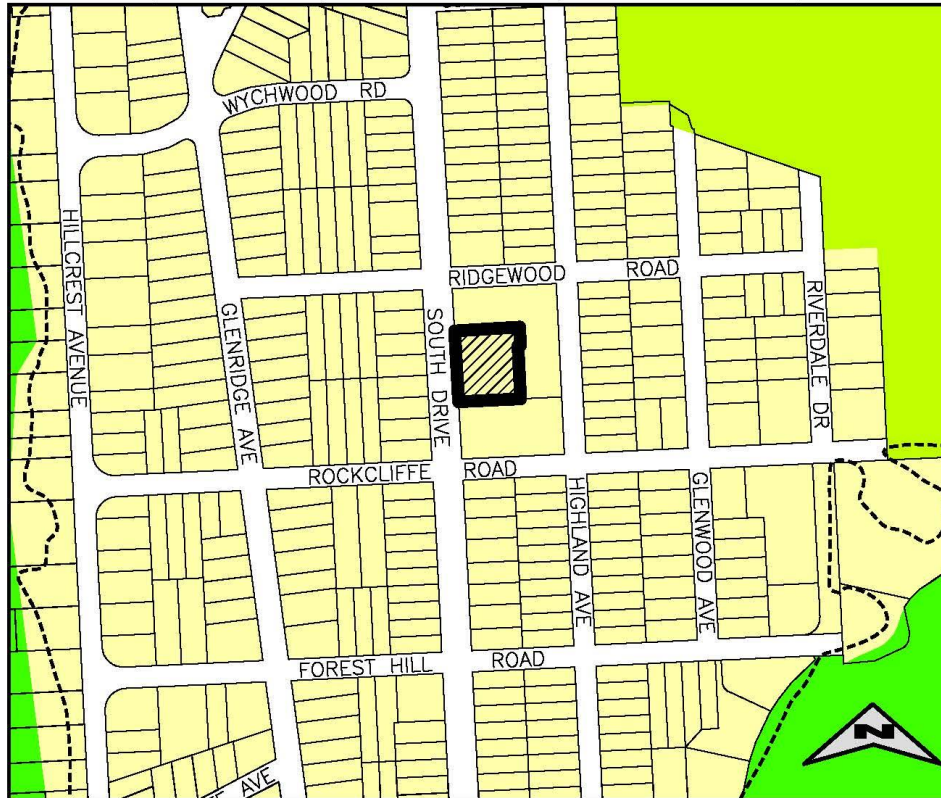
Parkland & Open Space

Files: 60.30.340 & 60.35.1044

Official Plan – Schedule E8, South Planning District

Existing Land Use Designation

(The Garden City Plan - South Planning District, Schedule E8)



 Subject Lands  
99 South Drive

Land Use Designations

- |   |  |
|---|--|
|  Low Density Residential |  Natural Areas            |
|  Parkland & Open Space   |  Natural Area Extent Line |

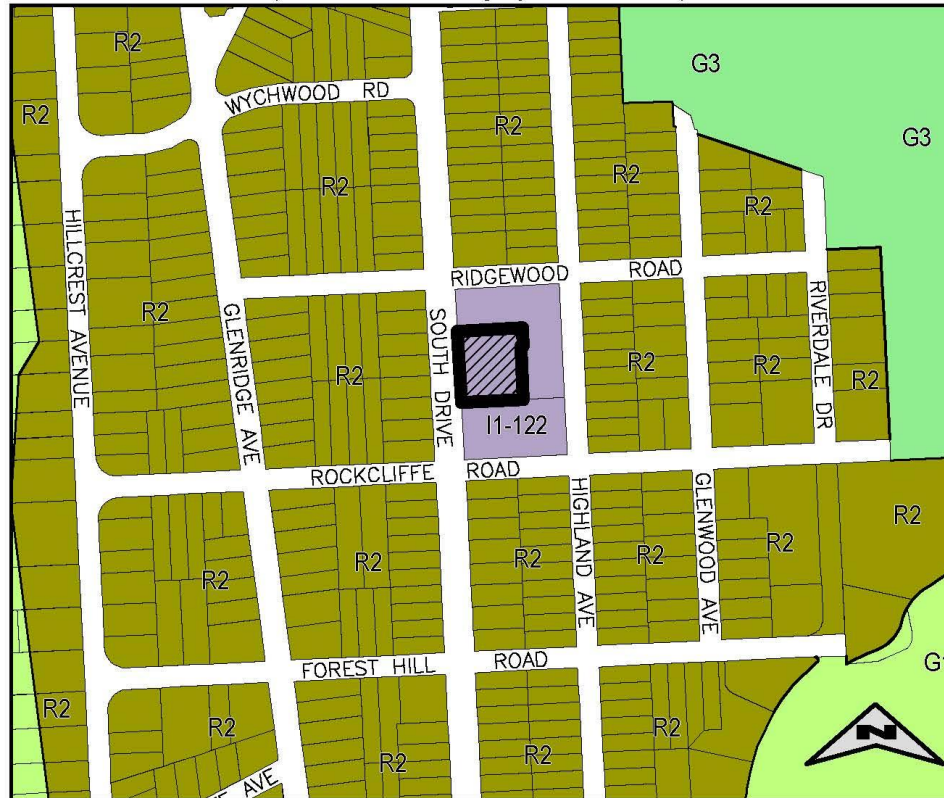
Files: 60.30.340 & 60.35.1044



Zoning By-law 2013-283, Schedule A20

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

99 South Drive

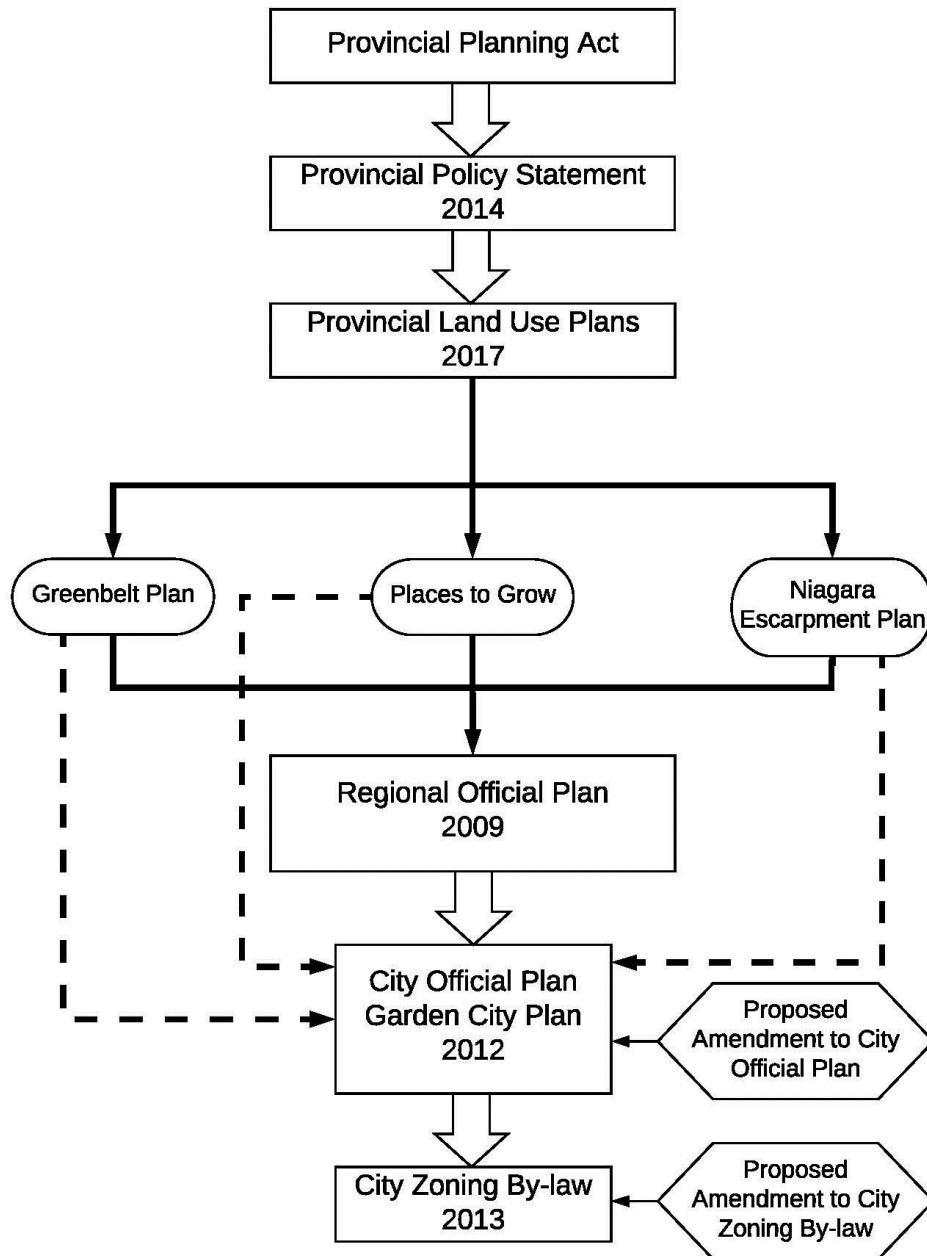
Zones

**R2** Low Density Residential  
- Traditional Neighbourhood  
**G1** Conservation / Natural Area

**G3** Major Green Space  
**I1** Local Neighbourhood Institutional

Files: 60.30.340 & 60.35.1044

## Ontario Land Use Planning Framework





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## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 31, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-205-2018

**File:** 60.35.1043 and 60.46.442

**Subject:** *Planning Act Public Meeting - Information Report*  
Application to Amend Zoning By-law 2013-283 and Draft Plan of  
Condominium; Subject Lands: 525 Niagara Street  
Owner: Grey Forest Homes Ltd.; Agent: Upper Canada Consultants

### Recommendation

That Council consider this Information Report as part of the Public Meeting in accordance with the Planning Act; and

That Council consider a Recommendation Report regarding the Application for Zoning By-law Amendment and Draft Plan of Condominium for lands municipally known as 525 Niagara Street tentatively scheduled for the meeting of Council on September 24, 2018, pursuant to the two-step process for planning applications previously approved by Council. FORTHWITH

### Summary

This Information Report provides Council and the public with information regarding the applications for Zoning By-law Amendment and Draft Plan of Standard Condominium approval for 525 Niagara Street to be considered at a Public Meeting, in accordance with the Planning Act, scheduled for September 10, 2018.

The applicant is requesting a Zoning By-law Amendment to change the Conservation/Natural Area (G1) zone boundary to reflect the extent of the existing regulatory floodplain associated with Walkers Creek and introduce a site specific provision for density and various setbacks within a proposed 40-unit residential private road development. The lands identified within the regulatory floodplain are to be dedicated to the City. The 40 residential units are proposed to be under condominium tenure, allowing them to be sold individually.

A Recommendation Report containing planning analysis of how the applications relate to Provincial, Regional and City land use policies, addressing any outstanding concerns raised at the Public Meeting, and providing a staff recommendation is tentatively scheduled for Council consideration on September 24, 2018.

## Background

The subject lands previously contained a detached dwelling and associated accessory structures which have been demolished.

## Report Proposal

The applicant proposes to develop a 40-unit private road development consisting of one detached dwelling unit, four semi-detached dwelling units and 35 townhouse dwelling units. The 40 residential units are proposed to be under condominium tenure, allowing each unit to be sold individually. The condominium would also establish common element areas consisting of a private road, visitor parking, landscaping and services associated with the development.

The subject property is zoned as Medium Density Residential (R3), which permits the private road development and Conservation/Natural Area (G1), which recognizes the setback and regulatory floodplain associated with Walkers Creek that abuts this site on the west. The application has been made to amend the G1 zone boundary to accurately reflect the extent of the existing regulatory floodplain associated with Walkers Creek. The amendment also proposes to introduce a site specific provision regarding density and setbacks within this private road development. The proposed plans show the dwellings to be single storey along the private road with 22 of the units proposed to have a walkout basement level at the rear. The proposed site plan and elevations are attached as Appendices 2 and 3 for reference.

## Location and Site Description

The subject property is located on the west side of Niagara Street, south of Maplewood Drive and adjacent to Realty Park and Walkers Creek to the west. A location map is attached as Appendix 1.

The site has a total lot area of 1.83 hectares and 81.05 metres of frontage on Niagara Street. The property previously contained a detached dwelling with driveway access from Niagara Street.

Surrounding land uses include:

North:	Detached Dwellings
South:	Detached Dwellings
East:	Detached Dwellings
West:	Detached Dwellings, Realty Park, Walkers Creek

## Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater



Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations will be formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 5.

## **Provincial Policy Statement (2014)**

The following provides an overview of the Provincial Policy Statement as it applies more specifically to this Application for Zoning By-law Amendment and Draft Plan of Condominium.

- Accommodate an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- Promote the wise use and management of land and resources;
- Support an accessible, connected and complete community;
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form;
- Ensure protection of natural features and areas for the long term;
- Protect and preserve natural heritage features and hazards, landform systems and functions; and
- Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or property damage, and not create new or aggravate existing hazards.

## **Provincial Growth Plan for the Greater Golden Horseshoe (2017)**

Similarly, guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.” Policies ensure that a range and mix of housing options are available including affordable housing.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to this Application for Zoning By-law Amendment and Draft Plan of Condominium.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;

- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Adapt to climate change through compact and nodal development;
- Conserve, promote cultural heritage to support social, economic and cultural well-being;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support complete communities; and
- Support multi modal transportation, including active transportation and transit.

### **Regional Official Plan**

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/Conformity Amendment), which is the focus of both residential and employment intensification and redevelopment within the Region over the long term.

Municipalities are encouraged to provide a full range of housing types to serve a variety of people as they age through the life cycle.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. The Region's Sustainable Community Policies establish a residential intensification target of 95 per cent for the St. Catharines Built-up Area.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) of their Official Plan to bring it into conformity with the PPS and the Provincial land use plans. Once completed, local area municipalities will be required to update their Official Plans accordingly.

### **Local Official Plan (Garden City Plan)**

The subject lands are designated as Neighbourhood Residential and Natural Areas by Schedule D1 (Appendix 6), General Land Use Plan in the City's Official Plan, the Garden City Plan (GCP). The North Planning District, Schedule E3, further designates these lands as Medium Density Residential and Natural Areas (Appendix 7).

The Medium Density Residential Designation of the GCP provides for a range of residential uses including 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. Height of buildings will generally not exceed 20 metres. The applicant proposes a private road development consisting of detached, semi-detached and townhouse dwelling units which results in a total density of 23.6 units per hectare on the developable portions of the site (excluding the G1 lands and

road widening). The proposed density of 23.6 units per hectare is considered to be generally in keeping with the intended range of 25 to 99 units per hectare.

There is a Natural Areas designation identified at the western boundary of the site associated with the Regulatory Floodplain of the adjacent Walkers Creek. The GCP allows for minor boundary adjustments to the existing Natural Areas designation without an Official Plan Amendment where more precise mapping becomes available. An Official Plan Amendment is not required in this case since the requested zone boundary revision is considered minor and results from more accurate mapping now available.

All of the relevant City Official Plan policies that apply to this Application have been excerpted and included in the table attached as Appendix 11.

### **Zoning By-law**

Zoning By-law 2013-283 zones the subject lands Medium Density Residential (R3) and Conservation/Natural Area (G1) (Appendix 8). The R3 zone permits a wide range of residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouses, apartments and private road development. Residential development is not permitted within the G1 zone.

The application proposes to amend the G1 zone to reflect the extent of the Regulatory Floodplain associated with Walkers Creek, as surveyed on site (Appendix 9). The G1 zoned lands are to be dedicated to the City. An easement over the G1 lands in favour of the applicant is to be established to permit the stormwater outlet associated with the proposed development to be located within City lands and allow access to the outlet for future maintenance. The applicant is also requesting Site Specific Provisions be added to the existing R3 designation as follows:

<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
Minimum Density	25-99 units per hectare	23 units per hectare
Interior Side Yard – From End Wall	3 metres	Unit 18 – 1.25 m Unit 29 – 2.3 m Unit 40 – 1.5 m
Minimum Setback from rear lot line to a platform structure 0.6 to 1.2 m above grade	3 metres	Units 1-2 and 20-28 – 1.8 metres
Minimum Setback from rear lot line to a platform structure 1.2 m or greater above grade	4.5 metres	Units 8-19 – 1.8 metres Units 3-7 - 3 metres

### **Draft Plan of Condominium**

The proposed Draft Plan of Condominium is attached in Appendix 4. Section 51(24) of the Planning Act directs the matters to be considered in recommending approval for a Draft Plan of Condominium, include:

- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest.
- The proposal complies with the Official Plan, and the lands are suitable for development as proposed.
- The suitability of the land for residential purposes.
- Adequacy of any public streets and how they are designed and how they link with adjacent streets.
- The adequacy of the proposed size and shape of lots and blocks.
- Any restrictions on the subject lands or adjoining lands.
- Flood control measures, if any.
- Adequacy of existing utilities and municipal services.
- Adequacy of school sites in the vicinity.
- Any land considered for dedication for public purposes.
- Any considerations regarding the subdivision of the land and matters relating to site plan approval.

An analysis of the proposed Draft Plan of Condominium, as well as any recommended conditions of draft plan approval will be provided in the Recommendation Report.

### **Site Plan Control**

The City's Site Plan Control By-law requires that residential developments of four units or more be subject to site plan control. Under this by-law the private road development is subject to Site Plan Control. Site plan approval regulates the placement of buildings, architectural elevations of the buildings, parking, grading, drainage and storm water management, landscaping, fencing and similar details of site design. An application for Site Plan Approval has been submitted concurrent with the subject applications.

The plan proposes 35 townhouse dwelling units, 4 semi-detached dwelling units and 1 detached dwelling unit to be located on a private road. The units are proposed as one storey structures along the private road with 22 units proposed to have walkout basements at the rear. Each unit is proposed to have an attached garage and driveway for parking and 13 visitor parking spaces have been provided along the private road. Appendix 2 provides the proposed site design.

### **Circulation of Applications**

This application was circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Zoning By-law Amendment or Draft Plan of Condominium. The following feedback has been received, comments largely relating to site plan approval, a further planning approval, should this application be approved by Council.

### **Region of Niagara**

The Region has no objections but does have comments relating to site plan approval. Council is reminded that Niagara Street is a Regional road. The Region's comments relate to:

- Environmental Site Assessment (ESA) and Record of Site Condition (RSC) being completed and filed prior to any development on site.
- A 3.0 metre road widening across the frontage of the subject property to be dedicated to the Region.

### **Niagara Peninsula Conservation Authority**

The west side of the subject property is impacted by the 100-year floodplain for Walkers Creek. The floodplain is contained in a block of land that will be dedicated to the City. Furthermore, there is a 1.5 metre fence proposed on the boundary between the block and the development. NPCA staff are satisfied with this approach to protecting the development and floodplain.

The stormwater servicing for the development proposes an outlet into Walkers Creek. This will involve installing a stormwater pipe through the floodplain to a new headwall structure located on City-owned lands. NPCA staff have no objection to this in principle based on the Grading Plan provided. An NPCA Work Permit is required prior to any work occurring in the floodplain. As part of the NPCA Work Permit application, a letter of permission or equivalent from the City allowing the headwall on City-owned lands will be required.

NPCA staff have no objections to the applications as they relate to NPCA policies, subject to the applicant obtaining an NPCA Work Permit.

### **Parks, Recreation and Culture Services (PRCS)**

The City's PRCS staff offered no objection to the proposed Zoning By-law Amendment or Plan of Condominium provided that a 6 metre wide easement is granted to the City for the purposes of accessing the natural area from Niagara Street via the new private road. All other comments related to landscaping and design details will be addressed through the Site Plan Agreement.

### **Development Section of Planning and Building Services**

An easement area has been identified to the creek lands but only over the proposed G1 lands to be dedicated. An easement shall be identified over the entire outlet structure and appurtenances on all City lands, not just the future dedicated G1 lands.

### **Public Consultation**

An Open House was hosted by Planning and Building Services on Tuesday, August 14, 2018. The purpose of the Open House was to present the applicant's proposal and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. There were thirty (30) members of the public in attendance.

Written correspondence has been received and is attached for reference (Appendix 10). Questions raised at the Open House are summarized below, with corresponding staff responses, where available at this time.

## Drainage

**Comment:** How is stormwater proposed to be handled and how will the increased impervious surface impact the flow of the Creek and existing flooding situation?

**Response:** The applicant proposes a stormwater outlet into Walkers Creek, subject to an NPCA permit and an easement through the City owned lands. Through the Site Plan Approval, the City will require that post development peak flows do not exceed pre development peak flows for the five-year storm event.

**Comment:** Who is accountable if the development results in flooding to adjacent landowners and landowners downstream?

**Response:** Walkers Creek is a natural watercourse that has an associated Regulatory Floodplain, subject to NPCA regulations. The floodplain is an identified hazard area that is anticipated to flood. Through the review of the Site Plan Approval, the City requires that the applicant submit a stormwater management report and plan to demonstrate how quality and quantity controls will be implemented on site, to the satisfaction of the City. For the subject application, the City and the Region will review the stormwater management report and plan.

## Pedestrian Connections

**Comment:** Will a connection be provided from the development site to Realty Park?

**Response:** Through the subject applications, the applicant will be dedicating the G1 zoned lands to the City. These lands will be accessible to the City for maintenance of the east bank of Walkers Creek. No public access or bridge to the west side and Realty Park is proposed.

**Comment:** Can a crosswalk be installed to allow pedestrians to cross Niagara to the existing sidewalk?

**Response:** Niagara Street is a Regional Road and a pedestrian crosswalk at this location would be determined by the Region, and not the responsibility of the developer. This request will be considered during the site plan approval process.

**Comment:** Can the sidewalk be extended beyond the development site to connect with Maplewood Drive?

**Response:** The developer is responsible for providing sidewalks along the frontage of the subject lands. The City intends to link the sidewalk along Niagara Street from the Dundalk Court pedestrian pathway to Maplewood Drive in 2019-2020.

## Decks/Patios

**Comment:** Concern there will be a loss of privacy because of the proximity of the proposed decks to the rear property line and adjacent residences.

**Response:** The applicant proposes to plant enhanced landscaping at the perimeter of the subject lands, along the fence line abutting adjacent residential dwellings. This is intended to assist in mitigating the potential impacts associated with reducing the setback from the lot line to the proposed decks. Further review of this issue will be provided in the Recommendation Report.

## Parking

**Comment:** Will there be sufficient parking to accommodate visitors?

**Response:** The City's Zoning By-law requires a minimum of 1.25 parking spaces per unit within a private road residential development. The applicant proposes 40 units, which require a minimum of 50 parking spaces. The applicant proposes to provide 85 parking spaces, 13 of which are dedicated visitor spaces.

## Natural Areas

**Comment:** How will the floodplain and natural space be maintained and accessed?

**Response:** The floodplain, which is zoned as Conservation/Natural Area (G1) will be dedicated to the City and an easement for access is to be granted to the City over the proposed private road. The land will be maintained by the City in conjunction with Realty Park.

**Comment:** Concern that the development will cause erosion to the bank of the Creek.

**Response:** The development will result in the east bank of the Creek being dedicated to the City, which will provide the City with access to both sides of the bank for maintenance. In addition, the development is located more than 15 metres from the watercourse, as required by the NPCA. As part of the development, the applicant proposes to construct a stormwater outlet within the Creek which will require the issuance of a work permit from the NPCA. With the exception of the proposed outlet, no other alterations or grading are proposed within the G1 lands as part of the proposed development.

**Comment:** The Walkers Creek corridor functions as a wildlife habitat. Is it possible to incorporate plantings that support habitat and food sources for wildlife habitat?

**Response:** The proposal includes a landscaping plan that proposes native species.

## Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

## Financial Implications

All costs associated with this development will be borne by the developer. No direct financial impacts to the City are triggered should Council approve this rezoning.

## Relationship to Strategic Plan

The proposed development has the potential to tie into several aspects of the City's Strategic Plan. These related goals and actions are listed below. The degree to which the below goals of the Strategic Plan will be achieved will be evaluated as part of the future recommendation report.

### Economic Sustainability

- Goal: Attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business

### Social Sustainability

- Goal: Connect people, places and neighbourhoods

### Environmental Sustainability

- Goal: Lead in the protection of our environment for future generations.

## Conclusion

In summary, this Information Report provides the planning context and explains the applications for Zoning By-law Amendment and Draft Plan of Standard Condominium for 525 Niagara Street. The requested zoning amendment would facilitate site specific provisions for a proposed 40-unit private road development and the dedication of lands impacted by the Regulatory Floodplain associated with Walkers Creek to the City. The draft plan of standard condominium application proposes to allow each of the 40 units, which includes one detached dwelling unit, four semi-detached dwelling units and 35 townhouse units, to be sold individually. A Recommendation Report that will thoroughly analyze the applications and provide recommendations is tentatively scheduled for the September 24, 2018 Council meeting.

### Prepared by:

Taya Devlin  
Planner I

### Submitted by:

Judy Pihach, MCIP, RPP  
Manager, Planning Services

### Approved by:

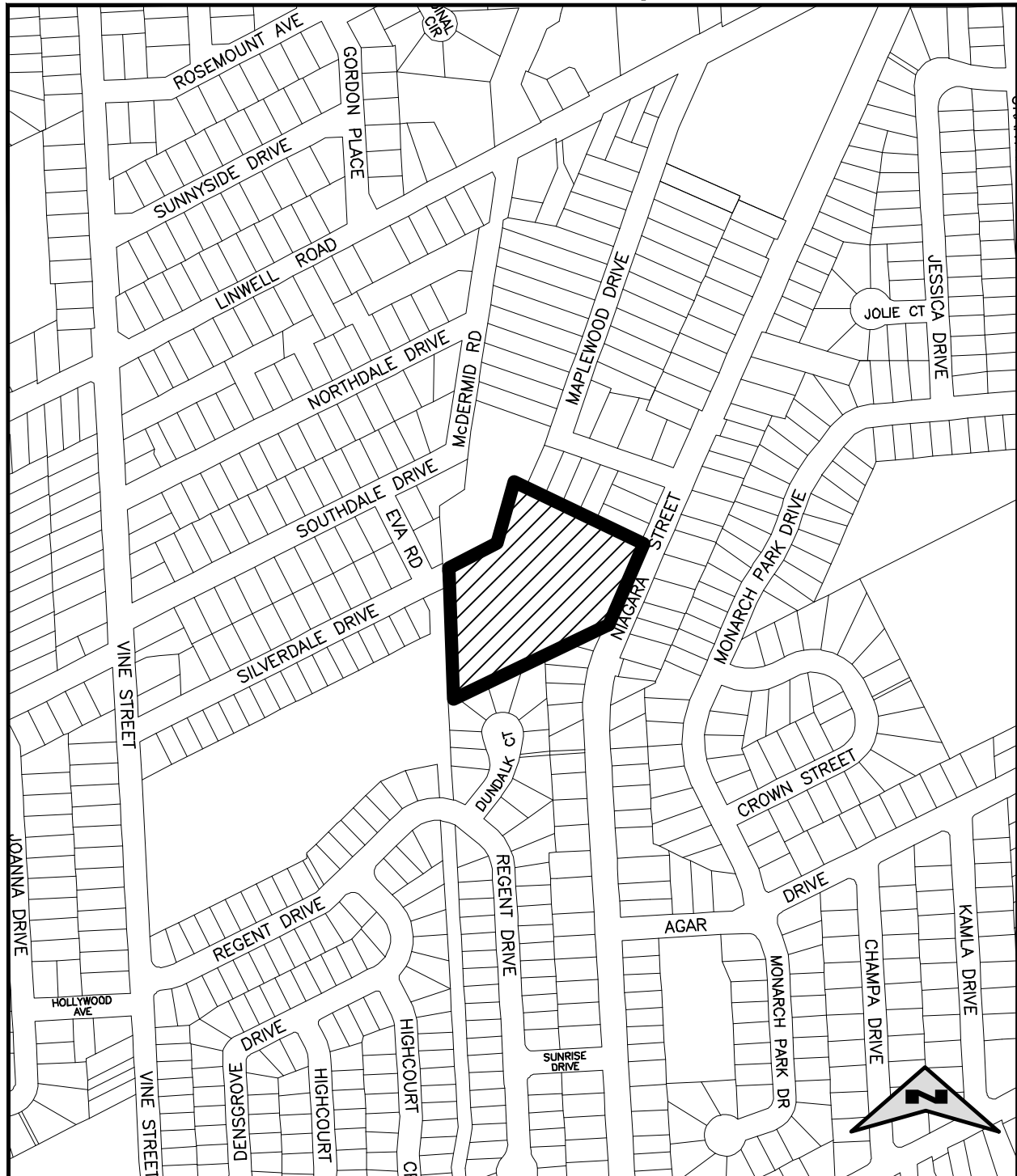
James N. Riddell, M.PL., MCIP, RPP  
Director, Planning and Building Services



## **List of Appendices**

1. Location Map
2. Concept Site Plan
3. Elevation Plan Units 19-20
4. Draft Plan of Condominium
5. Ontario Land Use Planning Framework
6. Official Plan –Schedule D1, General Land Use Plan Map
7. Official Plan –Schedule E3, North Planning District
8. Zoning By-law 2013-283, Existing Schedule A9
9. Zoning By-law 2013-283, Proposed Schedule A9
10. Letters of Public Correspondence
11. Applicable Garden City Policies

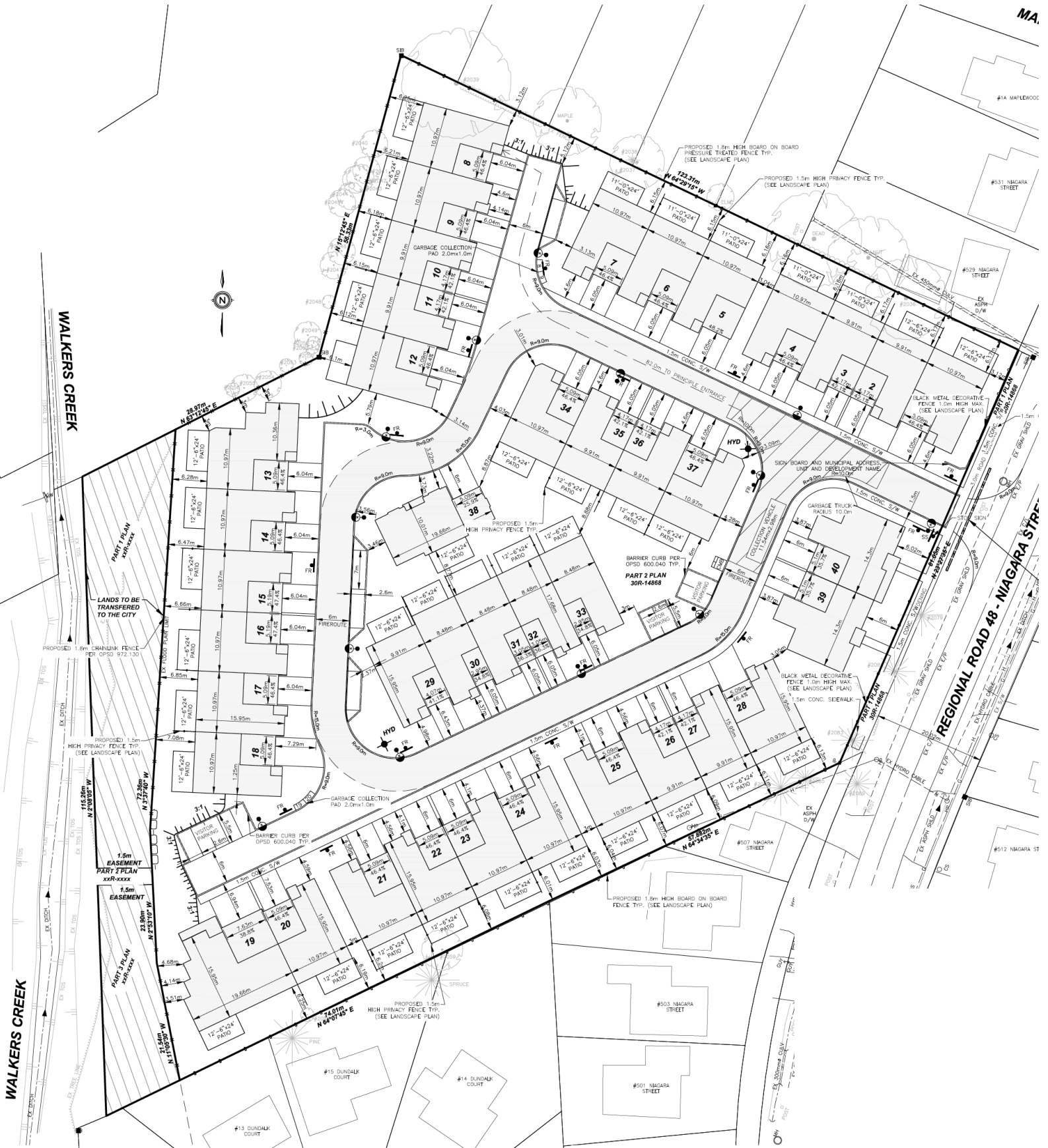
# Location Map

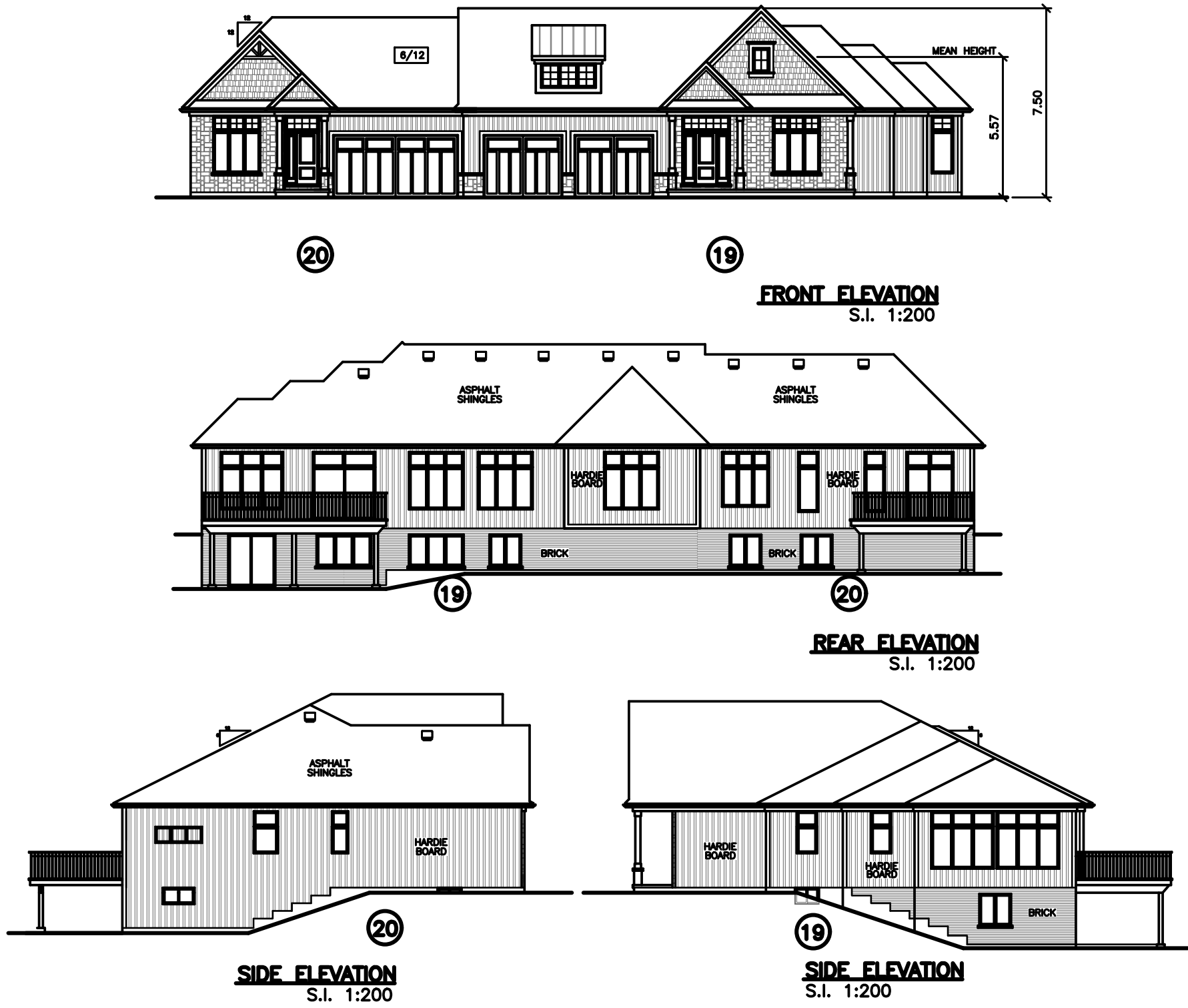


**Subject Lands**

525 Niagara Street

Files: 60.35.1043, 60.46.442 & 60.51.973





**BLOCK 'E'**  
**UNITS 19 TO 20**

K & C RESIDENTIAL DESIGN INC.	
(905) 682-9677	
MARCH 9/18	
SHEET 5 OF 10	
ELEVATIONS	

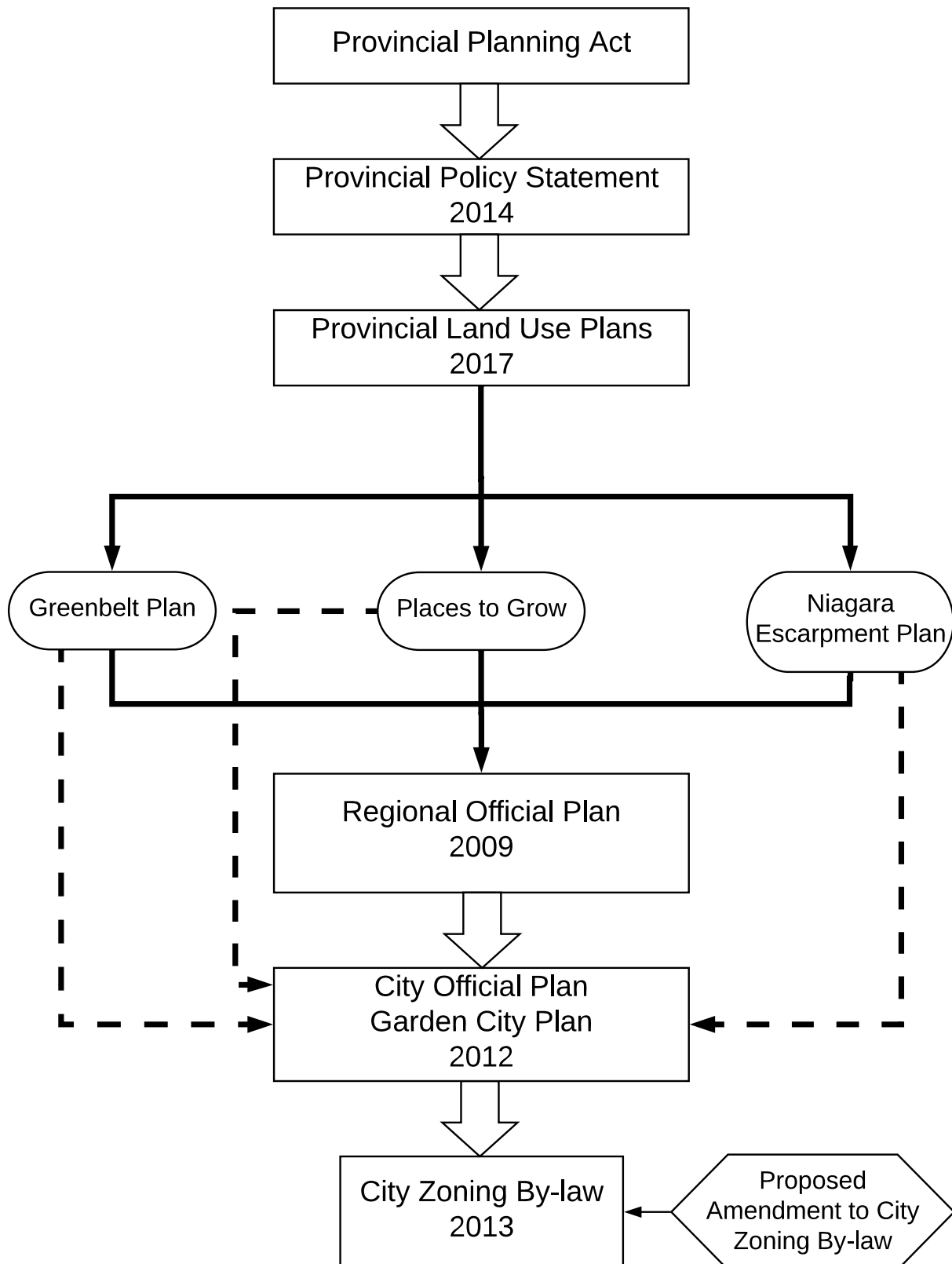
**CEDARBROOK LANDING**  
NIAGARA STREET, ST. CATHARINES, ONTARIO  
**GREY FOREST HOMES**

OWNER'S NAME	SIGNATURE
THE CORPORATION OF THE CITY OF ST. CATHARINES	
JAMES N. RIDDELL, DIRECTOR OF PLANNING AND BUILDING SERVICES	
DATE: 20	
NOTE: THE DIMENSIONS, AREAS AND LOCATION SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN, PROVIDING THE DESIGNER HAS BEEN ADVISED OF ANY CHANGES TO THE PLAN AND HAS AGREED TO MAKE THE NECESSARY ADJUSTMENTS TO THE PLAN. THE DESIGNER IS NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN THAT ARE NOT SHOWN ON THIS PLAN. ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVING, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.	

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.	
QUALIFICATION INFORMATION	
Required unless design is exempt under 2.17.5.1 of the building code	
DAN KEITH	17/08/15 22057
NAME	SIGNATURE BCIN
REGISTRATION INFORMATION	
Required unless design is exempt under 2.17.4.1 of the building code	
K. & C. RESIDENTIAL DESIGN INC.	28294
FIRM NAME	BCIN



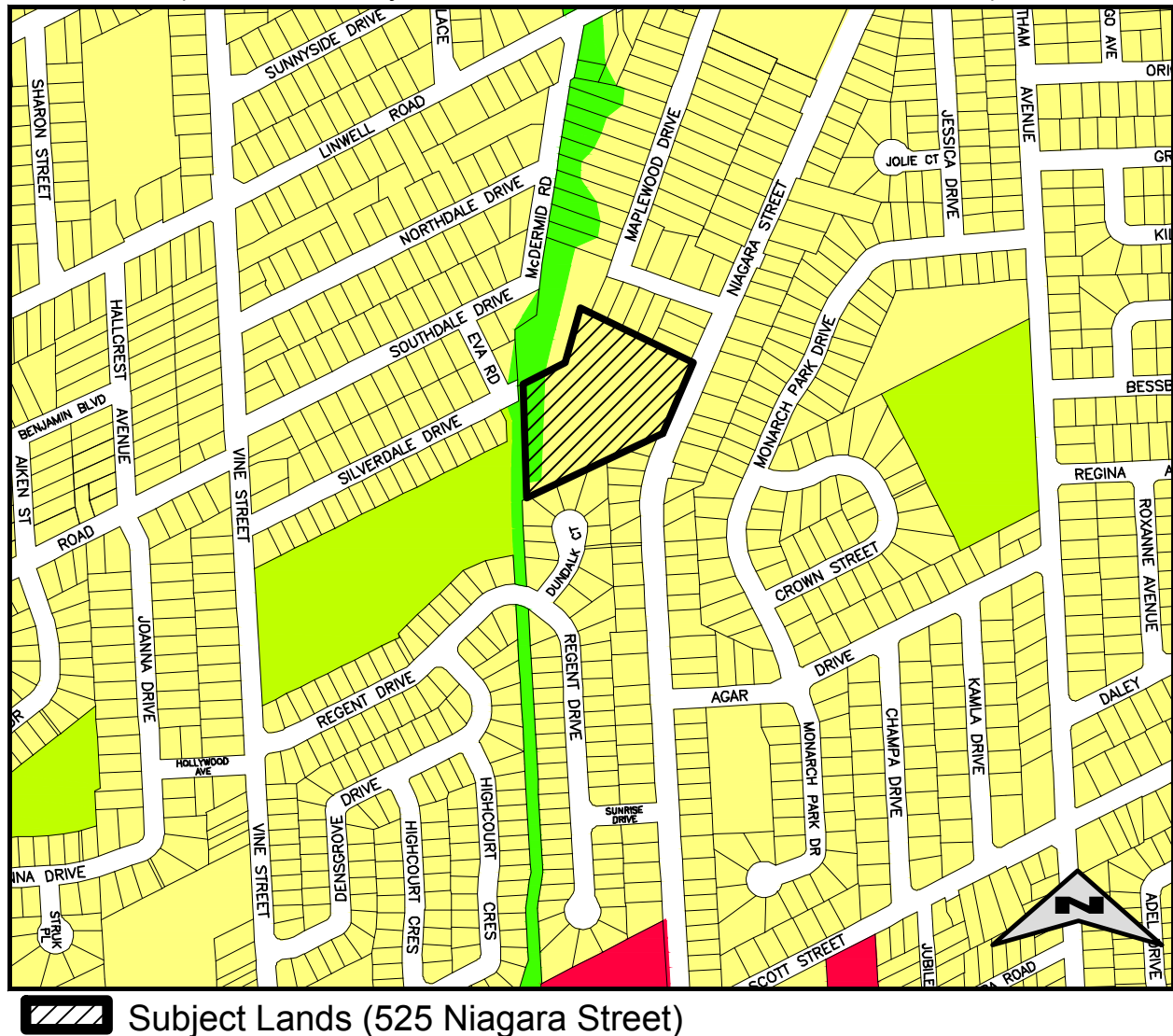
# Ontario Land Use Planning Framework









## Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)

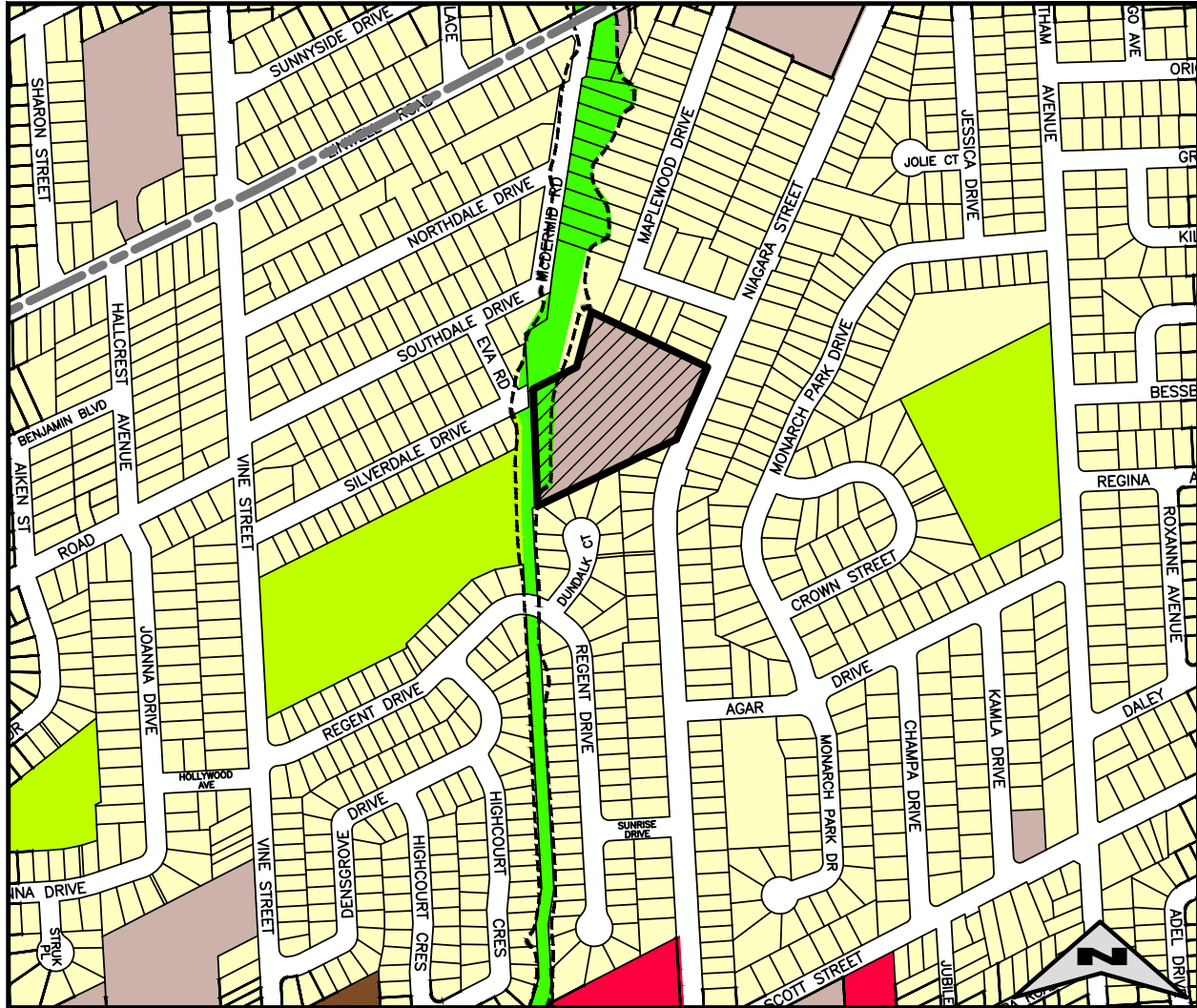



Land Use Designations			
	Neighbourhood Residential		Natural Areas
	Commercial		Parkland & Open Space

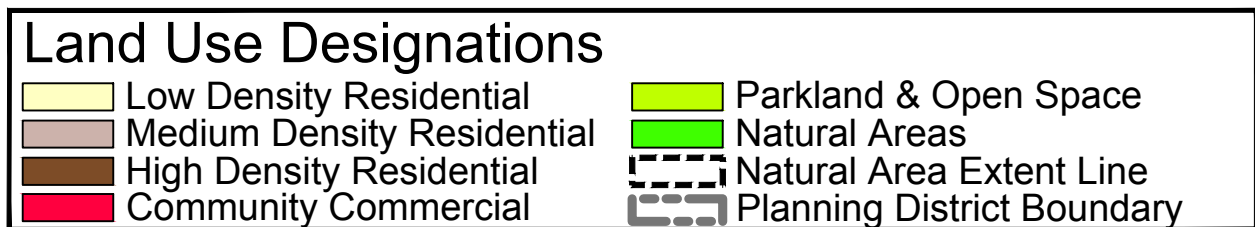
Files: 60.35.1043, 60.46.442 & 60.51.973

# Existing Land Use Designation

(The Garden City Plan - North Planning District, Schedule E3)



 Subject Lands (525 Niagara Street)

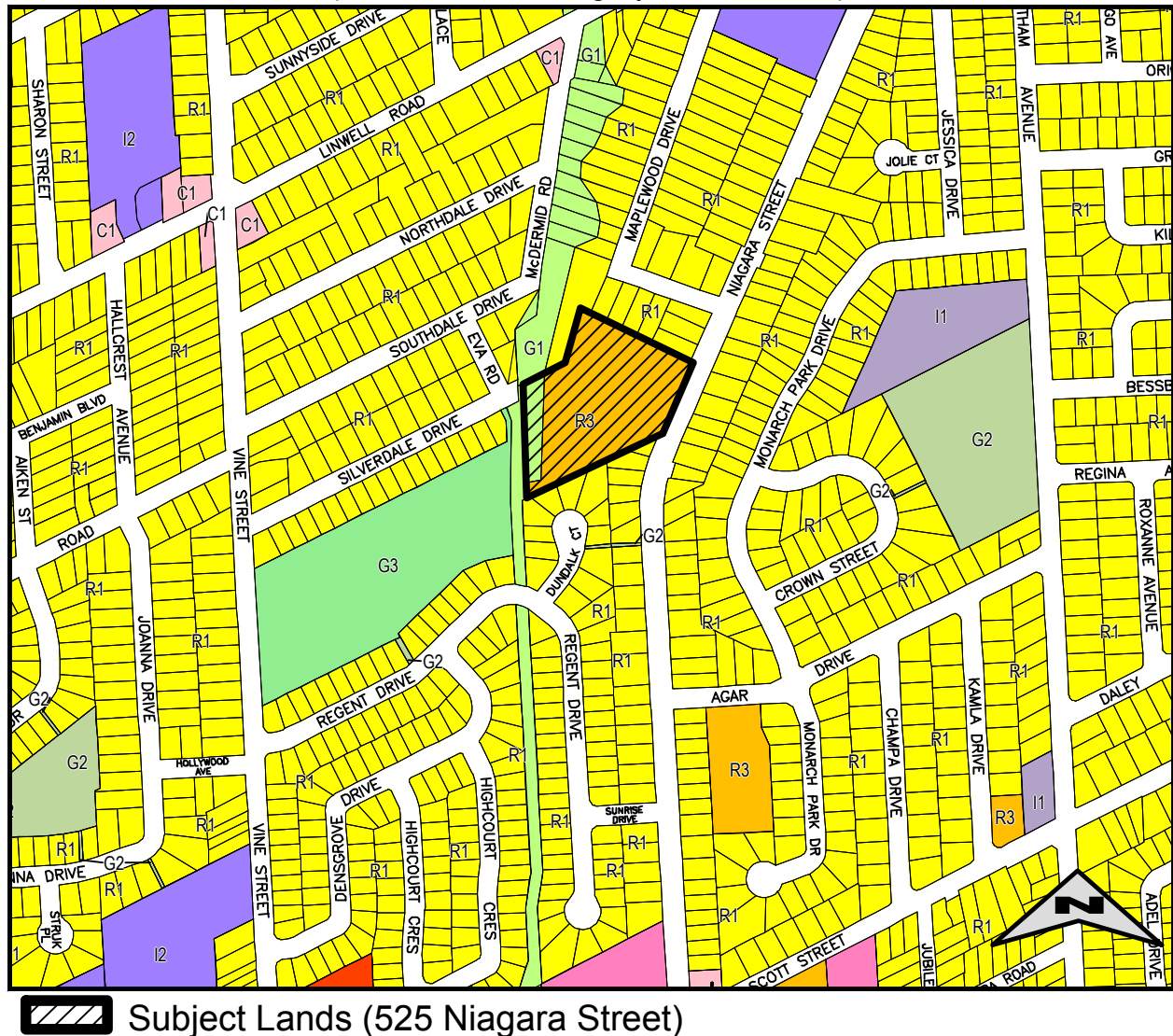


Files: 60.35.1043, 60.46.442 & 60.51.973



## Existing Zoning

(Schedule A - Zoning By-law 2013-283)

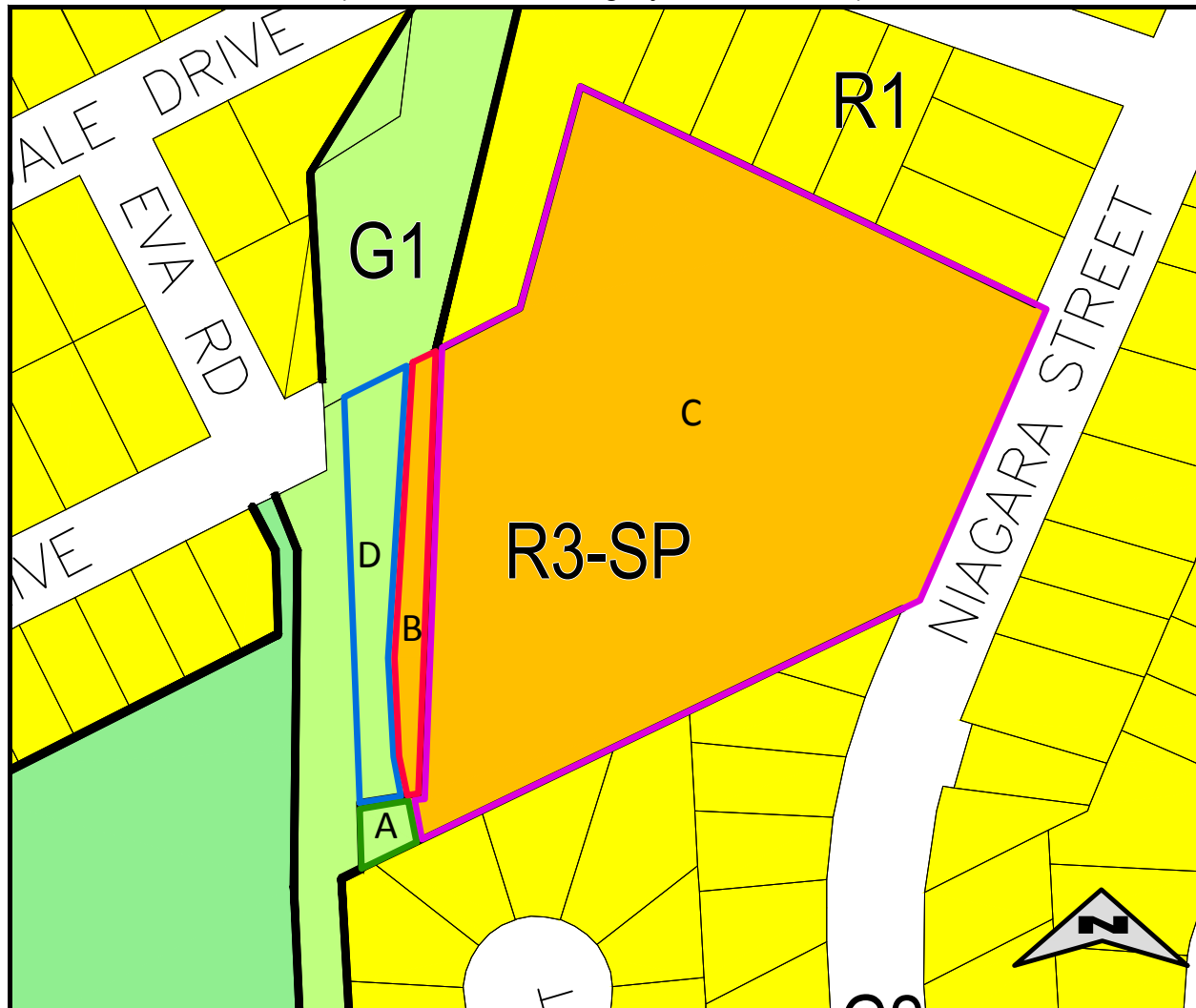


### Zones

<b>R1</b> Low Density Residential - Suburban Neighbourhood	<b>G1</b> Conservation / Natural Area
<b>R3</b> Medium Density Residential	<b>G2</b> Minor Green Space
<b>R4</b> High Density Residential	<b>G3</b> Major Green Space
<b>C1</b> Local Convenience Commercial	<b>I1</b> Local Neighbourhood Institutional
<b>C2</b> Community Commercial	<b>I2</b> Community Institutional

Files: 60.35.1043, 60.46.442 & 60.51.973

# Proposed Amendment to Zoning By-Law 2013-283 (Schedule A - Zoning By-law 2013-283)



  Area A
   Area B
   Area C
   Area D

Area	Existing Zoning	Proposed Zoning
<span style="border: 1px solid green; padding: 2px;"> </span> A	Medium Density Residential (R3)	Conservation / Natural Area (G1)
<span style="border: 1px solid red; padding: 2px;"> </span> B	Conservation / Natural Area (G1)	Medium Density Residential with New Site Specific Special Provision (R3-SP)
<span style="border: 1px solid magenta; padding: 2px;"> </span> C	Medium Density Residential (R3)	Medium Density Residential with New Site Specific Special Provision (R3-SP)
<span style="border: 1px solid blue; padding: 2px;"> </span> D	Conservation / Natural Area (G1)	No Change Proposed

## Zones

R1 Low Density Residential  
 - Suburban Neighbourhood  
R3 Medium Density Residential

G1 Conservation / Natural Area  
G3 Major Green Space

Files: 60.35.1043, 60.46.442 & 60.51.973

August 3 2018

Pamela Carter  
3 Maplewood Drive  
St. Catharines, ON  
L2M 3N9  
[REDACTED]

DATE	TIME	OFFICER	P.D.S.
			REFERRED TO
AUG - 9 2018		SCAN <input type="checkbox"/>	
FILE NO			

To whom it may concern,

I understand there are Zoning By-law amendments being considered regarding the property at 525 Niagara Street in the City of St. Catharines.

I live at the property directly north of the condominium site plan. There will be a townhouse that will directly back onto my yard. I object to the proposed application for a variance that has been submitted to date. Although I understand there will be a six-foot fence erected, I have great concerns regarding the view from the proposed property into my back yard.


If this variance is allowed, it will create a situation where the homeowner would have a clear view over the fence, directly into my yard and pool area. This brings me great concern. If this amendment is allowed for 525 Niagara Street, it will drastically affect the privacy for my residence. With an inground pool, I spend a tremendous amount of time in my yard for nine months out of the year. The proposed setback variance will create a sight-line that will interfere with my ability to enjoy my yard without looking directly at my neighbours. I have lovely neighbours on either side of my property, but even with their properties so close, I have gone to great lengths to create a private environment at my residence with natural landscaping fences. This amendment would also potentially affect my property value in the future if I sold my home, as it would negatively affect the privacy value to a future home buyer. I would feel compelled to be truthful about all issues involving the property, and this amendment to By-laws surrounding the property would be disclosed.

In my opinion, By-laws and Zoning requirements are put into place for a reason. I am expected to abide by the rules and regulations, and I would ask that the City ensure that the new development abides by the same rules as they were determined to protect the privacy of homeowners that the City felt appropriate when they were enacted. It is for these reasons that I strongly object to the proposed amendments.

Please feel free to contact me for further information and clarification. I would be able to provide photographs if that would assist with this application process.

Thank you for your attention in this matter.

Regards,



Pamela Carter



Resident  
at No. 5  
Southdale Dr. July 24, 2018



City of St. Catharines  
Planning and Building Services  
PO Box 3012, 50 Church Street  
St. Catharines, ON L2R 7C2

AGENDA ITEM #5.2		
REF	REC'D	INIT.
R. Rest		
DATE	AUG 20 2018	
Phone:	905-688-5600	
Fax:	905-688-5873	
TTY:	905-688-4111 (T889)	
File No:	60.35.1043, 60.46.442, 60.51.973	

In My opinion

to build a  
40 unit  
condominium at Niagara St.  
is not a good  
idea

Reasons:  
The units do  
not conform  
with the existing  
neighbourhoods  
structure and  
dwelling and lots  
Most of the  
homes in the  
surrounding  
area have  
higher set backs  
and large lots.  
Bringing in  
a condo  
dwellings

City of St. Catharines  
Open House

The Planning and Building Services Department is hosting an **Open House** regarding a proposed Zoning By-law Amendment, Draft Plan of Condominium, and Site Plan Approval for lands located at 525 Niagara Street. Based on the information submitted with the applications and a preliminary review by staff, the applications have been deemed complete pursuant to Section 34 (10.4) of the Planning Act.

Location Map

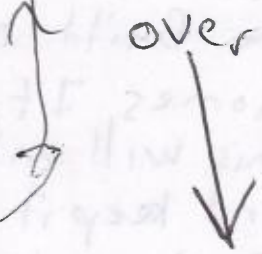


Subject Lands  
525 Niagara Street  
Files: 60.35.1043, 60.46.442 & 60.51.973

The subject lands are designated Neighbourhood Residential and Natural Areas by the City's Official Plan. The lands are zoned Medium Density Residential (R3) and Conservation/Natural Area (G1).

The applicant proposes to amend the Zoning By-law to include Site Specific Provisions for various setbacks and a reduction in density within the existing R3 zone to facilitate a proposed 40 unit private road development. The proposal also includes amendment to the G1 zone boundary to reflect the extent of the regulatory floodplain associated with Walkers Creek, which will be dedicated to the City.

with less  
set backs  
and smaller  
lots will  
have an impact  
on the housing  
market in  
those locations  
It will reduce  
the market  
value in such  
a way that  
~~in the future~~  
it may lead  
Existing homes  
to be subdivided  
in the future  
with smaller  
lots and with  
smaller homes  
with units



The City wants your comments on these applications before a staff recommendation is finalized and a decision is made by Council.

For your understanding and input, an Open House has been arranged for:

Date: August 14, 2018

Time: 6:00 p.m.

Location: Council Chambers, Third Floor, City Hall,  
Church and James Streets

(Use James Street Entrance)

Copies of all submitted plans and documents may be viewed in the Planning and Building Services Department now or at the Open House or by navigating to <https://www.stcatharines.ca/development>. Please note that the information submitted with this application is preliminary. Additional, revised, or further refined information will be uploaded to the City's website via the link above as it becomes available. Please check the website for updates.

The required Public Meeting will be held by City Council at a later date. Notice of that meeting will be provided approximately thirty (30) days before it is to occur.

If a person, or public body, does not make oral submissions at a public meeting, or make written submissions to The Corporation of the City of St. Catharines before the decision is made by Council, the person, or public body, is not entitled to appeal the decision of Council of The Corporation of the City of St. Catharines to the Local Planning Appeals Tribunal.

If a person, or public body, does not make oral submissions at a public meeting, or make written submissions to The Corporation of the City of St. Catharines before the decision is made by Council, the person, or public body, may not be added as a party to the hearing of an appeal before the Local Planning Appeals Tribunal unless, in the opinion of the Board, there are reasonable grounds to do so.

Further information about the applications may be obtained by contacting Taya Devlin, Planner, of the Planning and Building Services Department at 688-5601, Extension 1727, or the City's TTY number (text telephone) 905-688-4TTY (4889), or by email: [tdevlin@stcatharines.ca](mailto:tdevlin@stcatharines.ca).

Your verbal comments about the proposal are invited and written submissions can be made either at or following the Open House.

Bonnie Nistico-Dunk  
City Clerk

PS:

Sorry for  
my  
writing

Future use  
in an existing  
already excellent

neighbourhood  
should go higher not  
lower with units not  
detached the right  
for

I believe the  
city should

In the  
future if  
more of  
these types  
of units  
are built  
this would  
place the  
existing  
neighbourhood

to lower  
housing market  
standards  
where as

in the  
other  
hand these  
existing  
homes have  
the highest  
potential and use

in St.

catharines. I believe higher Quality homes should  
be built more square footage and prestigious type  
homes. If any of this happens in the future  
this will enhance the surrounding neighbourhood  
and keep it conformed with sunnyside estates and the

## Applicable Official Plan Policies City of St. Catharines Garden City Plan

Policies
<b>PART B: VISION AND GUIDING PRINCIPLES</b>
<p><b>2.3. Managing Growth and Change</b></p> <p><b>2.3.1 Municipal Planning Structure</b></p> <p>3. Planning Areas The City is divided into two primary planning areas – the Urban Area and the Agriculture Area.</p> <p>i) Urban Area The Urban Area is established by the Region of Niagara Policy Plan and is set out on Schedule D ‘Municipal Structure’ of this Plan. This area is intended to provide urban development opportunities on full municipal services to accommodate the majority of the City’s projected future population and employment growth.</p> <p><b>2.3.3. Accommodation of Growth</b></p> <p>1. Projected population, housing and employment will primarily be accommodated within the Urban Area as defined on Schedule D ‘Municipal Structure’.</p> <p>2. The Plan recognizes a finite Urban Area, and within it, a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth.</p> <p>3. Growth will be accommodated by:</p> <ul style="list-style-type: none"> <li>i) the efficient usability of vacant and occupied lands;</li> <li>ii) more compact built form and density of development;</li> <li>iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment;</li> <li>iv) redevelopment and build out of underutilized properties;</li> <li>v) a more integrated, interactive mix of uses, activity and functions;</li> <li>vi) service, infrastructure, energy, transportation sustainable, accessible, efficient and supportive development;</li> <li>vii) design initiatives to support: <ul style="list-style-type: none"> <li>• compatible, innovative, efficient and sustainable building and site design;</li> <li>• enhanced natural and cultural heritage protection, preservation and conservation;</li> </ul> </li> </ul>



- greening;
- an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;

- viii) recognizing the preferred mix and interaction of uses contemplated, the City's Urban Design Guidelines shall be emphasized in the evaluation of all development, redevelopment and intensification opportunities;
- ix) the upgrading of existing infrastructure and public service facilities, and where required, the provision of new infrastructure and public service facilities to ensure adequate service capacity to support development, redevelopment and intensification.
- x) providing a balance of housing and employment opportunities to maximize the opportunities for people to live and work in St. Catharines, and to maintain a sustainable healthy tax base to support a balanced and complete community, and sustainable long term growth and development opportunities.

4. This Plan establishes a land use planning framework consistent with and supporting the growth and intensification strategy and the achievement of minimum density targets set out in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, (referenced as the Provincial Growth Plan) as follows:

- i) Built Boundary – the Provincial Growth Plan establishes a Built Boundary which represents the limits of the developed Urban Area of the municipality, as defined by the Ministry of Infrastructure Renewal. The Built Boundary for St. Catharines is defined on Schedule D 'Municipal Structure' of this Plan.
- ii) Intensification Target – the Provincial Growth Plan establishes a minimum 40 per cent of all residential development occurring annually within the municipality is to be within the Built Boundary. A higher percentage target may be set out in the upper tier Region of Niagara Policy Plan. Consistent with the Region of Niagara Policy Plan, this Plan establishes a minimum intensification target of 95 per cent.
- iv) Vacant Lands - Notwithstanding Part B, Section 2.3.3.4 iii) above, this Plan establishes a minimum density target of 50 residents and jobs per hectare on all vacant designated residential and employment lands within the Urban Area, whether within or outside the Built Boundary.

## 5. Housing

- i) If past trends towards development of primarily low density housing were to continue, the vacant residential land supply is not adequate to accommodate all of projected future population and housing needs. To accommodate projected future growth requires evolution from traditional development patterns and trends.

- ii) This Plan emphasizes the provision of new housing through the efficient use of vacant and occupied lands; higher density of development; small lot infill; intensification; mixed use development; and reuse, rehabilitation and redevelopment of the built form, including brownfield and greyfield sites.
- iii) All types of new housing will be provided in a manner not to compromise, but to accentuate and enhance the character, structure, function and accessibility of established residential neighbourhoods and other activity areas; cultural and heritage landscapes, buildings and identities; and the City's network of parks, open space and natural areas, and public realm opportunities.
- iv) All types of new housing will be encouraged to support housing diversity for a range of life stages, special needs, incomes and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities.
- v) This Plan establishes higher housing density standards and opportunities for a greater mix of housing types than has traditionally been directed by the municipality. While it is recognized that new housing development and intensification may occur in all residential neighbourhoods, the primary emphasis for housing intensification is directed towards the Urban Growth Centre and Intensification Areas as set out on Schedule D 'Municipal Structure', along major road corridors, at commercial centres and mixed use areas. The range and scale of housing permitted is further defined in Part D 'Land Use Policies' and in Part E 'District Plans'.
- vi) Housing Targets
- The residential growth strategy set out in this Plan is generally intended to support the distribution of new housing across the municipality as follows:
- |                          |           |
|--------------------------|-----------|
| % of Household Number of |           |
| Forecast Dwelling Units  |           |
| Urban Growth Centre      | 21 % 1500 |
| Intensification Areas*   | 21 % 1500 |
| Greenfield Areas**       | 6 % 430   |
| Vacant Lands***          | 52 % 3760 |
- \* includes general intensification as set out in Part B, Section 2.3.3.4 vii).
- \*\* vacant designated residential lands outside the Built Boundary
- \*\*\* vacant designated residential lands within the Built Boundary

## **PART C: GENERAL POLICIES**

### **4. URBAN DESIGN**

#### **4.1. Urban Design Principles**

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

The development of St. Catharines will be based on the following sustainable design



principles:

- a) a strong sense of identity and place as the “Garden City”;
- b) innovative and sustainable design;
- c) a stimulating, attractive, and safe public realm;
- d) compatibility of new development with established areas;
- e) universal access to public areas;
- f) conservation of heritage buildings and structures;
- g) protection of the natural environment and processes;
- h) a compact, walkable, bikeable and well connected community;
- i) a range of choices for housing and transportation ;
- j) mixed-use nodes and corridors;
- k) complete streets for all users;
- l) building design to support street life.

#### 4.3. The Natural Environment

St. Catharines is located between Lake Ontario and the Niagara Escarpment, with numerous creek systems and environmentally sensitive natural areas. In the urbanized areas, the relationship to these natural features and areas will be enhanced through a thoughtful approach to their conservation, visibility, and accessibility.

2. The enjoyment of the valleys and ravines will be protected and enhanced by ensuring that adjacent development, particularly from building height and massing, will protect for views and vistas.

3. Development and redevelopment activities will be designed to be compatible in scale and character with natural features and areas, and enhance the visual qualities and public enjoyment of those features and areas.

4. Site design and planning will consider the existing topography and the preservation and enhancement of vegetation, natural features and areas, open space, and naturalized areas. This includes:

- a) Ensuring that existing naturalized open space on lands proposed for development/redevelopment is retained to the maximum extent possible, and where retained, is allowed to regenerate with minimum intervention;
- b) Enhancing ecological stability by supporting the use of low maintenance landscape features and materials;
- c) Supporting the use of native plant species when creating new plant communities or when adding to existing native plant communities;
- d) Applying development standards designed to maximize retention of all woodlots and other natural features and areas;

6. A program of tree planting, preservation, and landscaping will be undertaken so

that all areas are provided with trees and other vegetation to maintain a high standard of amenity and appearance, with specific emphasis given to the Urban Growth Centre and Intensification Areas, as set out on Schedule D 'Municipal Structure', at the time of infrastructure renewal and reinvestment.

7. In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

8. Where development or redevelopment may necessitate the loss of existing trees or vegetative planting on a public right-of-way, they will be replaced and relocated on the public right-of-way in the immediate vicinity of the affected lands, to the satisfaction of the City or the Region of Niagara, and at the cost of the proponent.

#### **4.4. The Public Realm**

The public realm – the streets, parks, squares, public buildings, and open spaces, is a critical component of city life, drawing people together and providing the setting for festivals, cultural events, and recreational and leisure activities, as well as for daily casual contact. They create strong social bonds and help establish our public identity.

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:

- a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
- b) improvements to streetscapes, including pedestrian-scale lighting, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation wherever road improvements occur;
- c) naturalization opportunities including the use of native species of trees in development of open spaces;
- d) the placement of a broad range of art works in publicly accessible and visible locations;
- e) roadway design to maximize the preservation and maintenance of natural features and the development of complete streets;
- f) the protection and enhancement of major vistas, gateways, and scenic routes;
- g) measures to mitigate light trespass and glare to minimize the effects of sky glow.

3. Where feasible, major public and private development projects will be required to

incorporate public spaces, bicycle facilities and sidewalks to support connections to the City's pedestrian, bike and transit network.

#### 4.5. Built Form

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.1 of this Plan and that maximizes compatibility with the surrounding area in terms of the following matters:

- a) Building scale, height, gradation of height, and massing.
- b) Spacing of buildings.
- c) The level and visibility of the ground floor relative to exterior grade
- d) Roof form and pitch, together with any other structures on the roof.
- e) The placement, number, type and proportion of doors and windows.
- f) Use of materials, textures, and colours.
- g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.
- h) Preservation and enhancement of significant views and vistas.
- i) Retention of natural vegetation and other distinctive landscape or streetscape features.
- j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
- k) Mitigating light trespass and glare and to minimize the effects of sky glow.
- l) Mitigating wind, sun shadow impacts.

2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by:

- a) Consolidating and minimizing the width of driveways and curb cuts.
- b) Providing underground parking or parking structures where possible.
- c) Limiting surface parking between the front and flanking face of a building and the public street.
- d) Providing perimeter landscaping as well as landscaped interior islands.
- e) Using permeable pavement systems or other low impact development practices.
- f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
- g) Integrating utilities as part of the building and site design, where feasible.
- h) Ensuring safety for active transportation.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding

neighbourhood.

4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

#### **4.6. Universal Access**

Universal access means providing a broad range of users with varying needs the opportunity to move through the City independently with as few obstacles, physical and psychological, as possible.

1. New buildings, the retrofitting of existing municipal buildings and public spaces shall be designed to foster and support accessibility by all citizens. The full range of abilities of all ages and users shall be considered in the design of the built environment.

2. The travelled portion of pedestrian and bicycle routes shall be kept free from obstructions or projections of street furniture, fixtures, or buildings.

3. Barrier-free features shall be well-integrated within the functional and aesthetic design composition, including but not limited to:

- i) ensuring appropriate driveway and sidewalk height to length ratios to support safe accessibility and travel for all;
- ii) requiring sidewalk curb cuts at all intersections;
- iii) requiring paving changes be incorporated at grade changes and intersections;
- iv) requirements for accessibility parking spaces;
- v) encouraging other features appropriate to ensure that barrier free design is provided.

#### **4.7. Personal Safety**

Design, through sensitive site layout, location of public spaces and road design, can have a significant influence on the safety of an environment based on the “eyes on the street” philosophy.

1. Publicly accessible spaces shall be located near public roads, transit stops, or other public spaces in order to allow public surveillance.

2. Adequate lighting shall be provided in concealed areas or those areas where visibility may be poor.

3. Views shall be provided into, out of, and through publicly accessible spaces.

4. Access points from public and public accessible spaces shall be clearly identified.

5. Public spaces shall be designed to encourage a variety of activities on a daily, weekly, and seasonal basis.

#### **4.8. Landscaping**

Landscaping has a number of significant roles to play in creating interesting and functional places.

1. Landscaping design shall:

- a) enhance the visual appeal of development.
- b) buffer unsightly areas or uses that are incompatible.
- c) promote the use of native species.
- d) provide seasonal variation in form, colour, texture, and representation.
- e) promote human scale and create an attractive environment for pedestrian movement.
- f) assist in energy conservation.
- g) mitigate the effects of inclement weather.
- h) preserve and compliment existing natural landscape.

2. Appropriate buffering will be required between all uses of land where there may be a conflict and where one use may detract from the enjoyment.

### **5. TRANSPORTATION**

#### **5.1. General Policies**

1. A Sustainable Transportation Master Plan will be prepared that will outline the City's strategic direction for the development of its transportation networks, programs, and priorities, and how it can best implement the complete streets concept and integration with transit, active transportation, trails and bike route networks. The policies of this Plan together with the Sustainable Transportation Master Plan will contribute to the overall transportation management strategy for the City.

2. The transportation system shall be designed to complement and facilitate the City's achievement of planned land use patterns, growth objectives, and urban structure, and shall have regard for upper tier government transportation policies and initiatives.

3. To facilitate a greater multi-modal split, with less emphasis on the automobile, the City will balance the provision of a safe, functional, and attractive pedestrian and cycling oriented environment with an acceptable level of vehicular traffic. The City may accept a level of automobile service which is less than optimum in return for a more pedestrian and cycling oriented environment, transit supportive development, and a vibrant public realm.

4. The City will encourage and facilitate alternative forms of transportation that promote energy conservation and a healthy lifestyle.

5 A Transportation Impact Study may be required for new development or redevelopment to assess transportation demands, impacts, and opportunities.

6. To implement the findings of the Transportation Impact Study, the City will include conditions of approval that support safe and functional pedestrian and cyclist movement, including:

- a) The acquisition of easements and dedication of land for sidewalks, bicycle trails, transit stops, or other facilities;
- b) The provision of associated amenities such as transit shelters, bicycle parking facilities, and lighting;
- c) Site, building, and road designs that meet the needs of pedestrians, cyclists, and transit users.

7. The City shall consider various traffic calming and transportation demand management measures to reduce the negative impacts of traffic, and to promote safer streets and the concept of complete streets.

### **5.3. Alternative Forms of Transportation**

This Plan recognizes that in order to achieve a healthy and livable community, the transportation system now and in the future, will need to reduce reliance on the automobile in favour of more sustainable forms of connective transportation such as walking, cycling, and transit.

#### **1. Transit**

1. Transit will provide access to residential areas, employment areas, schools and other institutions, community facilities, downtown, shopping areas and recreational areas in an efficient and reliable manner.

7. The City shall encourage the provision of convenient, safe pedestrian access and a maximum walking distance of 400 metres to transit facilities through its planning approvals.

#### **3. Pedestrians**

1. The City shall ensure that the transportation system will be designed to provide continuous and direct access by sidewalks and walkways to schools, recreation and cultural destinations, community services, major activity centres, and other high volume pedestrian centres.

2. Streetscape design shall provide safe, convenient, and attractive pedestrian ways and connections.

4. Pedestrian safety will be enhanced on sidewalks and walkways through the provision of lighting and /or public visibility, where feasible.

5. Sidewalks are to be built to a standard that facilitates the mobility of persons with disabilities.

#### **5.4. Parking**

Parking is an integral component of the transportation system, influencing travel patterns and development potential. It is the intent of this Plan to ensure the location and design of parking facilities will provide sufficient and safe functioning of the transportation system, and balances the needs of the travelling public with the goal of promoting other modes of transportation. In keeping with the “Garden City” image, it is also important to ensure that large expanses of barren asphalt lots are not created.

1. Vehicle parking standards will be established for all land uses in the implementing zoning by-law, and adequate off-street parking shall be provided for development/redevelopment in accordance with these standards. Zoning bylaws may establish maximum as well as minimum parking requirements for both vehicles and bicycles.

6. The negative impacts of vehicular parking on the urban environment, cycling and pedestrian activity shall be minimized through:

- a) locating parking and loading areas at the rear of buildings where feasible;
- b) use of alternative paving materials such as permeable pavement systems;
- c) alternative surface water management such as swales and ditches;
- d) landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines;
- e) Buffering sidewalk users from through traffic, where feasible.

### **6. ACHIEVING A SUSTAINABLE CITY**

#### **6.1. General Policies**

1. The City shall develop an Integrated Community Sustainability Plan that will provide guidance for the development or alignment of all municipal plans, policies and decisions under one integrated decision-making framework.

2. The City shall support sustainable development through land use and development patterns that:

- b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;
- c) Promote development/redevelopment throughout the City’s Urban Area on

sites that are or will be well served by public transit, with particular emphasis on the Downtown Urban Growth Centre and Intensification Areas as set on Schedule D 'Municipal Structure'.

d) Promote design and orientation that maximizes the use of alternative or renewable energy sources, such as solar and wind, and the mitigating effects of vegetation.

3. All of the City's sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.

6. In making decisions about planning, development, and conservation, within the sustainability framework, the City shall employ an ecosystem approach addressing:

- a) The interrelationships among air, land, water, plant and animal life, and human activities;
- b) The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions;
- c) The long term and cumulative impacts on the ecosystem.

7. Development should maintain, enhance, or restore ecosystem health and integrity.

8. The City will collaborate with Niagara Region, the Niagara Peninsula Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.

## **6.5. Water Resources**

1. Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts on:

- a) The quantity and quality of surface and ground water;
- b) The functions of ground water recharge and discharge areas, aquifers and headwaters;
- c) The natural hydrologic characteristics of water courses such as base flow;
- d) The natural drainage systems, streams, forms and shorelines;
- e) Flooding or erosion;
- f) Surface or ground water resources adversely impacting on the ecological function of natural hazards and heritage as set on Schedule F2 'Natural Hazard Lands' and Schedules F3 and F4 'Natural Heritage' of this Plan.

2. Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to water supplies so that the safety and quality of drinking water will be protected and improved.



3. Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.

4. A Stormwater Management Plan prepared by a qualified engineer, and based on sediment and erosion control guidelines from the Niagara Peninsula Conservation Authority (NPCA), as amended from time to time, may be required with an application for development, redevelopment or site alteration depending on:

- i. The scale and nature of the proposal.
- ii. Site specific environmental conditions.

The City, in conjunction with the Region, the Niagara Peninsula Conservation Authority (NPCA) and other authorities will determine the need for such a plan as part of the complete application process. Stormwater Management Plans will be required to consider alternative approaches to traditional stormwater management such as Low Impact Development practices as noted in Part D, Section 7.1 g) of this Plan.

6. Development and site alteration shall not have significant adverse impacts on ground and surface water quality or quantity. In areas where development and site alteration could significantly affect ground or surface water quality or quantity the City shall require that an assessment of potential groundwater impacts be submitted with the development application, and mitigating measures and/or alternative development approaches may be required.

#### **6.6. The Urban Forest**

4. Planning applications shall integrate natural features and natural vegetation, including the planting of native species, into development plans.

### **PART D: LAND USE POLICIES**

#### **7. GENERAL POLICIES**

##### **7.1 Development / Redevelopment**

Development and redevelopment within the Urban Area shall be evaluated having regard for the following:

- a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City's public realm and open space network.
- b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.
- c) Building, site and streetscape context sensitive design to ensure:
  - i) Integration of compatible building form, scale, massing, height,

setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;

ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.

iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;

iv) Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;

v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.

d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.

e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.

f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.

g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.

h) Surface parking areas should be minimized and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.

Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.

i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.

j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.

k) Alternative and innovative lotage patterns are supported provided that compatible street, building and site context sensitive design with adjacent

properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.  
 I) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.

## **7.2 Contaminated Sites**

ii) On all lands known or suspected of potential environmental hazards, the City shall require, prior to consideration of approval for development /redevelopment or site alteration, appropriate studies to assess potential hazards. Protective or mitigating measures may be applied to the subject lands, subject to study evaluation and Provincial standards. A record of site condition may be required.

iii) On all lands subject to Official Plan or Zoning By-law amendment or Subdivision approval, an environmental site assessment from the proponent will be required as a condition of approval, identifying that the site has been investigated and found to be free from contamination subject to Provincial standards. A record of site condition may be required. Where hazards are identified, they shall be subject to appropriate studies, and protective or mitigating measures may be applied.

## **8. NEIGHBOURHOOD RESIDENTIAL**

### **8.1. Residential Use Designations**

#### **2. Medium Density**

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. Height of buildings will generally not exceed 20 metres.

#### **8.2. General Policies**

1. Residential development, redevelopment and intensification will be integrated within Low, Medium and High Density residential designations having regard for Part D, Section 7 and all other policies of this Plan.

## **13. GREEN SPACE**

### **13.1. PARKLAND AND OPEN SPACE**

The Parkland and Open Space designation is intended to provide opportunities for a variety of active and passive recreational opportunities, to provide relief from the built environment, and to support opportunities for conservation and enhancement of cultural and natural heritage.

Parkland and Open Space is designated on Schedule D1 'General Land Use Plan' and on District Plans in Part E. Schedule F1 'Parkland and Major Trails' of this Plan also identifies public parkland, and existing and proposed major trails. For the convenience of mapping, not all parkland and open space may necessarily be shown on the Schedules of this Plan, primarily where they are small in size such as small trails and special urban parks. Specific reference should be made to the City's Parks Policy Plan and the Recreation Master Plan.

### 1. Permitted Uses

Permitted uses include:

- i) private and public parks, and open space linkages;
- ii) cemeteries;
- iii) active or passive indoor and outdoor recreational facilities;
- iv) cultural heritage;
- v) essential operations for service infrastructure and utilities.

a) Permitted uses may be allowed provided that:

- i) the use of land does not conflict with the policies in this Plan related to natural hazard lands, natural heritage or cultural heritage resources;
- ii) the design minimizes or eliminates any potential instability of slopes;
- iii) all structures, parking areas and active playing fields are attractively designed and landscaped in order to enhance their appearance, and are appropriately setback and buffered between adjacent properties.

b) Ancillary uses may be permitted where they provide complementary services and facilities to the main use, and will be limited in size subject to zoning bylaw regulation.

### 3. Park Acquisition

Parkland acquisition to achieve the objectives of the Parks Policy Plan and the Recreation Master Plan may occur through purchase, donation, bequest, expropriation, and dedication,

- i) the City should establish incentive programs, including preferred or beneficial zoning, to encourage acquisition of parkland.

a) Priorities for Acquisition

Parkland acquisition priorities that should be implemented on an opportunity basis include:

- i) lands to link, connect and extend the City's Green Space and cultural heritage landscapes and routes, and link together with other local municipal and upper tier government or agency parkland, open space, natural and cultural heritage areas and corridors;

#### **4. Parkland Dedication**

- a) The City will, as a condition of development, redevelopment or subdivision of land, require that land in an amount not exceeding, in the case of land proposed for commercial and employment purposes, 2 % and in all other cases 5 % of the land proposed for development, redevelopment or subdivision be conveyed to the municipality for parks or other recreational purposes, pursuant to the provisions of the Planning Act.
- d) Notwithstanding a) to c) above, not more than 30 % of any lands proposed for development or redevelopment shall be required for parkland dedication.
- e) Land conveyed to the City as parkland dedication will be expected to meet standards for location, size, drainage, grading, topography, and other criteria as outlined in the Parks Policy Plan and the policies of this Plan.
- f) The municipality will generally not accept the conveyance of lands for parkland dedication that are designated Natural Area or zoned for environmental protection, or that are to be designated Natural Area or zoned for environmental protection as part of the development approval process.
- i) The municipality encourages the provision of indoor and outdoor recreation and amenity space in the design of medium and high density residential developments. The provision of private open space and recreational and amenity space in medium and high density developments will be in addition to the requirements for parkland dedication.
- j) Cash-in- lieu of parkland dedication as set out in Section 13.1.4 a) to c) may be accepted by the municipality, pursuant to the Planning Act, where:
  - i) required dedication of land would render the remainder of the site unsuitable or impractical for development or redevelopment;
  - ii) required dedication of land fails to provide an area of suitable shape, size, location or other criteria, including priority for land acquisition as set out in Section 13.1.3 of this Plan, and in the Parks Policy Plan.

#### **13.2. NATURAL AREA**

The City's Natural Area is comprised of a diverse natural heritage system of rivers, streams, valleylands, wetlands, shoreline, woodlots, forests, natural areas, habitats and corridors. Not only are these natural areas and features environmentally significant on a local neighbourhood and community basis, but many are also of regional, provincial, national or world significance.

The Natural Area is more specifically defined as Natural Hazard Lands and Natural Heritage as set as follows:

a) Natural Hazard Lands

- i) shoreline;
- ii) floodplain;
- iii) significant valleylands;

b) Natural Heritage

- i) wetlands;
- ii) significant woodlands;
- iii) fish habitat;
- iv) areas of natural and scientific interest;
- v) significant habitat of endangered species and threatened species;
- vi) significant wildlife habitat;
- vii) natural corridors;
- viii) key hydrologic features.

The purpose of the Natural Area policies of this Plan is to promote the long term sustainability of Natural Hazard Lands and Natural Heritage by supporting:

- the protection, preservation, restoration , maintenance, and where possible, the improvement of a diverse, connected and integrated system of natural areas, features, hazard lands, habitats, corridors and associated biological and ecological functions.
- a diverse, connected and integrated system of local natural heritage with that of the Region of Niagara Core Natural Heritage System, the Provincial Greenbelt Plan Protected Countryside and Natural Heritage System, and the Provincial Niagara Escarpment Plan.

### 13.2.1 Natural Area Mapping

#### 1. Natural Area Designation

Lands designated Natural Area on Schedule D1 'General Land Use Plan' and on District Plans in Part E contain one or more of Natural Hazard Lands and/or Natural Heritage mapped by the City.

Development, redevelopment, site alteration and use of lands within and adjacent to the City's Natural Area designation is subject to the policies set out in Section 13.2 of the Plan.

#### 2. Natural Area Extent Line

Natural Hazard Lands and Natural Heritage are also mapped by the Province, the Region of Niagara and the Niagara Peninsula Conservation Authority (NPCA). This mapping is shown on Schedule F2 'Natural Hazard Lands' and Schedules F3

and F4 'Natural Heritage' of this Plan.

Upper tier government and NPCA mapping of Natural Hazard Lands and Natural Heritage on Schedule F2, F3 and F4 does not necessarily coincide with, and often extends beyond the City's Natural Area designation shown on Schedule D1 'General Land Use Plan' and on District Plans in Part E of this Plan.

The combined furthest extent and limit of all the Natural Hazard Lands and Natural Heritage mapping identified on Schedules F2, F3 and F4 is shown as an overlay on District Plans in Part E, identified as the 'Natural Area Extent Line'. Development, redevelopment, site alteration and use of lands within and adjacent to the Natural Area Extent Line is subject to the policies set out in Section 13.2 of the Plan.

### 3. Niagara Natural Environment Screening Layer

Further to Natural Area mapping set out in Section 13.2.1.1 and 13.2.1.2 above, the NPCA establishes a Niagara Natural Environment Screening Layer. The 'Screening Layer' is shown on Schedule F5 of this Plan, and the limits of which generally extend onto lands beyond the City's Natural Area designation as well as the Natural Area Extent Line.

Development, redevelopment, site alteration and the use of lands within the 'Screening Layer' may be subject to Provincial or Region of Niagara policies, regulation or controls as applied to Natural Hazard Lands and Natural Heritage and/or subject to NPCA regulation or controls in accordance with Ontario Regulation 155/06 as amended from time to time. Ontario Regulation 155/06 applies to watercourses, significant valleylands, floodplains, shorelines and wetlands.

### 4. Interpretation

- i) The Natural Area mapping set out on the Schedules of this Plan should not be construed as representing the precise boundaries or all of known Natural Hazard Lands and Natural Heritage.
- ii) Natural Hazard Lands and Natural Heritage may be defined more precisely through Watershed, Environmental Planning Studies, Environmental Impact Studies (EIS), the NPCA, or other government or regulatory authority and mapping.
- iii) Where through the review of a planning application it is found that there are important environmental features or functions that have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified biologist in consultation with the City, Region of Niagara and where appropriate, the NPCA and the Ministry of Natural Resources. If the evaluation finds one or more natural features meeting criteria set out by the Region of Niagara Policy Plan and/or the NPCA for inclusion as Natural Hazard Lands or Natural Heritage, the applicable policies for such features as set out in Part D, Section 13.2 of this Plan will apply.

iv) Where new Natural Hazard Lands or Natural Heritage are identified or where more accurate mapping is available in which may modify the location or extent of Natural Hazard Lands or Natural Heritage, Schedules F2, F3, F4 and the Natural Area Extent Line shown on District Plans in Part E may be updated without amendment to this Plan.

Where new Natural Hazard Lands or Natural Heritage are identified, they shall be considered for inclusion as a Natural Area designation in this Plan. Where a new Natural Area designation is to be added or where a significant modification is made to an existing Natural Area designation on Schedule D1 'General land Use Plan' and District Plans in Part E, an amendment to this Plan is required. Minor boundary adjustments to an existing Natural Area designation may be made without an amendment to this Plan.

v) Schedule F5 of this Plan represents the general location of the Niagara Natural Environment Screening Layer. Reference to the precise boundaries of the subject Screening Layer should be made to the NPCA.

Modification to the Niagara Natural Environment Screening Layer shown on Schedule F5 may be made without an amendment to this Plan.

vi) Where lands contain two or more Natural Hazard Lands and/or Natural Heritage features of differing significance, the more restrictive policies pertaining to the applicable Natural Hazard Lands and/or Natural Heritage features shall apply.

### 13.2.2. General Policies

#### 1. Permitted Uses

The following uses are permitted within the Natural Area designation and the Natural Area Extent Line, subject to the policies of this Plan:

- i) legally existing uses, buildings and structures including existing agricultural uses;
- ii) new agriculture uses subject to Part D, Section 13.2.5;
- iii) fish, wildlife and conservation management including forestry management;
- iv) essential linear public uses including transportation, utility, and communication facilities subject to Federal or Provincial Environmental Assessment approval;
- v) watershed management and flooding and erosion control facilities where it has been demonstrated that they are necessary in the public interest and other alternatives are not available, subject to an Environmental Impact Study (EIS) to the satisfaction of the Region of Niagara;
- vi) passive small scale recreation features such as trails, walkways, and bicycle paths that will have no significant negative impact on natural features or ecological functions.

#### 2. Where planning applications to establish a new use, or expand a permitted use,



are not subject to the Environmental Assessment Act, an approved Environmental Impact Study (EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment or site alteration within or adjacent to Natural Hazard Lands or Natural Heritage. Protection or mitigating measures may be required to be implemented by the applicant.

3. Where an EIS is required, it shall be prepared in accordance with Environmental Impact Study (EIS) Guidelines or subsequent guidelines adopted by the Region of Niagara.

The required scope and/or content of an EIS may be reduced, after consultation with the Niagara Region and the NPCA where the environmental impacts of a development application are thought to be limited; or other environmental studies fulfilling some or all requirements of an EIS have been accepted by the City, Niagara Region and the NPCA.

4. The City may require an independent peer review of an EIS with costs to be borne by the applicant.

5. On lands within or adjacent to a designated Natural Area or the Natural Area Extent Line where no development or placement of fill and site grading is permitted, the erection, location or use of any buildings or structures is prohibited other than those which legally exist.

6. Subject to other policies of this Plan, expansion of an existing use located within or adjacent to Natural Hazard Lands or Natural Heritage may be permitted subject to approval of an EIS and any mitigation measures that may be required.

7. Where development, redevelopment or site alteration is approved within Natural Hazard Lands, Natural Heritage or the associated adjacent land buffer zone, the applicant will submit a Tree Saving Plan maintaining or enhancing the ecological functions to be retained. The Plan shall be prepared in accordance with the Tree and Forest Conservation By-law and its implementation monitored by a member of the Ontario Professional Forestry Association.

8. Where lands are not subject to Section 13.2.2.7 above, the City should enact and maintain a by-law regulating the destruction or injuring of trees in identified woodlots less than 0.5 hectares of land in size.

Where a woodland greater than 0.5 hectares of land in size is located on or adjacent to lands subject to an application for plan of subdivision, consent, site plan approval or other development approval, the applicant shall be required to prepare a Tree Saving Plan as a condition of approval. A grading or building permit shall not be issued until the Tree Saving Plan, with appropriate implementation and monitoring measures, has been approved by the City in consultation with the NPCA.

9. Where development, redevelopment or site alteration is approved in or adjacent to Natural Hazard Lands or Natural Heritage, new lots thus created shall not extend into either the area to be retained in a natural state or the required adjacent buffer zone identified through an EIS unless approved in consultation with the NPCA. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a block and zoned to protect their natural features and ecological functions, and where appropriate and desirable, be dedicated to the municipality or a public agency.

10. The City will, where deemed appropriate, pursue the acquisition of Natural Hazard Lands and Natural Heritage lands by way of land dedication or other means, and which will be adequately sized to support the protection of natural features, function, access and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the Planning Act.

11. The City recognizes that lands designated Natural Area, whether in private or public ownership, are accessible to the public at the discretion of the owner.

12. The City shall encourage and provide assistance, where feasible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of Natural Hazard Lands and Natural Heritage.

13. Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the City, the NPCA and the Niagara Region that the water taking will not have any negative impacts on natural ecosystems or the quantity and quality of water to meet existing and planned uses.

### **13.2.3. Natural Hazard Lands**

Natural Hazard Lands mapping is shown on Schedule F2 of this Plan.

Notwithstanding policies related to Shoreline, Floodplains and Valleylands in Sections 13.2.3.1-3 below, the following policies apply to all Natural Hazard Lands and hazardous sites.

- i) Development shall generally be directed to areas outside of Natural Hazard Lands and hazardous sites.
- ii) Development, redevelopment and site alteration shall not be permitted:
  - within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site

has safe access appropriate for the nature of the development and the natural hazard.

Notwithstanding the above, development, redevelopment and site alteration may be permitted in certain areas identified above where the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

- iii) Development or redevelopment shall not be permitted where the use is:
- an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
  - an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion control;
  - associated with the disposal, manufacture, treatment or storage of hazardous substances.

## 2. Floodplains

Development, redevelopment and site alteration may be permitted within floodplains in accordance with the Conservation Authority's Ontario Regulation 155/06 as amended from time to time, and subject to NPCA approval.

### 13.2.4. Natural Heritage

Natural Heritage mapping is shown on Schedule F3 and F4 of this Plan.

#### 7. Regional Natural Heritage Corridors

Where development, redevelopment or site alteration is proposed in or near a Regional Natural Heritage Corridor, as generally illustrated on Schedule F3, the corridor shall be considered in the development review process. An EIS may be required to demonstrate that there will be no negative impact to the natural features and ecological functions within the corridor, and to the system and linkages within and between natural features and processes within the corridor.

#### 8. Key Hydrologic Features

Key Hydrologic Features include permanent and intermittent streams, lakes, and their littoral zones, seepage areas, springs, and wetlands. Where not already included within Natural Hazard Lands or Natural Heritage shown on Schedules F2, F3 and F4 of this Plan, they may be identified through a future EIS or other

studies and shown on the Schedules of this Plan, and may be subject to minimum adjacent land buffer zone and other requirements.

Specific policies for key hydrological features within the Provincial Greenbelt Plan Protected Countryside designation and Natural Heritage System are included in Section 13.2.5 below.

## **PART F: IMPLEMENTATION AND INTERPRETATION**

### **16: IMPLEMENTATION**

#### **16.1 Official Plan**

Every application for amendment to this Plan will be evaluated on the basis of the following general considerations and any others that are pertinent to the particular application:

- i) the degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan;
- ii) consistency with Provincial and upper tier government plans, policies and legislation;
- iii) the availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use;
- iv) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- v) the potential of the proposal to cause instability within an area intended to remain stable;
- vi) the ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City;
- vii) the financial implications, both costs and revenues, to the City;
- viii) the degree to which approval of the amendment would establish an undesirable precedent.

#### **16.2. Zoning**

1. Zoning by-laws shall be used to implement the policies of the Plan by regulating the use of land, buildings or structures in accordance with the Planning Act, and may be more restrictive than the provisions of the Plan. By-laws will establish the following criteria:

- a) Land use zones which will permit the type of development specified in the Plan
- b) Development and performance standards appropriate to each type of use
- c) Any regulations needed to implement the intent of the Plan

2. Notwithstanding, in the area of the Niagara Escarpment Plan, certain lands are subject to Niagara Escarpment Development Control, as identified in Part F,

Schedule F5. In these areas of Development Control, City zoning by-laws have no force or effect. Subject to Niagara Escarpment Regulations, permits are required from the Niagara Escarpment Commission for all new development in the Development Control Area.

### **16.3. Holding By-Laws**

1. The City may, in a zoning by-law, affix an “H” in conjunction with any zoning category in order to limit or prevent the use of certain lands which are considered inappropriate or premature for immediate development.

2. Where a holding designation is in effect, the lands shall generally be limited to existing uses or uses which will not prejudice the future development of these lands. In addition, no building or structure may be erected on the site until such time as an application has been approved by Council to remove the “H” symbol. The holding symbol shall not apply to minor accessory buildings and structures such as sheds, garages, or pools.

3. Prior to enacting a by-law to remove the holding provision in accordance with the Planning Act, Council shall be satisfied that:

- a) Adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, and roads can be provided;
- b) All necessary requirements of the city have been satisfied;
- c) All necessary development agreements have been entered into, and that the conditions of these agreements have been, or will be met;
- d) Development satisfies all other relevant policies of the Plan.

### **16.7. Site Plan Control**

1. All lands within the limits of the City shall be designated a proposed Site Plan Control Area.

2. The City shall, by by-law, identify specific types of development subject to site plan control. It may also deem certain types of development exempt from site plan control.

3. Unless an exemption is granted under Part F, Section 16.7.2, site plan approval shall be required for all of the following:

- a) All lands used, zoned or to be zoned for residential purposes, save and except lands used, zoned or to be zoned for residential buildings having less than 4 dwelling units.
- b) All lands used, zoned or to be zoned for commercial, employment, institutional, public or recreational purposes.
- c) All lands used, zoned or to be zoned for mixed-use purposes.
- d) All lands within the “Agriculture Area” which are used, zoned or to be

zoned for:

- i. Existing and expanded non-agricultural uses, except residences, where there is an enlargement of existing uses, as set out in Part D, Section 14.2.10.
- ii. Wineries as set out in Part D, Section 14.2.2.
- iii. Agriculture farm related commercial and industrial uses directly related to and serving the surrounding agricultural uses as set out in Part D, Section 14.2.4.
- iv. Agri-tourism and value-added uses and activities greater than 93 square metres, as set out in Part D, Section 14.2.1, with the exception of bed and breakfast accommodation and uses set out in Part D, 14.2.1.b).

e) All lands used for the purpose of public service by the Corporation of the City of St. Catharines and any Local Board or Commission thereof, as defined by the Municipal Affairs Act, and the Regional Municipality of Niagara and any Local Board or Commission thereof as defined by the Municipal Affairs Act.

4. No development shall be undertaken within a site plan control area designated in accordance with Section 16.7.3, until the City has approved drawings and/or agreements sufficient to ensure the matters set out Subsections 41(4) and 41(5) of the Planning Act as amended, including but not limited to:

- a) Matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings and their sustainable design.
- b) Sustainable design elements within and adjoining a City right-of-way, including, without limitation, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling containers, and bicycle facilities.
- c) Matters relating to the protection and continued function of natural areas, features and hazard lands.

5. As a condition of approval of the plans and/or drawings required in this section, the City may require the owner of the land to:

- a) Provide and maintain, to the satisfaction of and at no expense or risk to the City, the facilities, works, or matters set out in Section 41(7) of the Planning Act as amended.
- b) Enter into one or more agreements with respect to the provision and maintenance of such facilities, works, or matters.
- c) Enter into one or more agreements to ensure that the development proceeds in accordance with the approved plans and drawings as required by this Section.

## **16.9. Development Permits**

1. The City may, in a by-law, designate one or more development permit areas pursuant to the provisions of the Planning Act.

2. Upon authorization of a development permit system, the City may implement this Plan, as it applies to the designated development permit area(s) by the use of a development permit regime independent or supplemental to its powers of implementation described in this Plan.

2. Only those plans of subdivision which conform to the following criteria will be recommended for approval.

- a) The plan of subdivision conforms with the policies of this Plan.
- b) Adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and communications/ telecommunications infrastructure, and access can be provided.
- c) The City is able to provide necessary community services without imposing undue increases in taxation on all residents.

## **17. INTERPRETATION**

This Plan must be read in its entirety. The policies in this section provide guidance for the interpretation of the text and schedules of this Plan.

**17.1.** In the case of a conflict between this Plan and a Provincial Plan, the applicable Provincial Plan shall prevail.

**17.2.** In the event of a conflict between this Plan and the Region of Niagara Policy Plan, the more restrictive provision shall apply.

**17.3.** In the case of a conflict between a general policy and District Plan policy, the District Plan policy shall prevail.

**17.4.** Changes to the text or schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering or sequencing may be made without a Plan amendment, provided the general intent of this Plan is maintained.

**17.5.** The auxiliary verbs “may”, “should” and “shall” are used throughout this Plan in the following context:

- a) “may” implies that the policy is permissive and not mandatory or obligatory;
- b) “should” implies that the policy is directive and requires compliance unless proven otherwise on good planning grounds; and,

c) “shall” implies that the policy is mandatory and requires full compliance.

**17.6.** Minor boundary adjustments to land use designations may be permitted without amendment to this Plan where deemed to not be contrary to the established land use designations and applicable policies established in this Plan, and consistent with the intent of the land use designations and policies established in this Plan.

**017.7.** In cases where a parcel of land contains more than one land use designation, the policies of each designation shall apply to the portion of the property so designated.

**17.8.** An amendment to this Plan shall not be required for the minor realignment of roads provided the general purpose and intent of this Plan are maintained. The precise routes for new roads shall be determined by future studies.

**17.9.** Where lists or examples of permitted uses are provided in this Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses that are not listed, but are considered to be similar to the listed uses and to conform to the general intent of the applicable land use designation, may be recognized as a permitted use.

#### **17.10 Density**

1. Density is measured based on gross site hectares.

2. Notwithstanding Section 17.10.1 above, for the purposes of measuring density requirements, consideration may be given for excluding from the measurement of gross site hectares, the following:

- i) lands to be conveyed for parkland dedication, public road widening, and public roads.
- ii) lands within and to be protected for wetlands, significant valleylands, significant woodlands, fish habitat, areas of natural and scientific interest, significant habitat of threatened and endangered species, significant wildlife habitat, and the shoreline dynamic beach hazard limit;
- iii) lands within any required adjacent land setback or buffer zone for natural heritage and hazard lands as set out in ii) above, where the required adjacent land setback or buffer zone, or portion thereof, cannot be included within a required yard to a principal building on the site;
- iv) lands required by the Ministry of Transportation, Ministry of Environment, CN Rail, or other public agency, for distance separation from principal buildings, where the required lands for distance separation, or portion thereof, cannot be included within a required yard to a principal building on the site.



3. Within a low density designation, consideration to relax the established minimum density standard may be given for small lot creation by way of an individual consent, where the consent:

- i) maximizes the potential development of the subject lands, including the proposed severed and remnant parcel of land; and
- ii) does not jeopardize future development opportunities on the subject or adjacent lands; and
- iii) will result in compatible and context sensitive lot design and development.

4. Accessory apartments shall be excluded in the measurement of density.

5. The residential densities established in this Plan apply to development or redevelopment of properties for residential or mixed use residential development. The reuse or conversion of existing buildings to add residential units or intensification of existing residential uses to add new residential units shall not be subject to the minimum densities established in this Plan.



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 31, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-204-2018

**File:** 60.30.335 and 60.35.1035

**Subject:** *Planning Act Public Meeting - Information Report*  
Application for Official Plan Amendment and Zoning By-law Amendment  
Subject Lands: 104 Maple Street; Owner: Global Travel Investment Group Ltd.; Agent: Exp.

## Recommendation

That Council consider this Information Report as part of the Public Meeting in accordance with the Planning Act; and,

That Council consider a Recommendation Report regarding applications for Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 104 Maple Street tentatively scheduled for the meeting of Council on September 24, 2018, pursuant to the two-step process for planning applications previously approved by Council. FORTHWITH

## Summary

This Information Report provides Council and the public with information regarding applications for an Official Plan Amendment and Zoning By-law Amendment for 104 Maple Street to be considered at a Public Meeting scheduled for September 10, 2018 in accordance with the Planning Act. This Information Report provides an overview of the applications, and a summary of applicable planning policies and circulation comments.

The applications have been made to permit and recognize an existing parking lot on the subject lands which serves the adjacent mixed use development consisting of commercial businesses and residential units to the east at 97-99 and 101-103 Niagara Street, lands also owned by the applicant.

A Recommendation Report containing planning analysis, addressing any outstanding concerns raised at the Public Meeting, and providing a staff recommendation is tentatively scheduled for consideration by Council at its September 24, 2018 meeting.

## Background

The subject lands previously contained a detached dwelling which was demolished and a parking lot was subsequently established on the vacant site to provide parking for

commercial and residential uses on adjacent lands to the east, also owned by the applicant. The subject lands are designated and zoned for residential use only.

## **Report Proposal**

The applicant proposes to amend the City's Official Plan and Zoning By-law to permit and recognize the parking lot, which will be reconfigured to accommodate seven parking spaces, including 1 accessible parking space and a partial drive aisle. The parking lot configuration extends beyond the lands at 104 Maple Street, onto adjacent lands owned by the applicant including 97-99 Niagara Street and 101-103 Niagara Street.

The applicant proposes to amend the Official Plan designation for 104 Maple Street from Medium Density Residential to Community Commercial and to re-zone the lands from Medium Density Residential (R3) to Community Commercial (C2). The proposed Official Plan and Zoning By-law Amendment are necessary to permit and recognize the existing parking lot which serves the adjacent mixed use development consisting of commercial businesses and residential units to the east at 97-99 and 101-103 Niagara Street, lands also owned by the applicant.

The proposed Site Plan is attached for Council's reference (Appendix 2).

## **Location and Site Description**

The subject lands are located on the south side of Maple Street, north of the intersection of Niagara Street and Welland Avenue. The lands have a lot area of 0.02 hectares and 9.2 metres of frontage on Maple Street. A location map is attached as Appendix 1.

Surrounding land uses include:

North: Detached dwellings, commercial

East: Commercial, lands owned by applicant

South: Commercial

West: Detached dwellings

## **Planning Policy Context**

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform with and not conflict with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations will be formulated accordingly. For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 3.

## Provincial Policy Statement (2014)

The following provides an overview of the Provincial Policy Statement as it applies more specifically to this Application for Official Plan Amendment and Zoning By-law Amendment.

- Accommodate an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses (including commercial) to meet long-term needs;
- Direct growth to settlement areas and prioritize intensification, with a focus on strategic growth areas, including urban growth centres;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- New development should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities;
- Promote the wise use and management of land use changes;
- Support an accessible, connected and complete community; and
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form.

## Provincial Growth Plan for the Greater Golden Horseshoe (2017)

Policies within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.” Policies ensure that a range and mix of housing options are available including affordable housing.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to these Applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Adapt to climate change through compact and nodal development;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support complete communities; and
- Support multi modal transportation, including active transportation and transit.

## Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/Conformity Amendment), which is the focus of both residential and employment intensification and redevelopment within the Region over the long term.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement and Growth Plan for residential intensification and sustainable communities outlined above. The Region's policies direct developments within the Built-up area to make efficient use of available land and infrastructure and supports the creation of complete communities that provide a mix and range of land uses, local services and recreational and public open spaces.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) of their Official Plan to bring it into conformity with the PPS and the Provincial Growth Plan. Once completed, local area municipalities will be required to update their Official Plans accordingly.

## Official Plan (Garden City Plan)

The subject lands are designated as Neighbourhood Residential (Appendix 4) by the City's Official Plan, The Garden City Plan (GCP). The Central Planning District (E5) further identifies 104 Maple Street as Medium Density Residential (Appendix 5).

The Official Plan Amendment application seeks to amend the designation from Neighbourhood Residential to Commercial (Appendix 6) and the Central Planning District designation from Medium Density Residential to Community Commercial (Appendix 7).

The Medium Density Residential Designation of the GCP provides for a range of residential uses including 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. Height of buildings will generally not exceed 20 metres. This designation does not permit the parking lot. The Official Plan Amendment is required to designate 104 Maple Street Community Commercial to recognize the parking lot associated with the commercial uses located on the adjacent lands to the east, also owned by the applicant.

Section 16.1 of the GCP details specific matters that must be considered when considering applications for an Official Plan Amendment. Every application for amendment is to be evaluated on the basis of the below general considerations and any other considerations that are pertinent to the particular application. These matters will be considered by staff in the future recommendation report to Council.

- i) the degree of conformity of the proposed amendment to the general intent, purpose and philosophy of the Plan, particularly the vision, planning principles and general policies of the Plan;

- ii) consistency with Provincial and upper tier government plans, policies and legislation;
- iii) the availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use;
- iv) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- v) the potential of the proposal to cause instability within an area intended to remain stable;
- vi) the ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City;
- vii) the financial implications, both costs and revenues, to the City; and
- viii) the degree to which approval of the amendment would establish an undesirable precedent.

## **Zoning By-law**

Zoning By-law 2013-283 zones the lands at 104 Maple Street as Medium Density Residential (R3) (see Appendix 8). The R3 Zone permits a broad range of residential uses, however a commercial parking lot is not a permitted use. As such, the proposal is to change the zoning to Community Commercial (C2) to facilitate the provision of a parking lot that serves the commercial uses and apartment dwellings on the adjacent lands to the east, also owned by the applicant (Appendix 9).

In the Recommendation Report staff will address the appropriateness of the proposed amendments within the context of both the surrounding area and the overall planning policy framework.

## **Circulation of Applications**

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendment. The following feedback has been received, comments largely relating to future site plan approval, which will occur should this application be approved by Council.

## **Region of Niagara**

Regional Development Services staff has no objection to the proposed Official Plan and Zoning By-law Amendment applications from a Provincial or Regional perspective, subject to the satisfaction of any local requirements.

## **Parks, Recreation and Culture Services (PRCS)**

No objection to the proposed Official Plan and Zoning By-law Amendment. Landscape details, fencing, boulevard re-instatement and boulevard trees will be required through a site plan agreement.

**Traffic**

While there are a number of dimensions shown in the parking area, overall there looks to be sufficient space for the parking area.

**Site Plan**

Site Plan Approval for the subject lands will be addressed in further detail in staff's Recommendation Report. The proposed Site Plan is attached for Council's reference (Appendix 2).

**Public Consultation**

A public open house was hosted by Planning and Building Services on July 19, 2018. The purpose of the open house was to present the applicant's proposed Official Plan Amendment and Zoning By-law Amendment and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. The agent for the applicant was in attendance. One (1) member of the public attended. The attendee had no concerns with the proposal and indicated they were there for information only. No written correspondence has been received to date.

**Public Notice**

In accordance with established procedures, notice for the public meeting has been circulated.

**Financial Implications**

All costs associated with this development will be borne by the developer. No direct financial impacts to the City are triggered should Council approve the subject applications.

**Relationship to Strategic Plan**

The proposed development has the potential to tie into several aspects of the City's Strategic Plan. These related goals and actions are listed below. The degree to which the below goals of the Strategic Plan will be achieved will be evaluated as part of the future recommendation report.

**Economic Sustainability**

- Goal: Attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business

**Social Sustainability**

- Goal: Connect people, places and neighbourhoods

## **Conclusion**

In summary, this report provides the planning context and explains the applications for Official Plan Amendment and Zoning By-law Amendment for 104 Maple Street. The amendments would facilitate land use designation and zoning for 104 Maple Street that recognizes and permits its use as a parking area for the adjacent lands owned by the applicant, 101-103 Niagara Street and 97-99 Niagara Street. A Recommendation Report will be presented at the Council meeting tentatively scheduled for September 24, 2018.

### **Prepared by:**

Taya Devlin  
Planner 1

### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager, Planning Services

### **Approved by:**

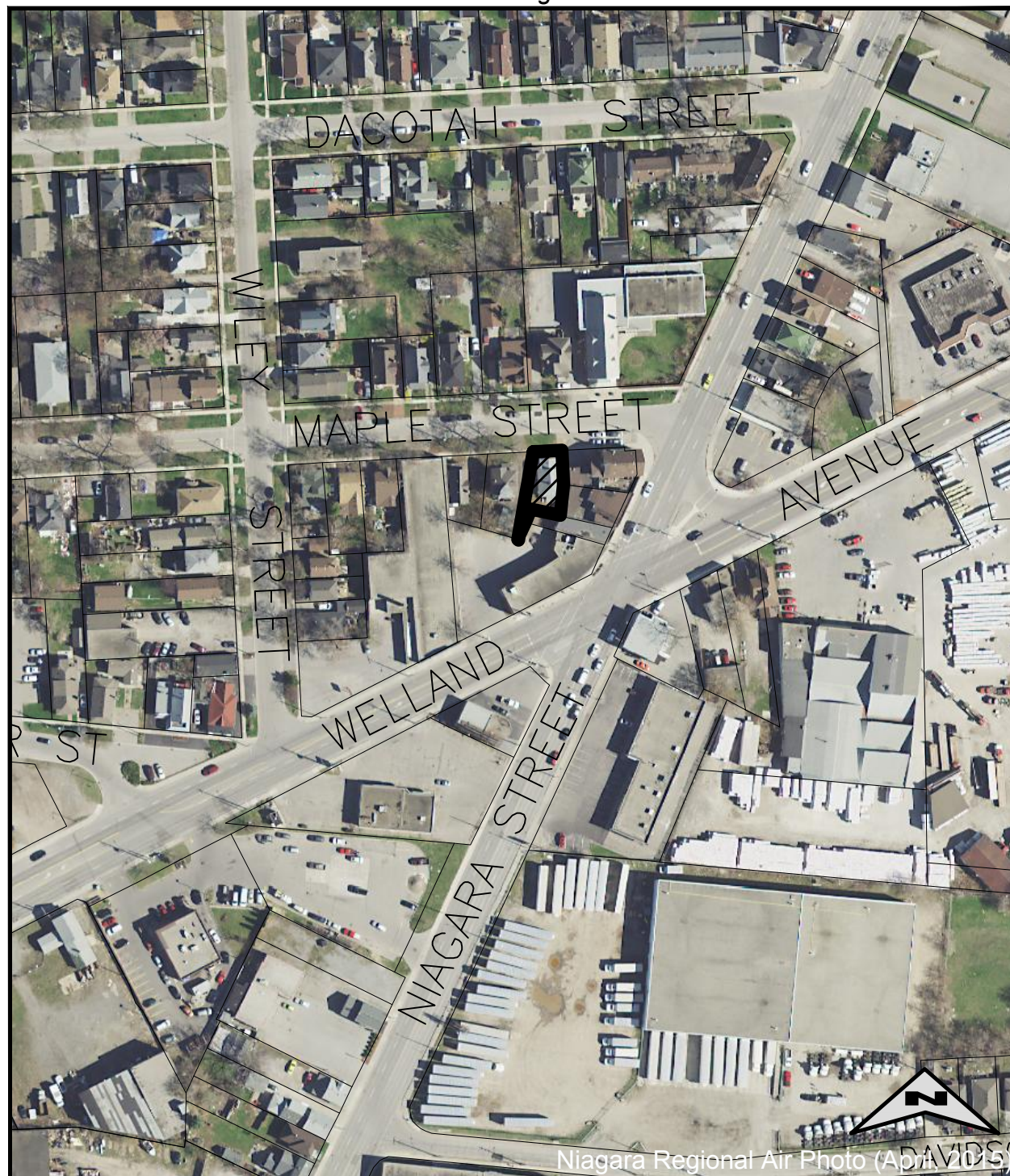
James N. Riddell, M.Pl., MCIP, RPP  
Director, Planning and Building Services



## **List of Appendices**

1. Location Map
2. Concept Site Plan
3. Ontario Land Use Planning Framework
4. Official Plan – Existing Schedule D1, General Land Use Plan Map
5. Official Plan – Existing Schedule E5, Central Planning District
6. Official Plan – Proposed Schedule D1, General Land Use Plan Map
7. Official Plan – Proposed Schedule E5, Central Planning District
8. Zoning By-law 2013-283, Existing Schedule A14
9. Zoning By-law 2013-283, Proposed Schedule A14

# Aerial Photo Surrounding Area

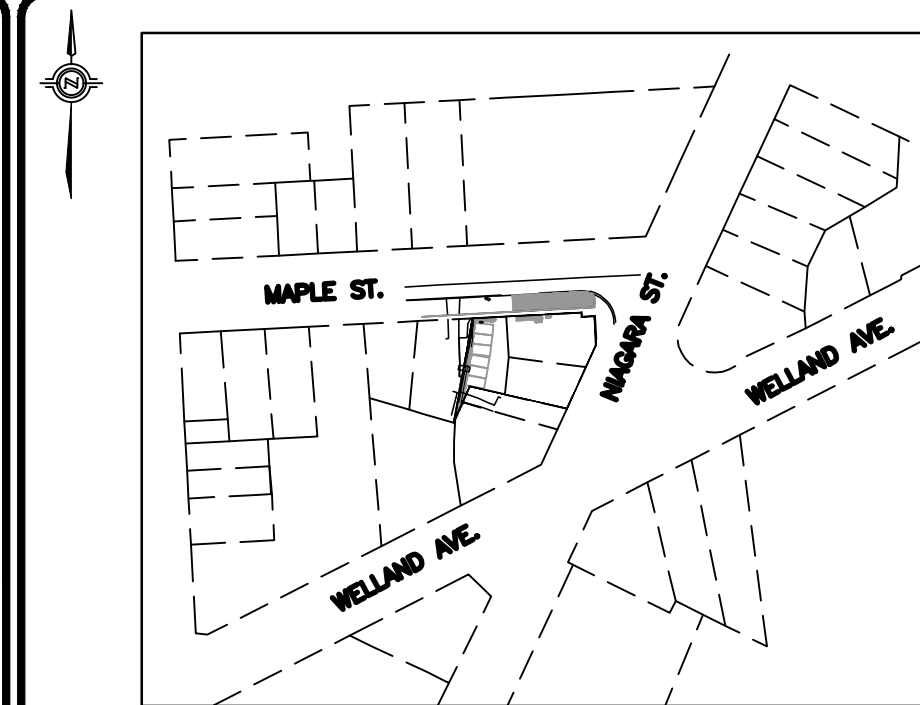
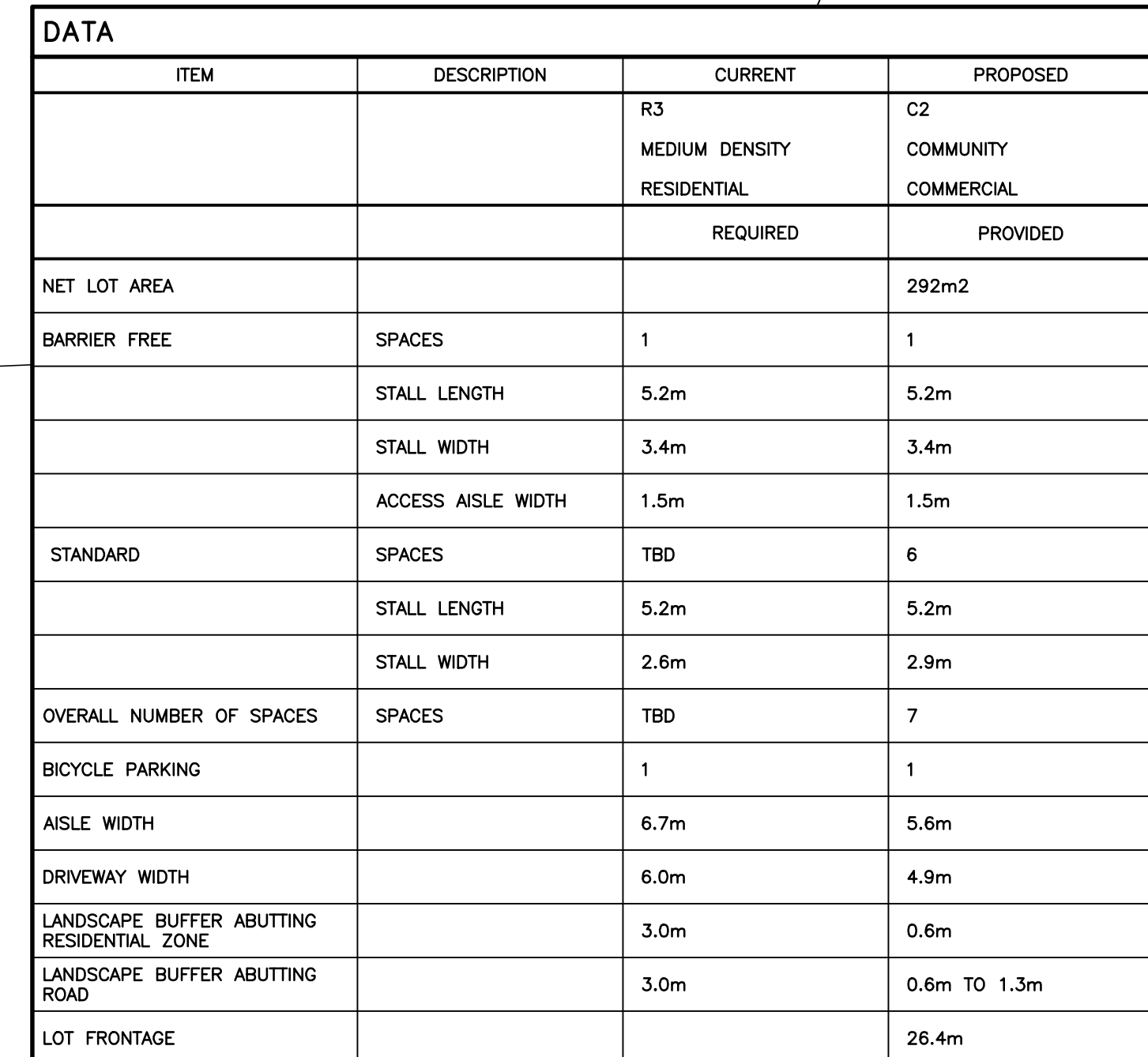


**Subject Lands**

104 Maple Street

File: 60.30.335 & 60.35.1035





PT LT 7-8 BLK H CY PL 19 GRANTHAM AS IN RO357144; T/W RO357144;  
ST. CATHARINES

D	ISSUED FOR SUBMISSION	MAR 14 2018	D.L.	B.M.	
C	ISSUED FOR REVIEW	FEB 21 2018	M.M.	B.M.	
B	ISSUED FOR SUBMISSION	2017 11-08	Y.X.	B.M.	
A	ISSUED FOR REVIEW	2017 10-27	B.M.	B.M.	
No.	REVISIONS	Date	By	App	



• BUILDINGS • EARTH & ENVIRONMENT • ENERGY •  
• INDUSTRIAL • INFRASTRUCTURE • SUSTAINABILITY •

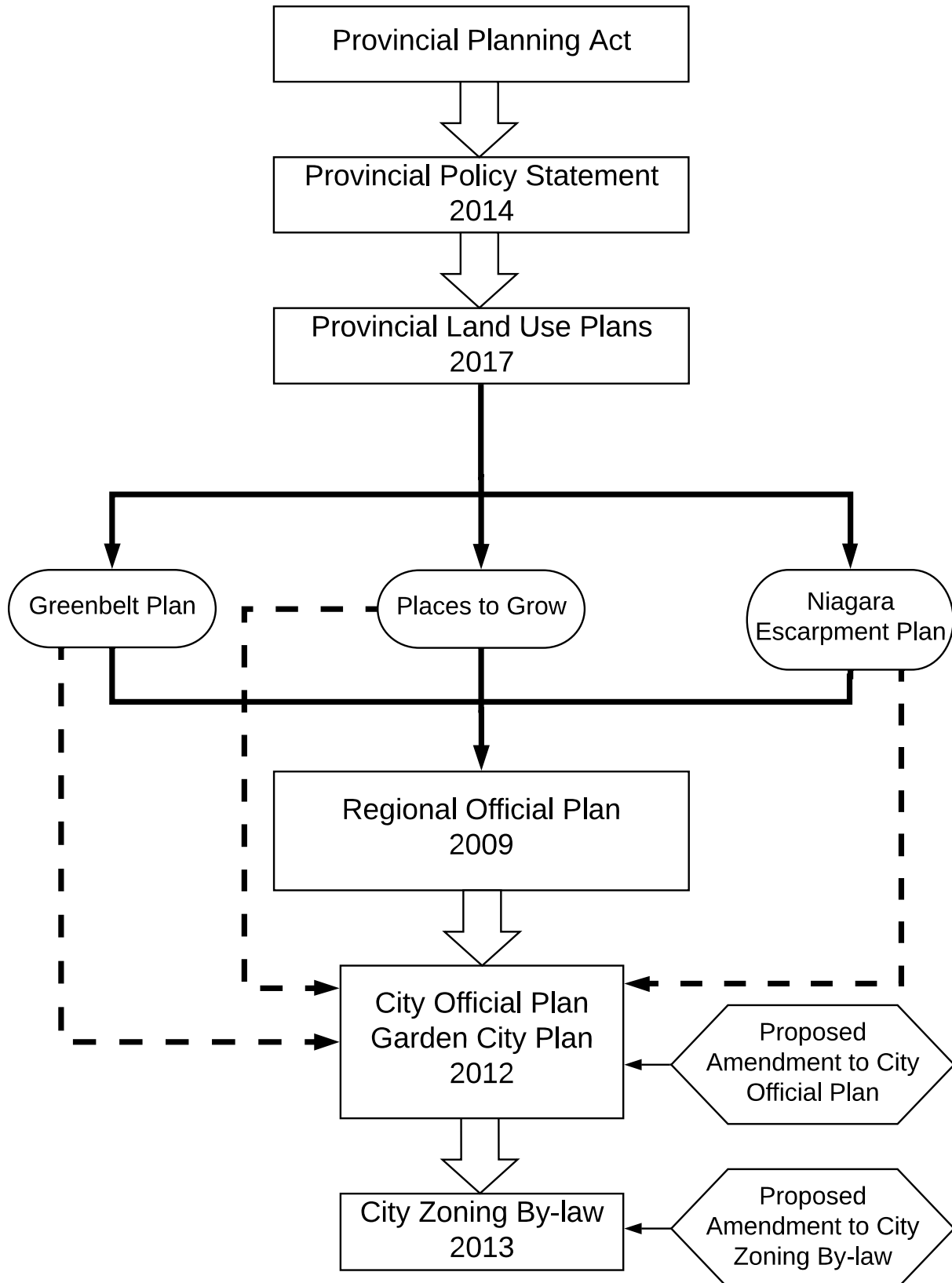
MATHURA P. RAVINDRAN MEDICINE  
PROFFESIONAL CORPORATION  
96 NIAGARA STREET  
CITY OF ST. CATHARINES

104 MAPLE STREET  
ST. CATHARINES

## SITE PLAN

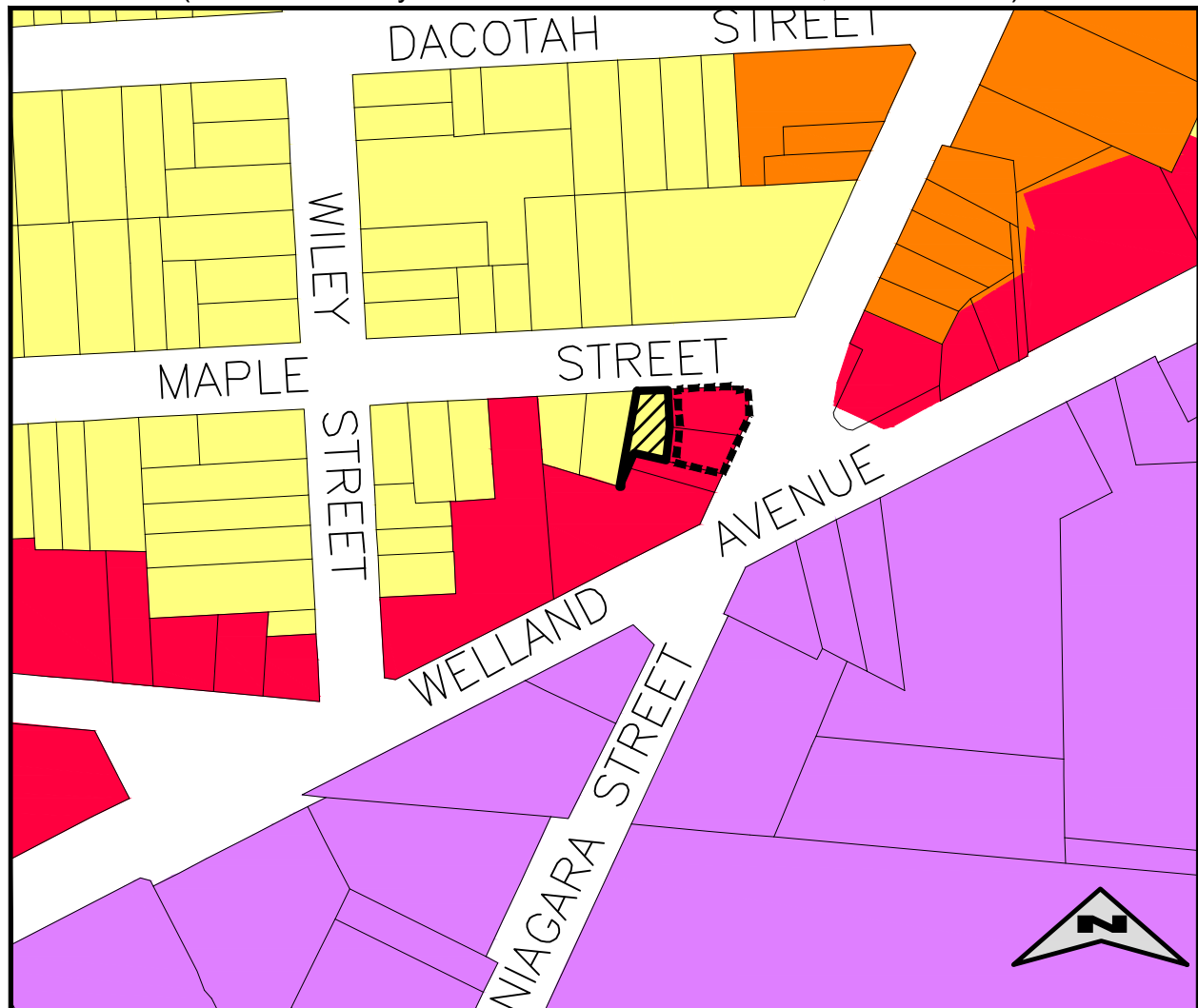
Designed By: B.M	Drawn By: B.M.	Checked By: M.H/B.M
Scale: 1:100	Date: SEPT, 2017	Drawing No.: <b>SP-02</b>
Project No.: BRM00605804a		


# Ontario Land Use Planning Framework



## Existing Land Use Designation





(The Garden City Plan - General Land Use Plan, Schedule D1)



 Subject Lands (104 Maple Street)

 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)

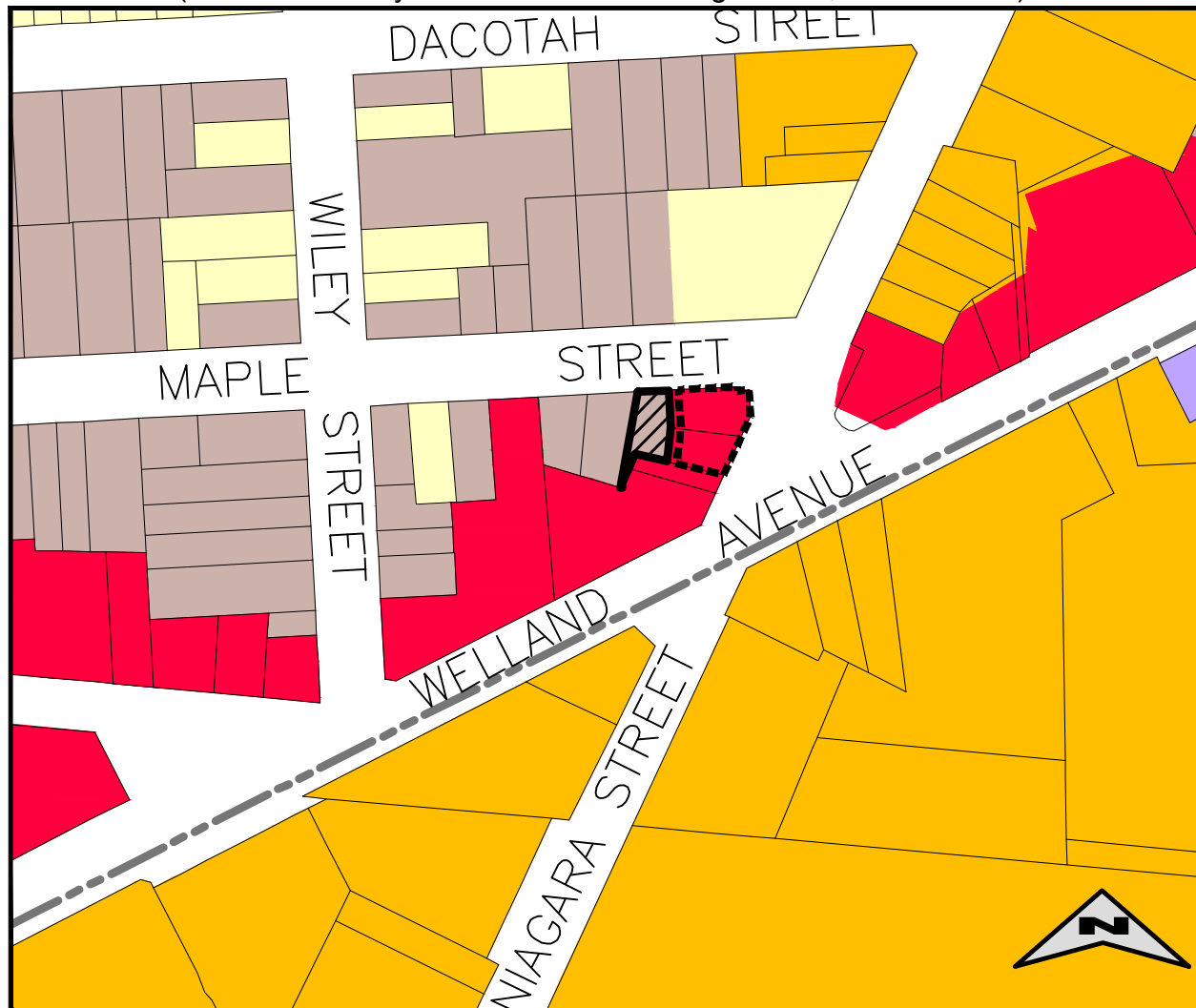
### Land Use Designations


 Neighbourhood Residential	 Mixed Use
 Commercial	 Downtown

Files: 60.30.335 & 60.35.1035

## Existing Land Use Designation

(The Garden City Plan - Central Planning District, Schedule E5)



 Subject Lands (104 Maple Street)

 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)

### Land Use Designations

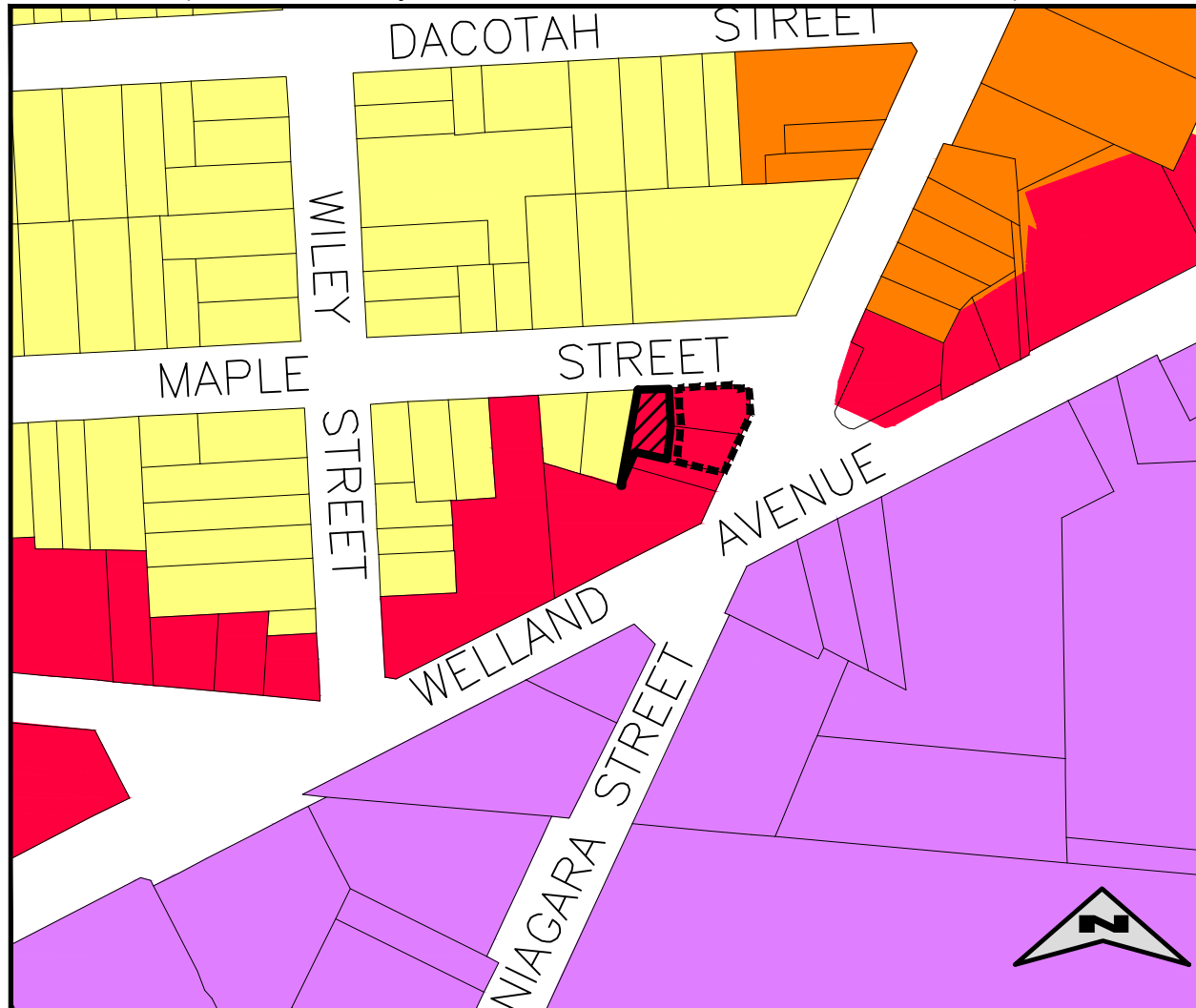
- |  |  |
|--|--|
|  Low Density Residential    |  Mixed Use                  |
|  Medium Density Residential |  Planning District Boundary |
|  Community Commercial       |  |


#### Specific to Downtown Planning District

- |  |
|--|
|  Mixed Medium High Density Residential / Commercial |
|  Mixed High Density Residential / Commercial        |

Files: 60.30.335 & 60.35.1035

# Proposed Official Plan Amendment (The Garden City Plan - General Land Use Plan, Schedule D1)







 Subject Lands (104 Maple Street)

Lands to be re-designated from Neighbourhood Residential  
to Commercial

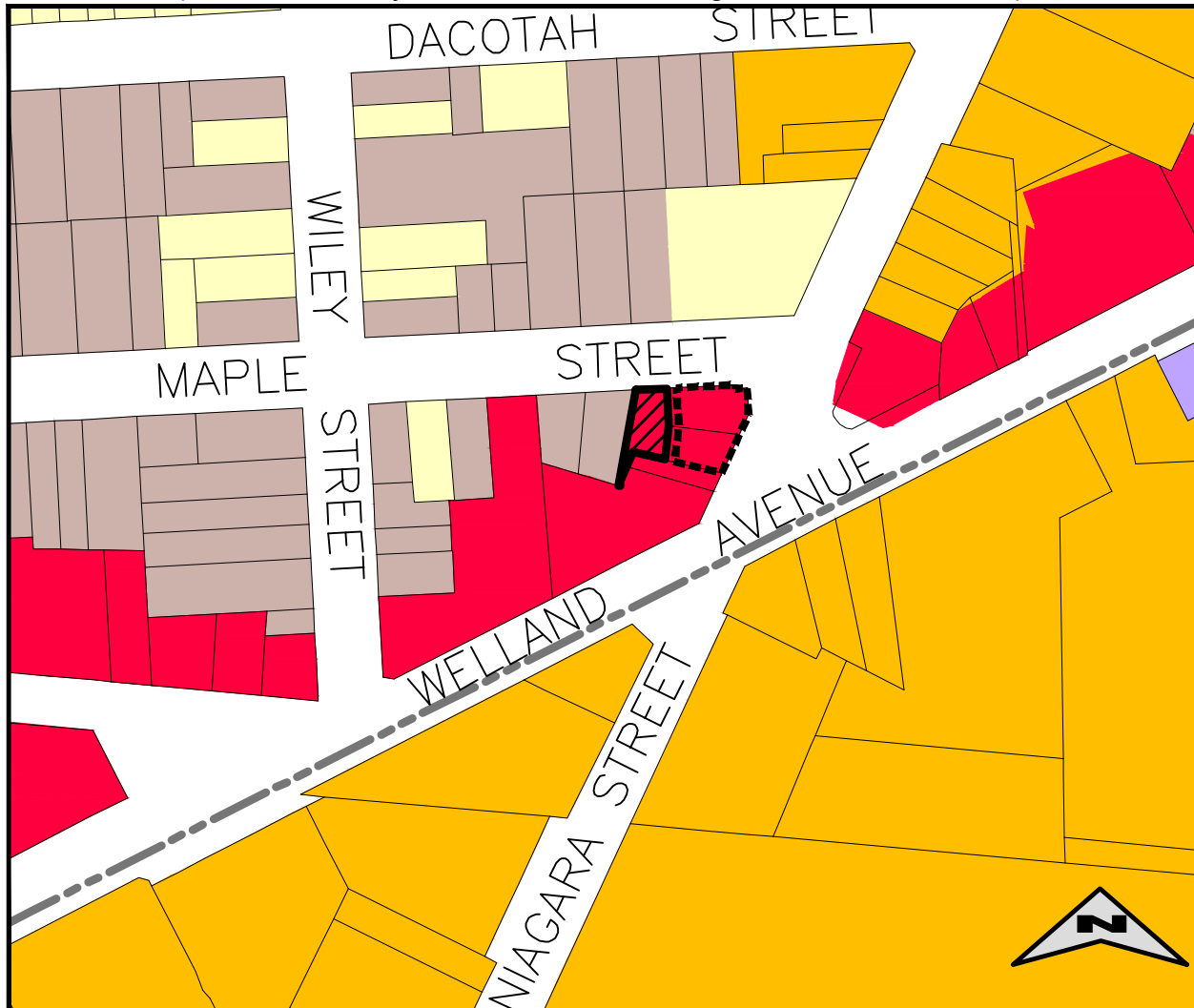
 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)


## Land Use Designations

 Neighbourhood Residential	 Mixed Use
 Commercial	 Downtown

Files: 60.30.335 & 60.35.1035

# Proposed Official Plan Amendment (The Garden City Plan - Central Planning District, Schedule E5)



 Subject Lands (104 Maple Street)

Lands to be re-designated from Medium Density Residential  
to Community Commercial

 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)

## Land Use Designations

 Low Density Residential	 Mixed Use
 Medium Density Residential	 Planning District Boundary
 Community Commercial	

### Specific to Downtown Planning District

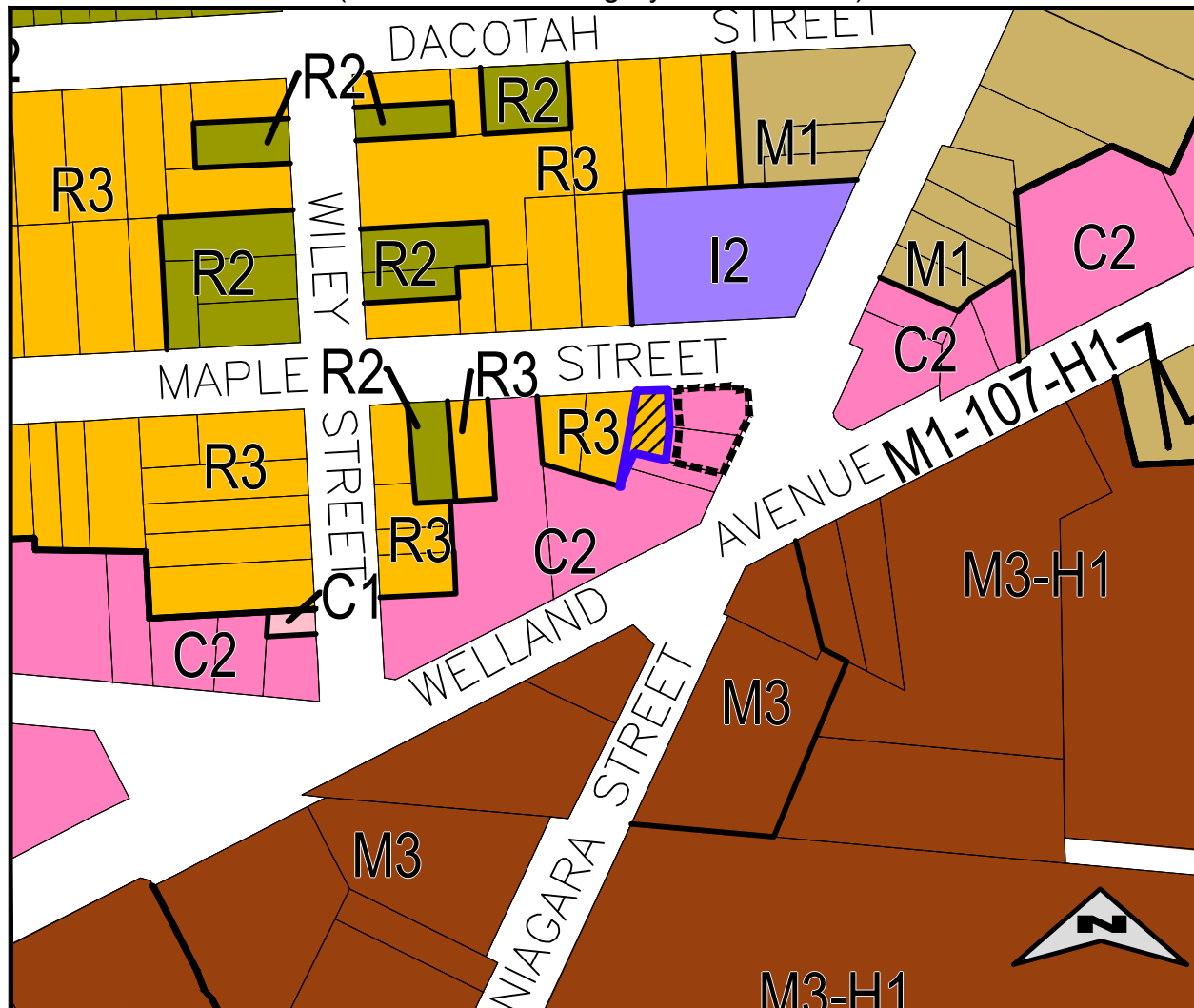
 Mixed Medium High Density Residential / Commercial
 Mixed High Density Residential / Commercial


Files: 60.30.335 & 60.35.1035



## Existing Zoning

(Schedule A - Zoning By-law 2013-283)



 Subject Lands (104 Maple Street)

 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)

### Zones

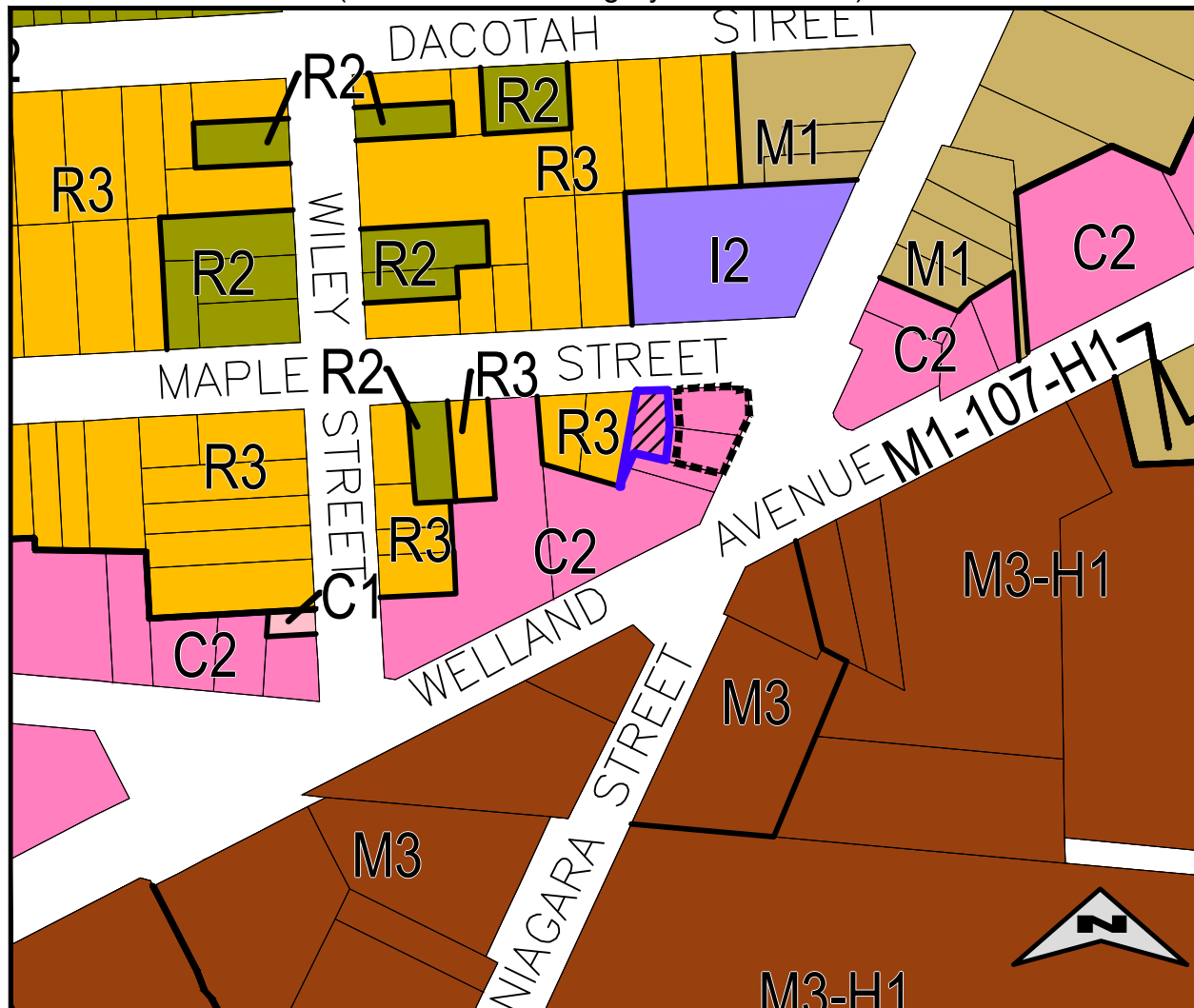
 R2 Low Density Residential  
- Traditional Neighbourhood  
 R3 Medium Density Residential  
 C1 Local Convenience Commercial


 C2 Community Commercial  
 M1 Medium Density Mixed Use  
 M3 High Density Mixed Use  
 I2 Community Institutional

Files: 60.30.335 & 60.35.1035

# Proposed Amendment to Zoning By-Law 2013-283

(Schedule A - Zoning By-law 2013-283)



 Subject Lands (104 Maple Street)

Lands to be re-zoned from Medium Density Residential (R3)  
to Community Commercial (C2)

 Adjacent Lands Owned by Applicant (97 & 103 Niagara Street)

### Zones

 Low Density Residential  
- Traditional Neighbourhood  
 Medium Density Residential  
 Local Convenience Commercial

 Community Commercial  
 Medium Density Mixed Use  
 High Density Mixed Use  
 Community Institutional

Files: 60.30.335 & 60.35.1035



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 31, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-203-2018

**File:** 60.46.444

**Subject:** *Planning Act Public Meeting - Information Report*  
Application for Draft Plan of Standard Condominium; 6, 6A, and 10  
Dalhousie Avenue; Owner: The Beaches at Port Inc.; Agent: Niagara  
Planning Group

## Recommendation

That Council receive this Information Report; and,

That Council consider the Recommendation Report regarding application for Draft Plan of Standard Condominium tentatively scheduled for Council's consideration on September 24, 2018, at least 14 days after the Public Meeting of September 10, 2018, pursuant to Section 51(20) of the Planning Act. FORTHWITH

## Summary

The purpose of this Information Report is to provide Council and the public with information concerning the application for Draft Plan of Standard Condominium at 6, 6A, and 10 Dalhousie Avenue to be considered at a Public Meeting scheduled for September 10, 2018. This report provides an overview of the application, and a summary of applicable planning policies and circulation comments.

The subject application has been made to allow the detached dwelling unit and each of the 13 apartment dwelling units to be sold individually and to establish a common element for visitor parking, landscaping and servicing. Council is reminded that this development is approved and under construction. This application for Draft Plan of Condominium approval relates to tenure (ownership) of the units only.

A Planning Recommendation Report containing planning analysis, addressing outstanding concerns from the Public Meeting, and providing a staff recommendation will be considered by Council tentatively scheduled for September 24, 2018.

## Report Proposal

The Draft Plan of Standard Condominium application proposes to create 1 detached dwelling unit and 13 apartment dwelling units as well as a common element area for visitor parking, landscaping and servicing, as outlined in Appendix 1.

From Dalhousie Avenue the development has access to a driveway for the detached dwelling unit and a separate driveway to the apartment building and associated visitor parking. Also, there is a second access to an underground parking garage within the apartment building via Gary Road, a private road accessing Main Street. There are existing easements and a licensing agreement registered on title granting access to the development over portions of Gary Road that are not owned by the applicant. The applicant has requested Draft Plan of Standard Condominium Approval so that each of the 14 units can be sold individually. The development has an approved Site Plan and the Site Plan Agreement is registered on title of the lands. The project is under construction.

## Location and Site Description

The subject lands are located along the Lake Ontario shoreline and Lakeside Park, north west of the intersection of Dalhousie Avenue and Lock Street, with a portion located north of Lock Street and west of Main Street in the City's West Planning District. A location map is attached as Appendix 2.

The subject property is 0.24 hectares in size, with 3.6 metres of frontage along Main Street, and 74.60 metres of frontage along Dalhousie Avenue.

Surrounding land uses include:

North:	Lake Ontario
South:	Residential, detached dwellings
East:	Lakeside Park
West:	Residential, detached dwellings

## Planning Context

### Provincial Policy Context

The subject lands are located within a settlement area under the 2014 Provincial Policy Statement (PPS) and the Built-Up Area for St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (2017). The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources, infrastructure, and public service facilities which are planned or available to settlement areas.

The following provides an overview of the Provincial Policy Statement and the Provincial Growth Plan as it applies more specifically to this Application:

- promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- provide for a range of uses and opportunities through development, redevelopment, intensification and adaptive reuse to accommodate projected growth and longer term need;
- accommodate an appropriate range and mix of housing opportunities, as well as employment, recreation, institutional, and active and passive recreation;
- support an accessible, connected and complete community;
- foster safe, interactive, active transportation and connected communities;
- ensure viability for long term development and community investment;
- maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- adapt to climate change through compact and nodal development;
- promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- support complete communities.

A planning analysis and evaluation of the development against relevant Provincial policies will be provided in the Recommendation Report.

## Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are within the Urban Area Boundary of the City of St. Catharines, as identified on the Regional Structure Plan of the Niagara Region Official Plan (ROP). The lands are identified as Built-Up Area, which is to be the focus of residential and employment intensification and redevelopment within the Region over the long term. Municipalities are encouraged to provide a full range of housing types to serve a variety of people as they age through the life cycle.

Similar to the Growth Plan, the Regional Official Plan (ROP) directs development to take place in urban areas and supports intensification where appropriate servicing and infrastructure exists. The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above and establishes a residential intensification target of 95 % for the St. Catharines Built-Up Area.

A planning analysis and evaluation of the development against the policies of the Regional Official Plan will be provided in the Recommendation Report.

## Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential, Natural Areas and Parkland and Open Space as per Schedule D1 of the Garden City Plan (GCP) (Appendix 3). The lands are further designated as Low Density Residential, Medium Density Residential, Natural Areas and Parkland and Open Space as per Schedule E1 of the GCP (Appendix 4). Notwithstanding the Low Density Residential designation, the GCP identifies a Site Specific Provision which permits a medium density residential development consisting of one single detached dwelling and a 15 unit apartment building, for a maximum of 16 dwelling units, on lands known municipally as 6 and 10 Dalhousie Avenue (Policy 15.1.1 i). The subject application proposes to recognize 14 units for individual sale.

The detached dwelling and apartment building development, under construction are permitted uses under the Official Plan designation and complies with the applicable land use policies. An Official Plan Amendment is not required.

Key components of the Official Plan speak to the following:

- support a diversity and mix of housing opportunities through conservative infill within established neighbourhoods and transit supportive development and intensification at nodes and along corridors;
- enhance opportunities for more compact and mixed use development;
- promote multi modal and active transportation, complete streets, greening of the built environment and an enhanced urban tree canopy;
- support accommodation for health and safety;
- promote accessibility and barrier free development;
- provide for context sensitive building, site, streetscape, neighbourhood and community urban design standards that promote and facilitate a balance and accessibility between the old and the new, the built and natural environments, and within and between all neighbourhoods;
- support conservation and enhancement of the City's cultural heritage built form and landscapes;
- maintain and support protection of natural heritage features, lands and functions;
- support and enhance a sense of place, character, and the promotion of complete community through a connected, more interactive, integrated and mixed use environment;
- facilitate and promote interactive and engaged public processes;
- embrace a balanced consideration of all interests to support and achieve a connected built and natural environment, and long term opportunities for sustainable growth and evolution.

A planning analysis and evaluation of the development against the policies of the Garden City Plan will be provided in the Recommendation Report.

## **Zoning By-law**

By-law 2013-283 zones the lands as Medium Density Residential (R3-74, and R3-7), Conservation Natural Area (G1), and Major Greenspace (G3) (Appendix 5). The R3 zone permits a range of residential uses, including detached, semi-detached, quadruplex and townhouse units, apartment buildings, and private road developments comprising any of the preceding housing forms. Special Provision 74 permits site specific minimum rear and side yard setbacks, maximum height and minimum lot frontage for a detached dwelling and apartment building. The R3-7 and G3 zone apply to 6A Dalhousie Avenue, which accommodates a driveway within the proposed common element.

The development is a permitted use under the property's existing zoning. A Zoning By-law Amendment is not required.

## **Site Plan Control**

The City's Site Plan Control By-law requires that residential developments of four units or more be subject to site plan control. Site plan approval regulates the placement of buildings, architectural elevations of the buildings, parking, grading, drainage and storm water management, landscaping, fencing and similar details of site design.

A site plan agreement was registered against the title of the lands on November 28, 2017. The Draft Plan of Condominium is required to be in compliance with the approved Site Plan. The proposed Condominium Corporation will assume the responsibilities of the site plan agreement, should this application be approved. The Site Plan Agreement addresses the development as a whole including the structures proposed, access to the property, and the developer's responsibility to repair any damage to City property resulting from construction activity, including the staircase between Dalhousie Avenue and Lakeside Park.

The development relies on access via portions of Dalhousie Avenue and Gary Road that are not owned by the applicant and as such, not proposed to be included in the Draft Plan of Condominium. At the Site Plan Approval stage, easements (NR151285 and NR427501) and a licensing agreement (NR422536, By-law 2016-190) were established to permit continued use of these lands for access to the development.

Since there is no change of use proposed in this application and the application seeks approval for ownership tenure only, no further concerns were raised by the circulated departments with respect to the existing registered site plan. All development on site shall be in compliance with the Registered Site Plan Agreement. All agreements shall be complied with prior to final condominium registration.

## **Draft Plan of Condominium**

Section 51(24) of the Planning Act directs the matters to be considered in recommending approval for a Draft Plan of Condominium:

- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest.

- The proposal complies with the Official Plan, and the lands are suitable for development as proposed.
- The suitability of the land for residential purposes.
- Adequacy of any public streets and how they are designed and how they link with adjacent streets.
- The adequacy of the proposed size and shape of lots and blocks.
- Any restrictions on the subject lands or adjoining lands.
- Flood control measures, if any.
- Adequacy of existing utilities and municipal services.
- Adequacy of school sites in the vicinity.
- Any land considered for dedication for public purposes.
- Any considerations regarding the subdivision of the land and matters relating to site plan approval.

Approval of the application for Draft Plan of Standard Condominium for 13 apartment dwelling units, 1 detached dwelling unit, plus common element areas, which include driveways, visitor parking, servicing, and landscaped areas, would make the condominium corporation responsible for the terms and conditions of the registered site plan agreement. Staff will be commenting further in the Recommendation Report for Council's consideration tentatively scheduled for September 24, 2018.

## **Circulation of Application**

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. No objections to this application were received. All other departmental interests and concerns have been addressed through the Site Plan Approval Process.

## **Public Open House**

A public open house was hosted by Planning and Building Services on July 24, 2018. The agent for the application was in attendance. Four members of the public attended, and no objections or concerns have been raised relating to the proposed condominium tenure. Those in attendance did inquire about the current construction occurring on site and whether it was being completed in accordance with the approved Site Plan.

## **Public Notice**

In accordance with established procedures, notices for the public meeting have been circulated.

## **Financial Implications**

All costs associated with this development will be borne by the developer. No direct financial impacts to the City are triggered should Council approve the subject application.



## Relationship to Strategic Plan

The proposed development has the potential to tie into several aspects of the City's Strategic Plan. These related goals and actions are listed below. The degree to which the below goals of the Strategic Plan will be achieved will be evaluated as part of the future recommendation report.

### Economic Sustainability

- Goal: Attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business

### Social Sustainability

- Goal: Connect people, places and neighbourhoods

## Conclusion

In summary, this report provides the planning context and explains the application for Draft Plan of Standard Condominium for 6, 6A and 10 Dalhousie Avenue. The plan of condominium will allow the detached dwelling unit and each of the 13 apartment dwelling units to be sold individually. A Recommendation Report will be considered by Council tentatively scheduled for September 24, 2018. This report will provide further analysis of the merits of the application.

## Notification

It is in order to advise Dianne Ramos, Niagara Planning Group, 4999 Victoria Avenue, Niagara Falls, ON, L2E 4C9, the owner's agent.

### Prepared by:

Taya Devlin  
Planner I

### Submitted by:

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### Approved by:

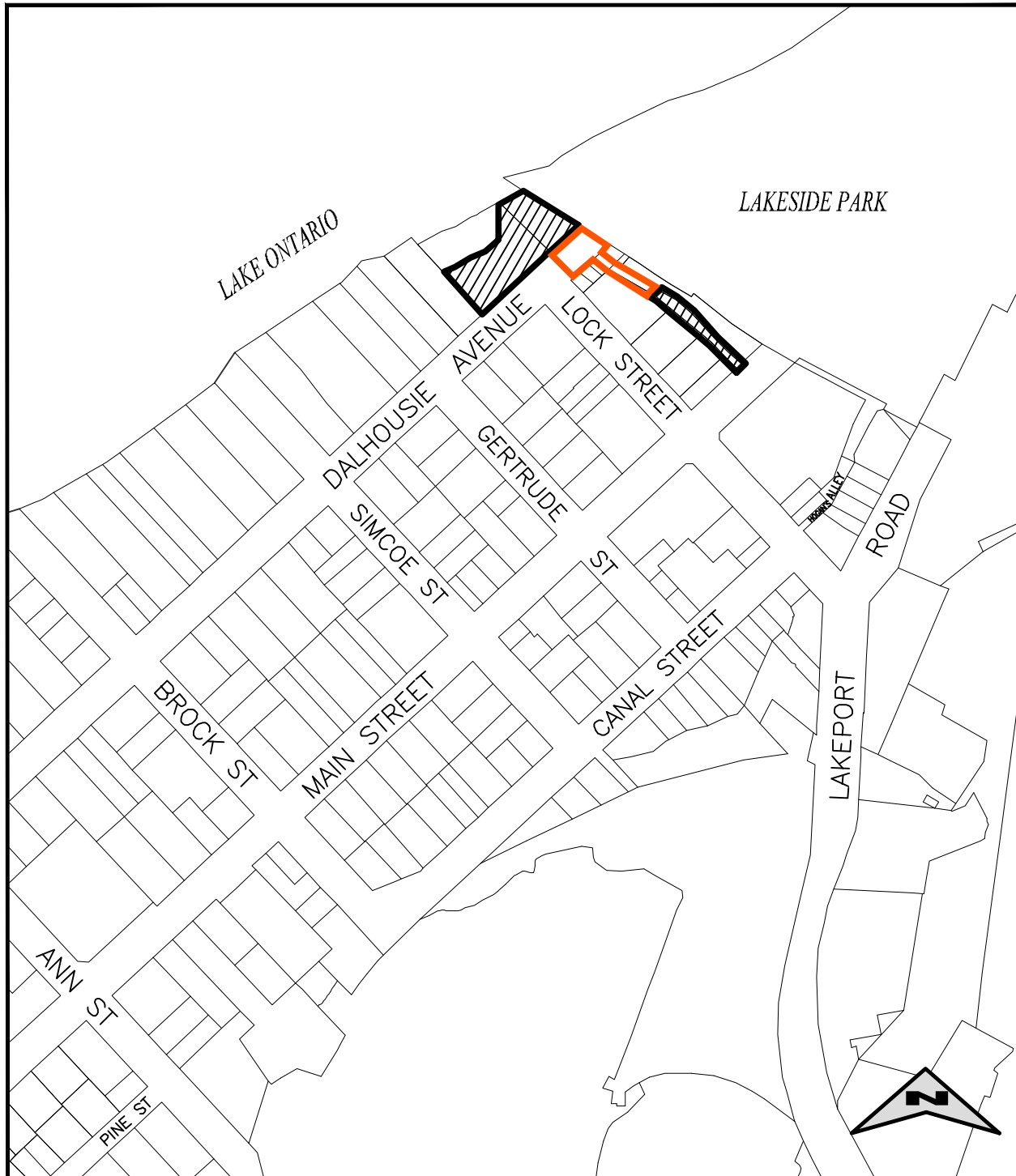
James N. Riddell, M.P.L., MCIP, RPP  
Director of Planning and Building Services

## **List of Appendices**

1. Draft Plan of Condominium
2. Location Map
3. Official Plan –Schedule D1, General Land Use Plan Map
4. Official Plan –Schedule E1, North Planning District
5. Zoning By-law 2013-283, Schedule A9



## Location Map



Subject Lands

6, 6A & 10 Dalhousie Avenue

File: 60.46.444



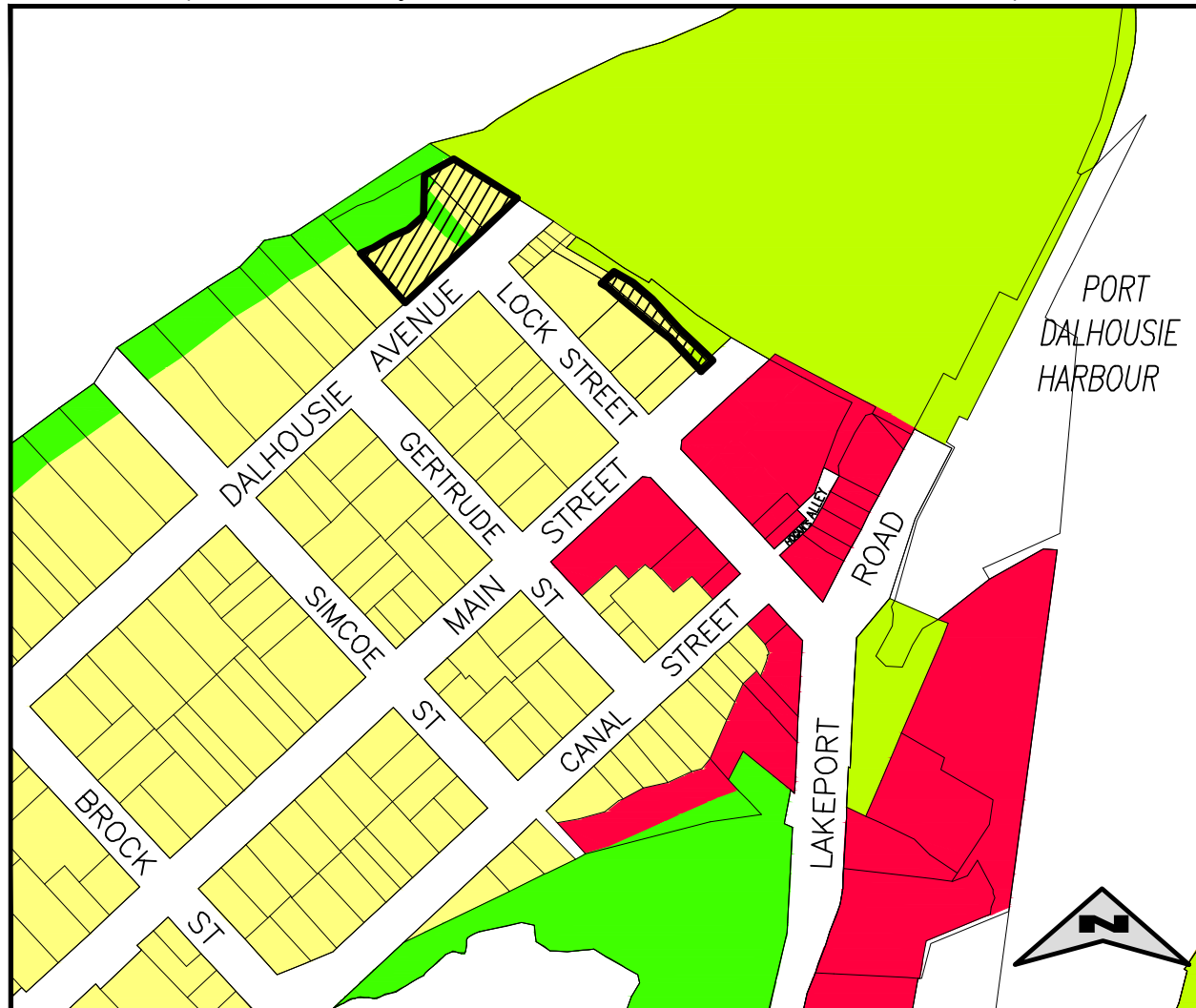
Additional lands owned by others;

Provide access by way of easements and

licensing agreement

## Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands  
6, 6A & 10 Dalhousie Avenue

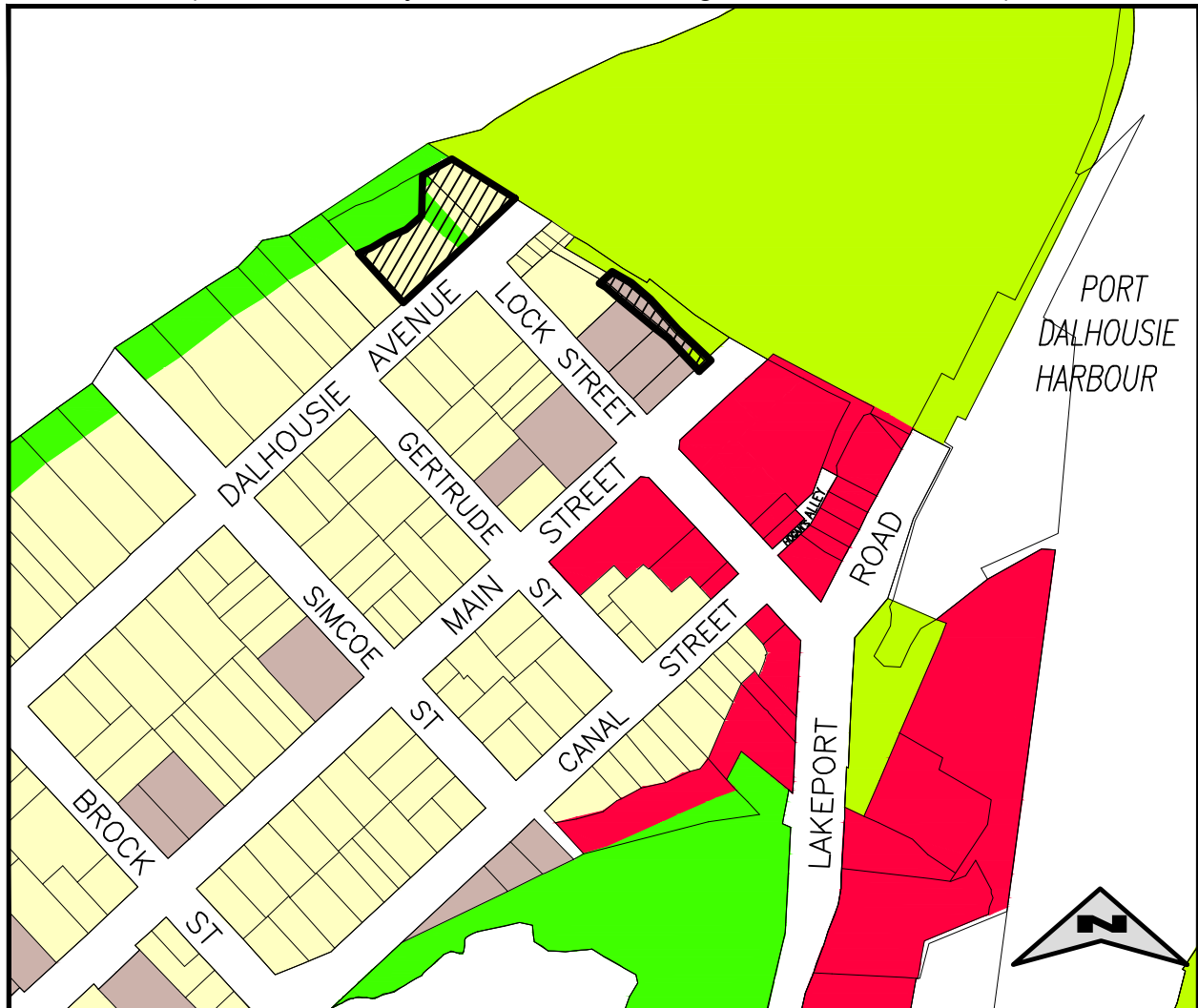
### Land Use Designations

 Neighbourhood Residential	 Natural Areas
 Commercial	 Parkland & Open Space

File: 60.46.444

# Existing Land Use Designation

(The Garden City Plan - North Planning District, Schedule E1)



Subject Lands

6, 6A & 10 Dalhousie Avenue

## Land Use Designations

Low Density Residential

Medium Density Residential

Community Commercial

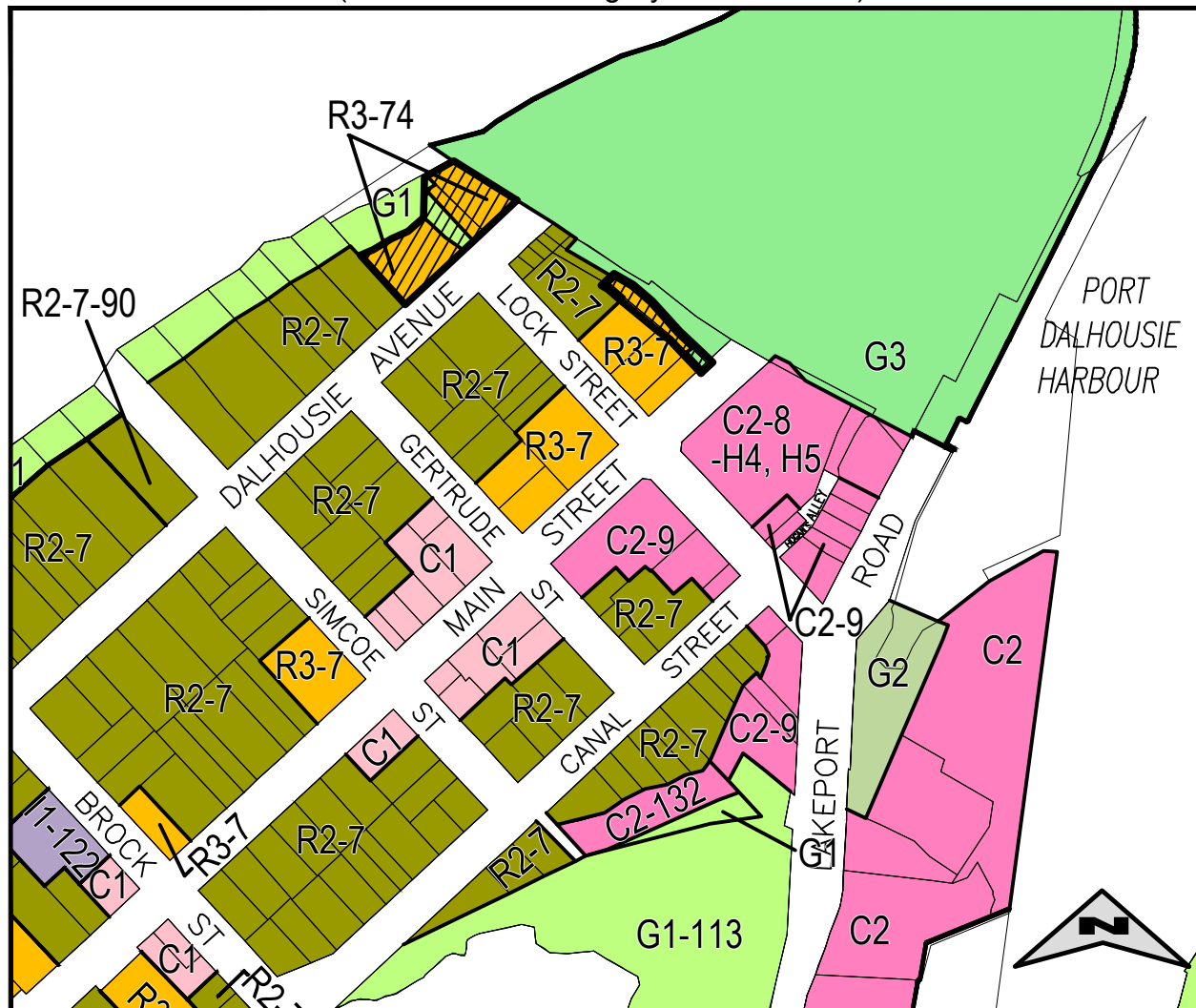
Parkland & Open Space

Natural Areas

File: 60.46.444

## Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

6, 6A & 10 Dalhousie Avenue

### Zones

**R2** Low Density Residential  
- Traditional Neighbourhood

**R3** Medium Density Residential

**C1** Local Convenience Commercial

**C2** Community Commercial

**G1** Conservation / Natural Area

**G2** Minor Green Space

**G3** Major Green Space

**I1** Local Neighbourhood Institutional

File: 60.46.444



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 23, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-201-2018

**File:** 60.46.443

**Subject:** *Planning Act Continuation of Public Meeting – Recommendation Report*  
Application for Draft Plan of Standard Condominium; 43 Church Street;  
Owner: 43church.ca Inc.; Agent: Brent Larocque

### Recommendation

That Council approve the Draft Plan of Standard Condominium for the lands described as Part of Lots 680 to 687 (inclusive), Corporation Plan 2; municipally known as 43 Church Street, comprised of 55 office/commercial units, 12 storage units, and 35 parking spaces and related common areas, as illustrated in Appendix 1 of this report, subject to the Conditions of Draft Plan of Standard Condominium Approval, as outlined in Appendix 2 of this report; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That the Notice of Decision include a statement that public input has been received, considered, and has informed the decision of Council; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Provincial Local Planning Appeals Tribunal (LPAT) (formerly the Ontario Municipal Board) for consideration and final approval; and

That after notice of Council's decision has been given, the Clerk be authorized to endorse the plan as "Draft Approved" on the day after the appeal period has expired, in accordance with the Planning Act, provided that no appeals have been lodged; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

### Summary

This application seeks approval of a Draft Plan of Standard Condominium for conversion of an existing commercial office building into a commercial condominium building comprised of 55 office / commercial units, 12 storage units, and 35 parking spaces and related common areas, as illustrated in Appendix 1 of this report. Condominium approval will allow each of the office units, storage units, and parking spaces to be sold individually.



Staff is recommending approval of this Draft Plan of Standard Condominium, subject to the Conditions of Draft Plan Approval outlined in Appendix 2 of this report. The proposal conforms to the relevant Provincial land use policies, and Regional and local Official Plan policies.

## Background

On August 13, 2018, Council received an [Information Report](#) (linked here and available upon request) on this Application for Draft Plan of Standard Condominium Approval, which provided an overview of the proposal, location and site description, and planning context and policies (see Appendix 1 – Location).

This Recommendation Report provides Council with a planning analysis and staff recommendation on the application.

## Report Proposal

The applicant proposes standard condominium tenure – a form of property ownership – for 55 office / commercial units, 12 storage units, and 35 parking spaces within a 7-storey commercial building accessed from both Wellington Street and Duke Street. Common element areas are also provided. Draft plan of condominium approval will allow each of the 55 office units, 12 storage units and 35 underground parking spaces to be sold individually.

## Draft Plan of Condominium

Section 51(24) of the Planning Act guides staff in assessing draft plans of condominium, as described in the [Information Report](#), which was considered at a Public Meeting under the Planning Act on August 13, 2018. To that end, the following analysis is provided.

- Approval of this seven-storey, standard condominium commercial building would enable the individual units within to be individually owned, as an alternative to leasing. It is important to note that this application for draft plan of standard condominium approval requests ownership tenure only. There is no new development proposed nor any change of use.
- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest. The parcel is zoned to allow for a multi-unit commercial building use, and contributes to the City's economic growth which is supported and encouraged by the Growth Plan and Provincial Policy Statement.
- The proposal complies with the Official Plan, which designates the site as Commercial Core, permitting retail and service commercial uses, institutional, educational, civic, government, and office uses, among others. The lands are suitable for the existing office/commercial uses.

- The adequacy of existing roads in the vicinity of the development is sufficient. The building has existed on this site for a number of years, and both the roads and servicing for the area are adequate to continue to support the building. The existing utilities and services are also adequate to support the development. There are no expected increases to traffic through the conversion to a condominium building.
- The proposed development is compatible with the surrounding land uses. The surrounding uses are commercial, government, institutional, restaurants and offices. The building in which the units exist has been a long-standing structure on this site. The surrounding area will be unaffected in terms of visual impact or the impact of the building massing. The height and mass of the building are compatible with neighbouring uses for the Downtown Commercial Core (C5) zone. The size of the units is also appropriate for the office/commercial and storage units, and the parking spaces, as they are continuing to function as they previously existed.
- The site plan approval registered on title is not impacted by the proposed condominium. The detailed design and function of the site have been in existence for a number of years and there are no changes necessary to the site plan with the conversion of the building to condominium tenure. Staff is satisfied that the proposed conversion of the existing commercial building to a standard office/commercial condominium building fulfills the criteria outlined in the Planning Act, subject to the Conditions of Draft Plan Approval outlined in Appendix 2 of this report.

Given that the Public Meeting for this application was held more than 14 days prior to the date when Council gives consideration to the recommendations herein, in accordance with Section 51(20)(b) of the Planning Act, Council may make its decision on the application forthwith.

## Site Plan Control

As outlined in the [Information Report](#), the City's Site Plan Control By-law requires that all lands used, zoned or to be zoned for commercial purposes shall be subject to site plan control. Site plan control is the City's principal tool through which staff can implement design considerations to maximize compatibility with the surrounding neighbourhood and ensure the long-term maintenance and functionality of the site. To this end, a site plan agreement addresses matters including the location of buildings on the site, the grading, drainage and stormwater management, exterior lighting, landscaping, parking, access and the exterior architectural design of the units.

The registered site plan (Appendix 1) shows the principal entrance from Church Street. There are 55 office/commercial units within the existing building on site, as well as 12 storage units and 35 underground parking spaces. The site is complimented with landscaping along the Church Street façade and along the side of Wellington Street. The parking area is accessible from Wellington Street, as well as another access that leads to underground parking from Duke Street, via an easement over abutting lands

(Part 2 on Reference Plan 30R-14341). The plan includes 4 surface parking spaces accessible from Wellington Street as well.

A site plan agreement was registered against the title of the lands on June 12, 2001. The Draft Plan of Standard Condominium is required to be in compliance with the approved Site Plan. The proposed Condominium Corporation will assume the responsibilities of the site plan agreement, should this application be approved.

Since there is no change of use proposed in this application and the application seeks approval for ownership tenure only, no further concerns were raised by the circulated departments with respect to the existing registered site plan.

## **Circulation of Application**

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. The previous [Information Report](#) summarized comments received relating to the most recent submissions at the time of the Public Meeting.

## **Public Meeting**

In accordance with the Planning Act, a Public Meeting was held by Council on August 13, 2018. Staff from Planning and Building Services presented an [Information Report](#). The agent for the application was in attendance. No members of the public spoke to the application.

## **Second Planning Opinion Advisory**

Should Council consider not supporting the staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

## **Financial Implications**

Not applicable.

## **Relationship to Strategic Plan**

### **Economic Sustainability**

Draft approval of this standard condominium will support the goals of economic sustainability by:

- Develop partnerships to enhance the economic vitality of the community (Goal 3).

## **Potential Appeals**

Council should be aware that, effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For draft plan of standard condominium applications, the appeal process has not been significantly revised and largely reflects

the process in effect prior to April 3, 2018. Any appeals to draft plans of standard condominium are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the Ontario Municipal Board (OMB).

## **Conclusion**

In summary, staff recommends that approval be granted to this Draft Plan of Standard Condominium, as illustrated in Appendix 1, subject to the Conditions of Draft Plan Approval outlined in this report and included as Appendix 2. A plan of condominium will allow each of the office units, storage units and parking spaces to be sold individually. The proposal is consistent with Provincial, Regional and local Official Plan policies.

## **Notification**

It is in order to advise Brent Larocque – The Larocque Group, 12 Lyman Street, St. Catharines, ON L2R 5M7, the owner's agent.

### **Prepared by:**

Kirstin Jensen  
Planner I

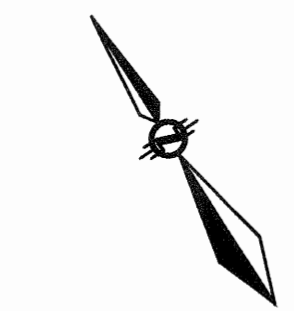
### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services

TOPOGRAPHIC DETAILS



DUKE STREET

CHURCH STREET

CORPORATION PLAN No. 2

LOT 689

LOT 688

LOT 687

LOT 686

LOT 681 ONE STOREY

LOT 682

LOT 684

WELLINGTON STREET

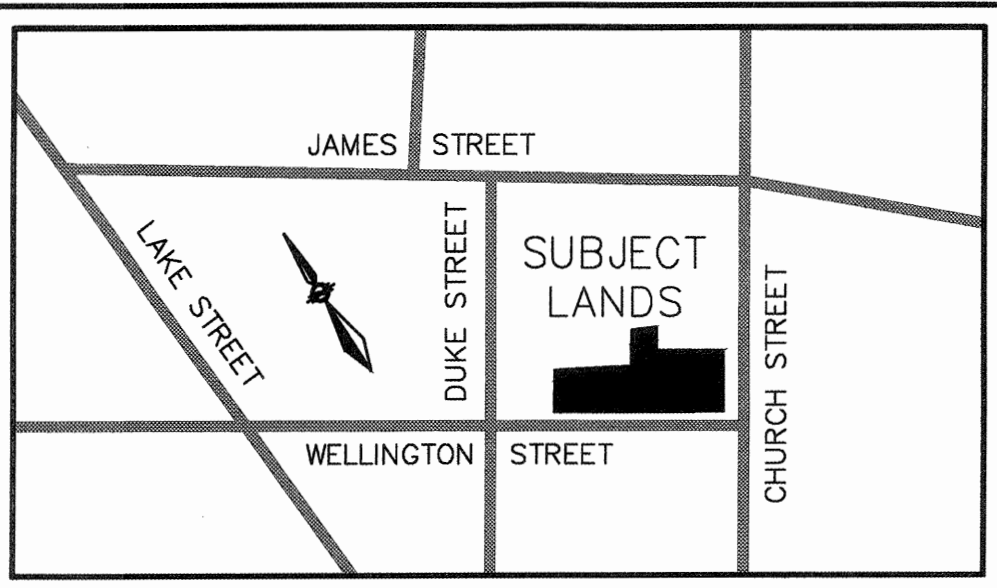
PIN 46221-0144LT

PIN 46221-0139(LT)

PIN 46221-0XXX (LT)

PIN 46221-0290(LT)

PIN 46217-0003(LT)



KEY PLAN  
SCALE 1:4000

DRAFT PLAN OF CONDOMINIUM  
PART OF LOTS 680 TO 687 (INCLUSIVE)  
CORPORATION PLAN No. 2  
CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:250 METRIC  
5m 0 5m 10m

SECTION 51 (17) , PLANNING ACT  
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- L) AS SHOWN ON DRAFT PLAN

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- SIB DENOTES STANDARD IRON BAR
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- UCP DENOTES UTILITY CONTROL PANEL
- 108.00 DENOTES EXISTING ELEVATION
- DENOTES DECIDUOUS TREE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE DEVELOPED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

BRENT LAROCQUE  
ONTARIO LAND SURVEYOR

APRIL 25, 2018  
DATE

OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT 43CHURCH.CA INC. IS THE OWNER OF THE LAND OUTLINED IN HEAVY LINE ON THE PLAN AND HEREBY AUTHORIZES THE SUBMISSION OF THIS PLAN FOR APPROVAL.

OWNER : 43CHURCH.CA INC.

RAINER HUMMEL  
DIRECTOR

APRIL 25, 2018  
DATE

**THE LAROCQUE GROUP**  
O.L.S./PROJECT CONSULTANTS/LAND MANAGEMENT  
12 LYMAN STREET, ST. CATHARINES, ONTARIO  
905-688-1413  
6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO  
905-358-8400  
www.larocquegroup.ca

BEARING NOTE

BEARINGS HEREON ARE GRID BEARINGS AND ARE DERIVED FROM OBSERVED REFERENCE POINTS (A) AND (B) BY REAL-TIME NETWORK OBSERVATIONS (LEICA SMARTNET) AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00'W LONGITUDE, ZONE 17, UNIVERSAL TRANSVERSE MERCATOR (6° UTM). THESE VALUES ARE NAD83 (CSRS v6) EPOCH 2010.0 REFERENCE SYSTEM.

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE USED TO COMPUTE GRID CO-ORDINATES BY MULTIPLYING THE DISTANCES BY A COMBINED SCALE FACTOR OF 0.99983799.

ELEVATION NOTE

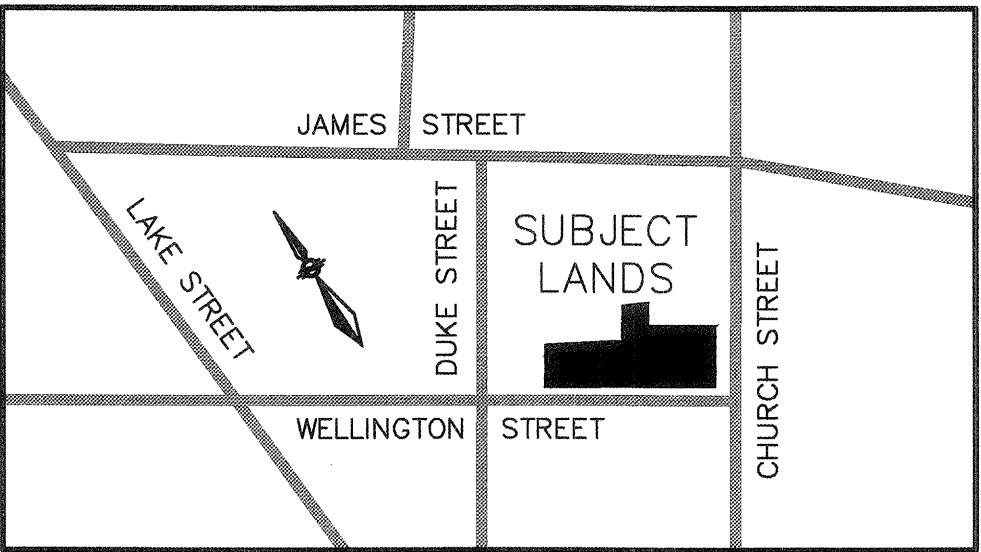
ELEVATIONS HEREON ARE ORTHOMETRIC AND ARE RELATED TO THE NAD83 (CSRS v6) EPOCH 2010.0 REFERENCE SYSTEM AS PREVIOUSLY ESTABLISHED BY THE LAROCQUE GROUP.

GENERAL NOTE

ALL FOUND MONUMENTS ARE (1257) UNLESS SHOWN OTHERWISE.

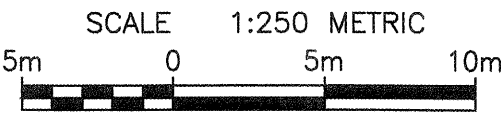
DATE : APRIL 24, 2018 FILE No. : 2017-082  
DWG FILE : 2017-082-08(1)





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SCALE 1:4000

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PART OF LOTS 680 TO 687 (INCLUSIVE)  
CORPORATION PLAN No. 2  
CITY OF ST. CATHARINES  
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BRENT LAROCQUE  
ONTARIO LAND SURVEYOR

APRIL 25, 2018  
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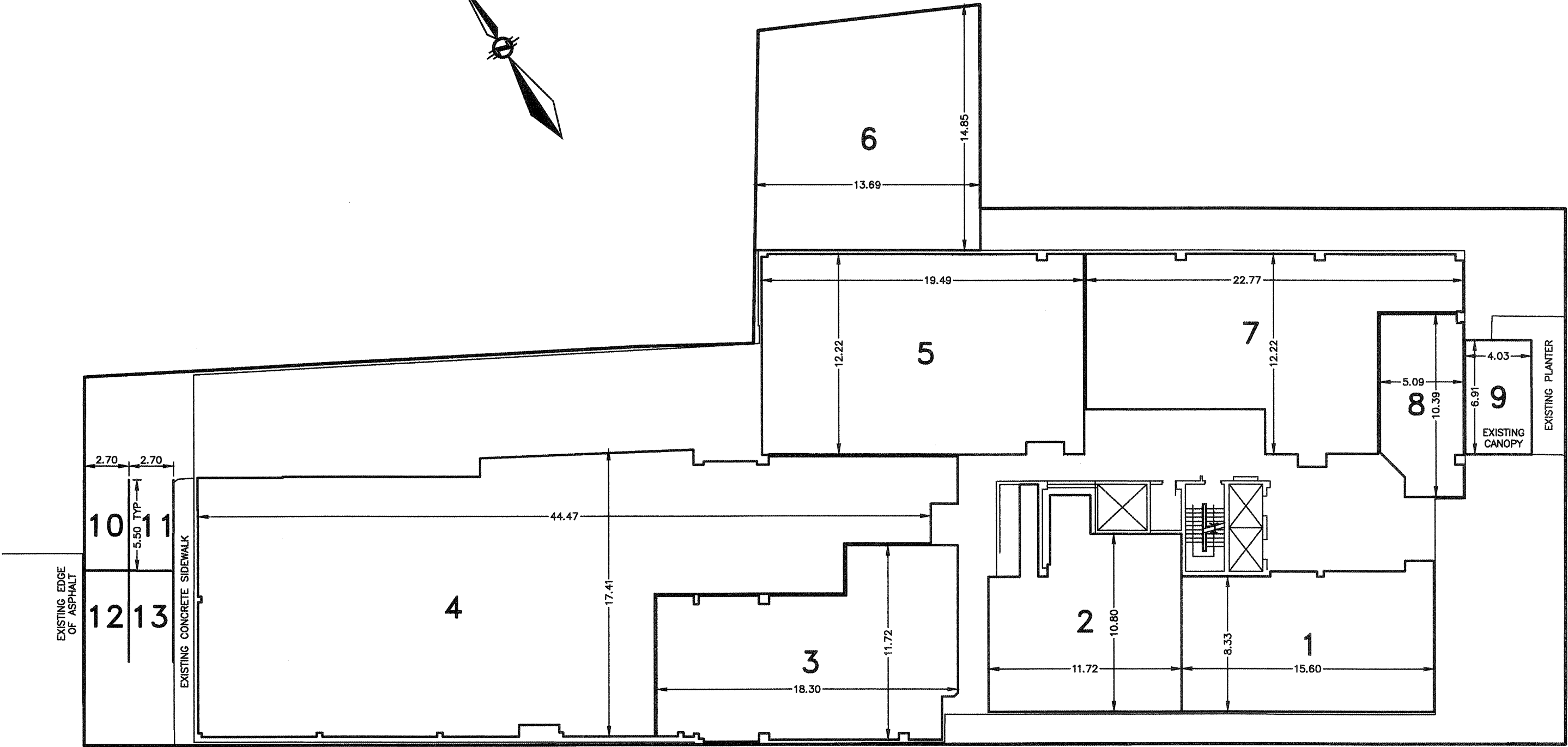
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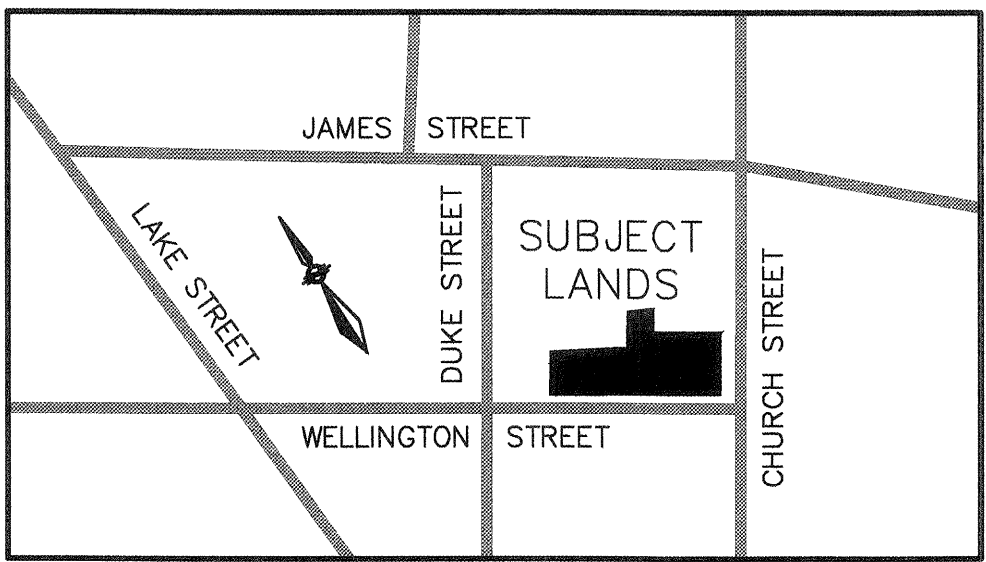
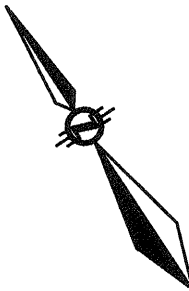
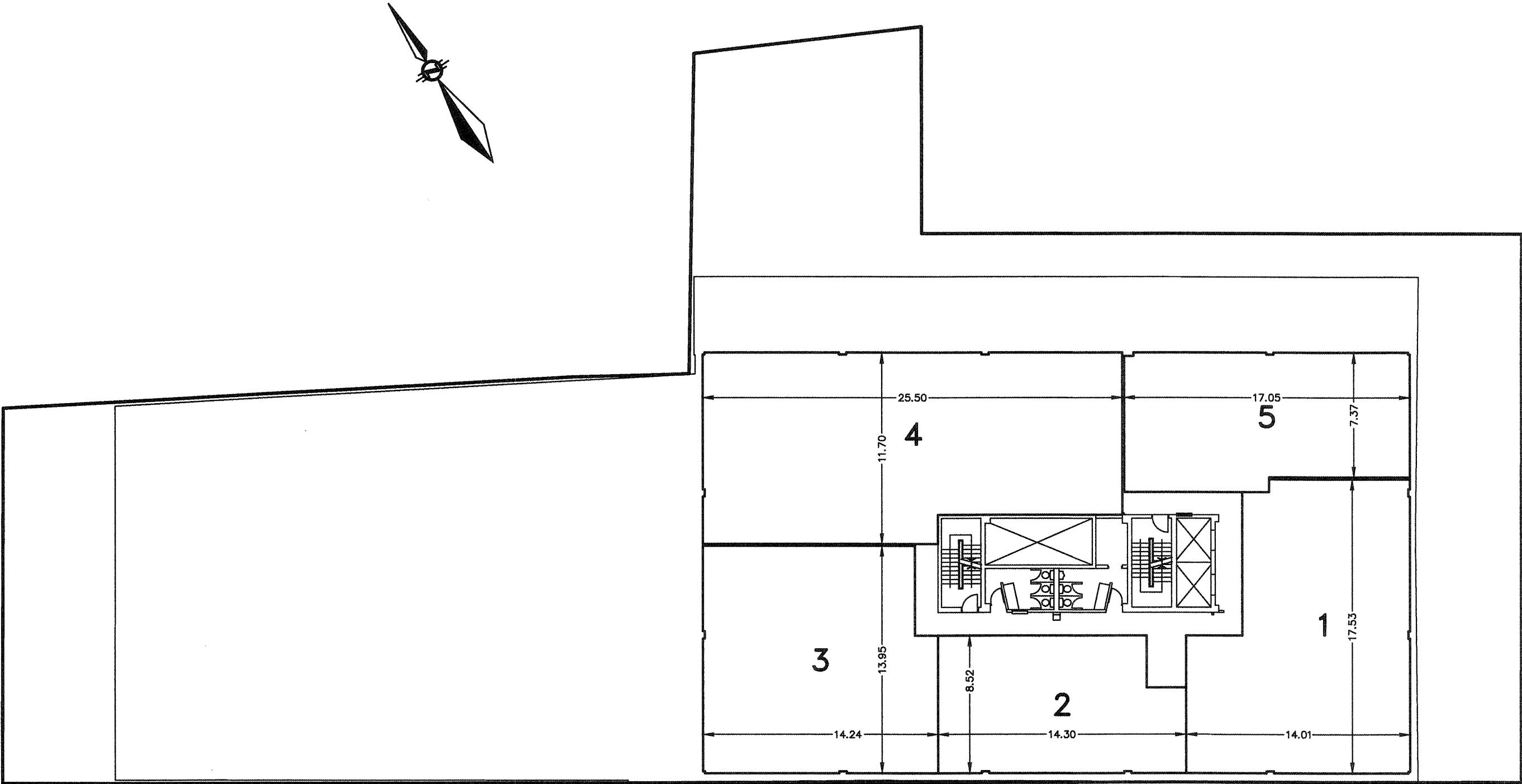
OWNER : 43CHURCH.CA INC.  
  
RAINER HUMMEL  
DIRECTOR

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GENERAL NOTES

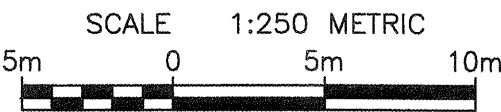
1. INTERIOR UNITS 1, 2, 3, 4, 5, 7 & 8
2. EXTERIOR UNITS 6 & 9
3. EXTERIOR PARKING UNITS 10-13 (INCLUSIVE)





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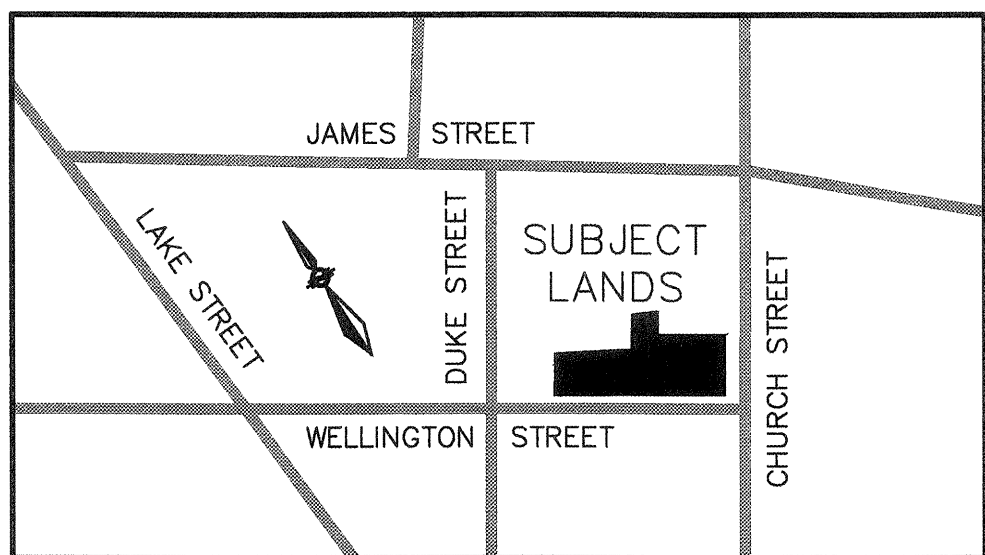
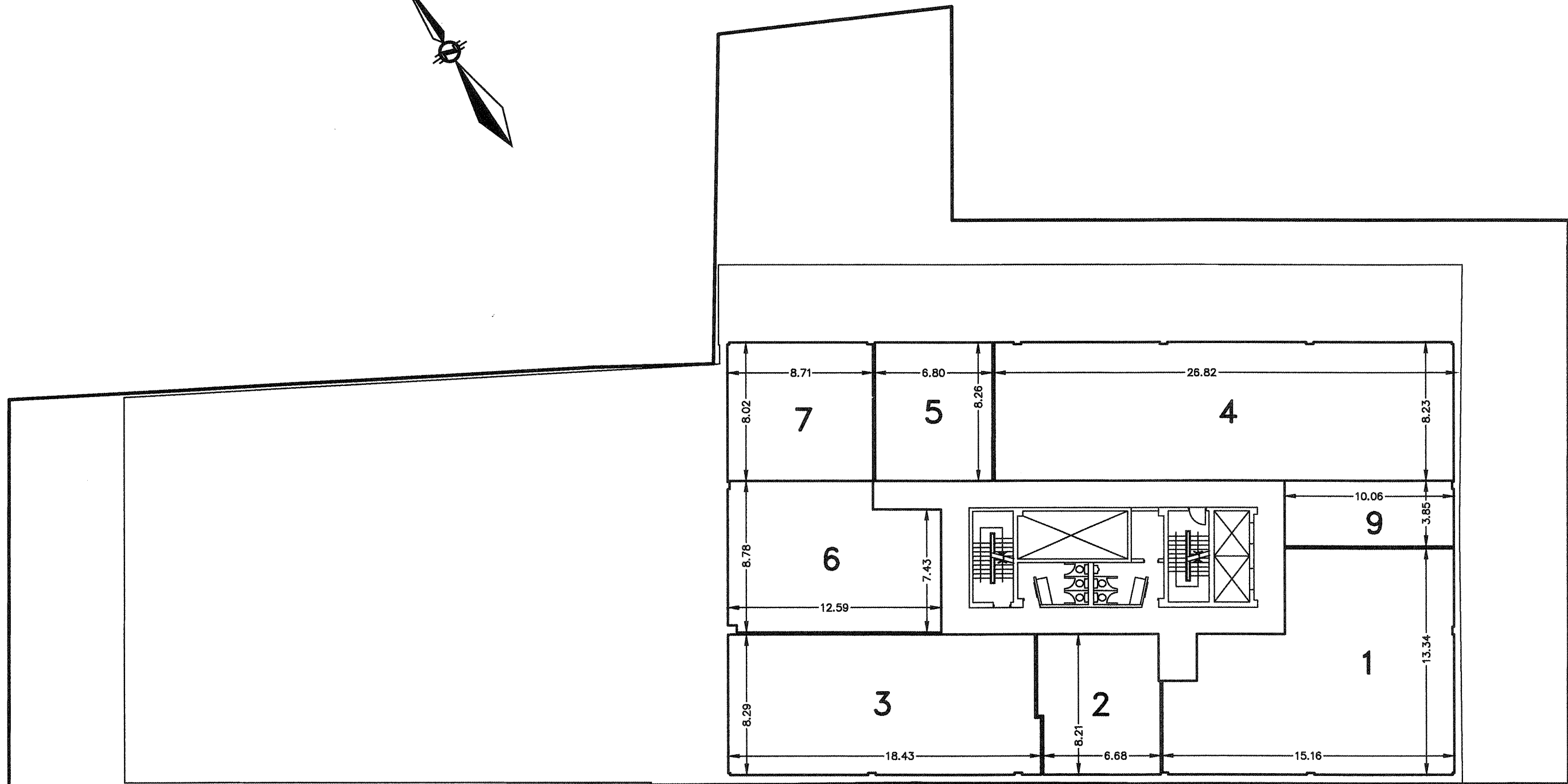
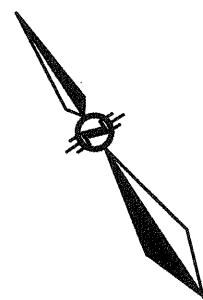
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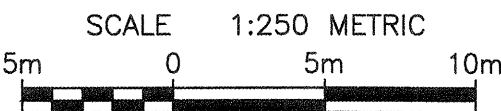
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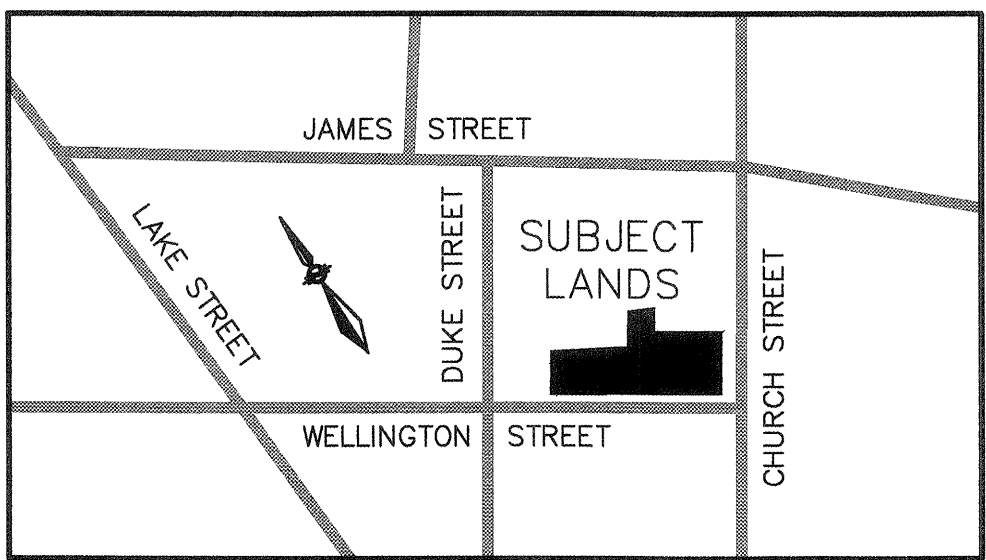
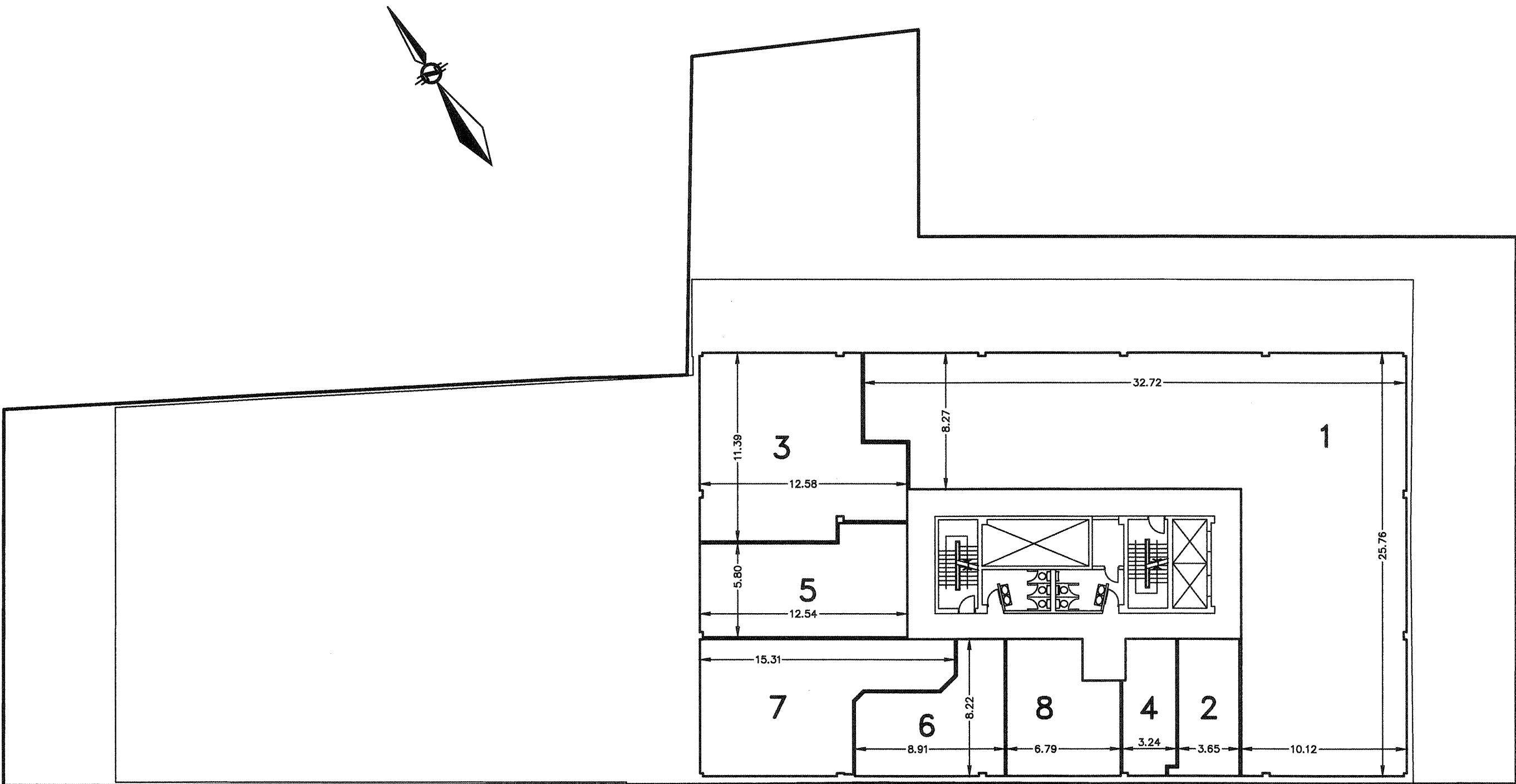
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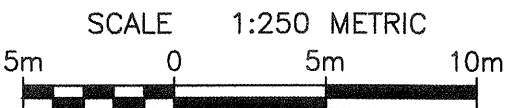
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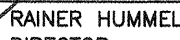
  
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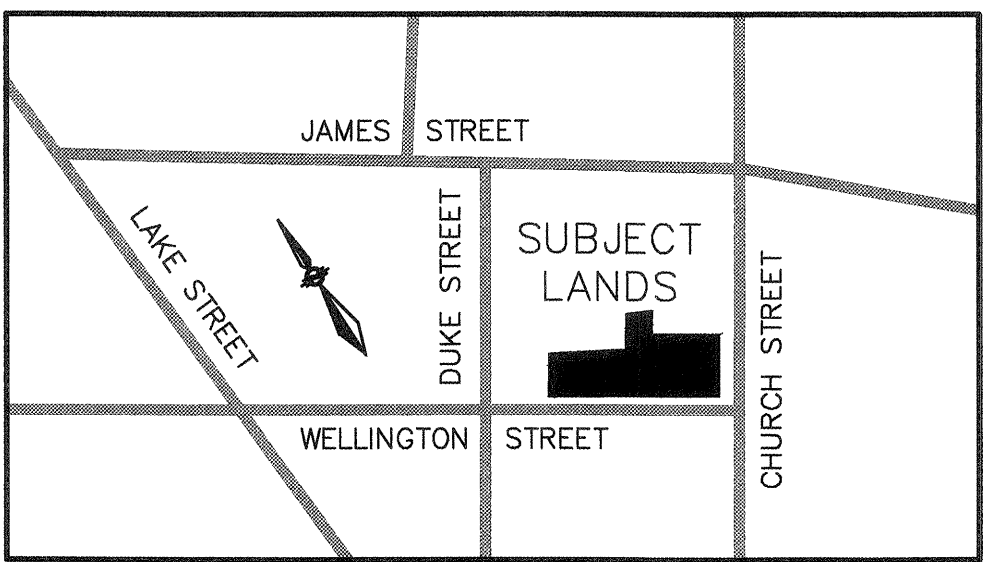
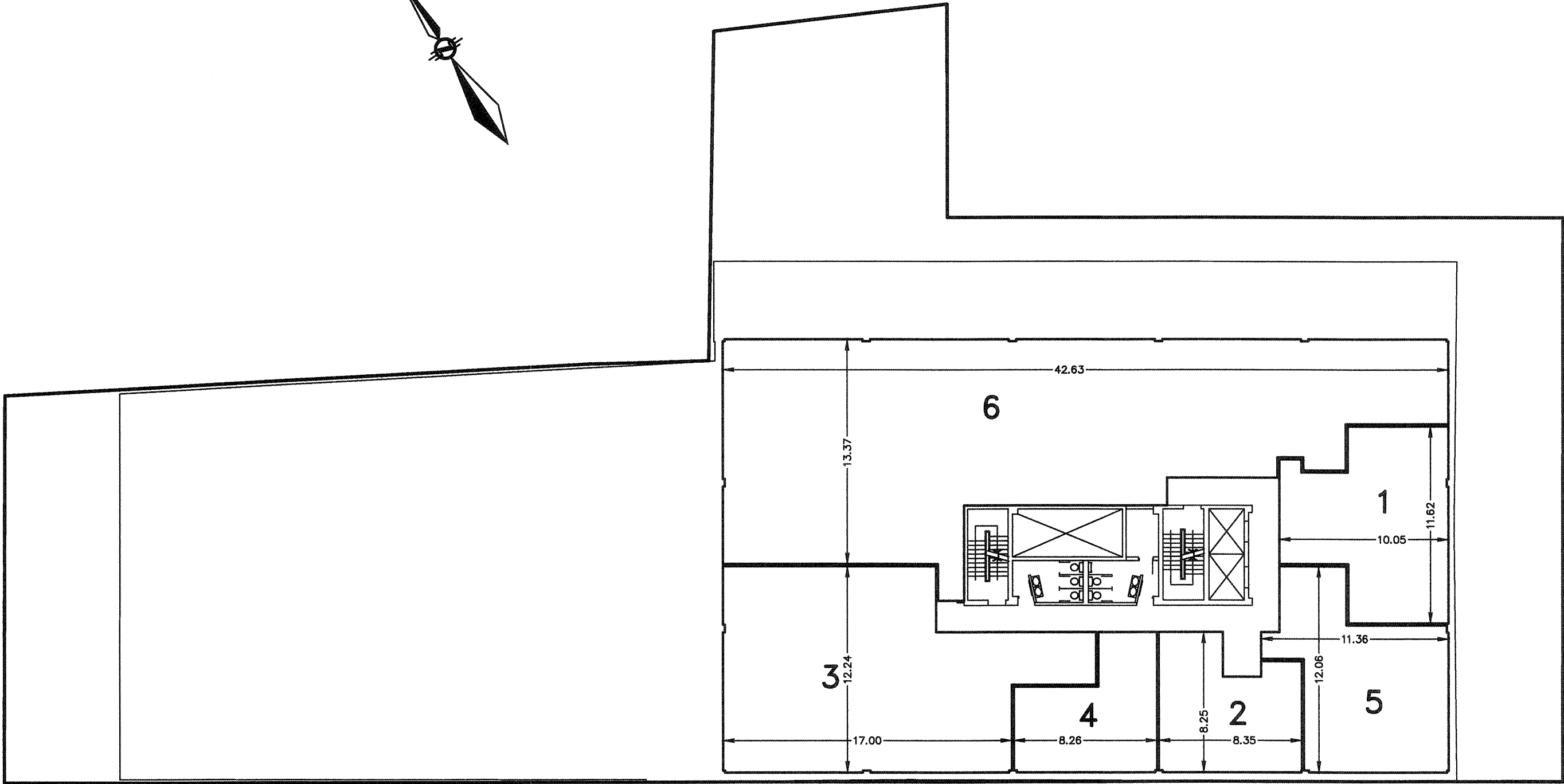
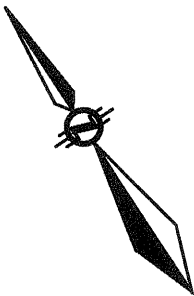
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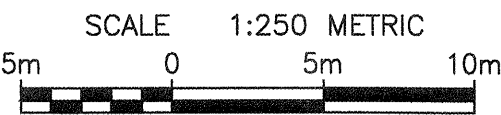
  
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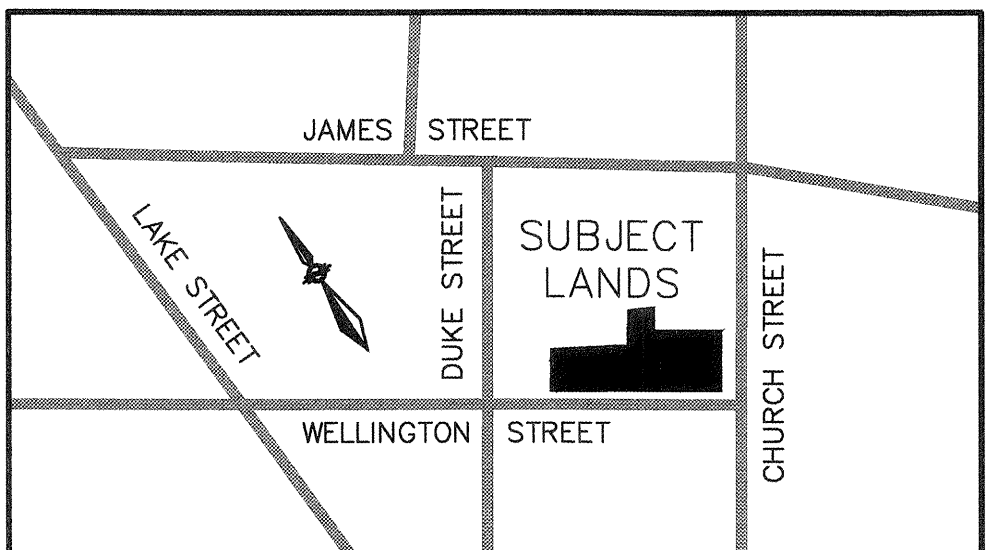
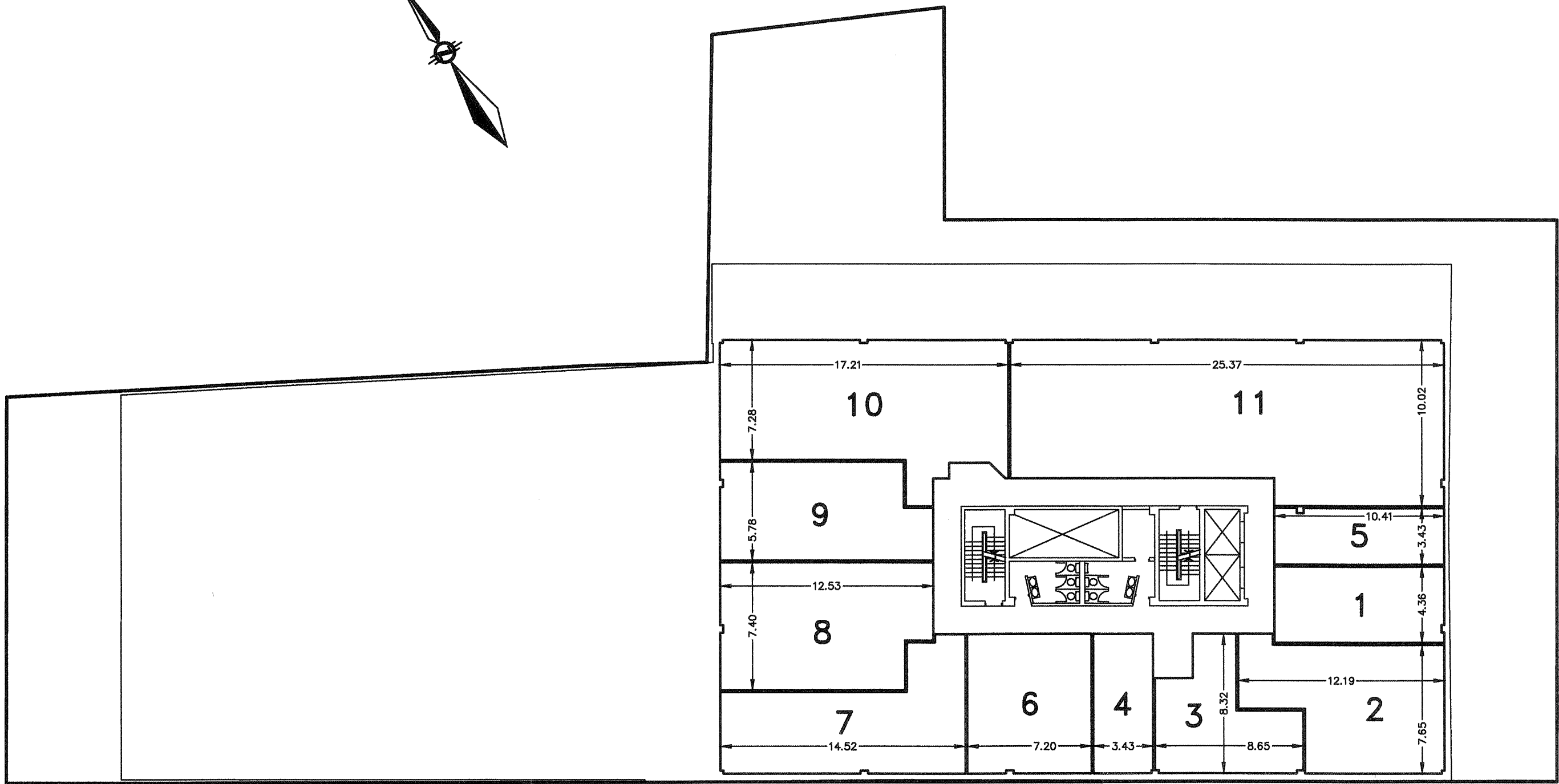
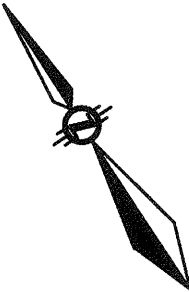
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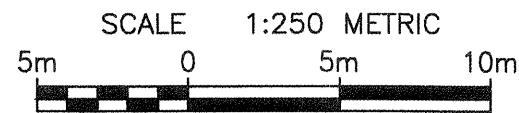
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PART OF LOTS 680 TO 687 (INCLUSIVE)  
CORPORATION PLAN No. 2  
CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA



SECTION 51 (17) , PLANNING ACT  
ADDITIONAL INFORMATION

- A) AS SHOWN ON DRAFT PLAN
- B) AS SHOWN ON DRAFT PLAN
- C) AS SHOWN ON DRAFT PLAN
- D) AS SHOWN ON DRAFT PLAN
- E) AS SHOWN ON DRAFT PLAN
- F) AS SHOWN ON DRAFT PLAN
- G) AS SHOWN ON DRAFT PLAN
- H) MUNICIPAL WATER AVAILABLE
- I) MAINLY LACUSTRINE HEAVY CLAY
- J) AS SHOWN ON DRAFT PLAN
- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) AS SHOWN ON DRAFT PLAN

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT PLANTED
CC	DENOTES	CUT-CROSS
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
(539)	DENOTES	D. G. URE, O.L.S.
(1257)	DENOTES	RICHARD LAROCQUE, O.L.S.
(1339)	DENOTES	W. A. MASCOE, O.L.S.
(WIT)	DENOTES	WITNESS
BOLL	DENOTES	BOLLARD
BP	DENOTES	BELL PEDESTAL
CB	DENOTES	CATCH BASIN
CLS	DENOTES	CONCRETE LIGHT STANDARD
GM	DENOTES	GAS METER
GV	DENOTES	GAS VALVE
MH	DENOTES	MANHOLE
MS	DENOTES	METAL SIGN
PM	DENOTES	PARKING METER
UCP	DENOTES	UTILITY CONTROL PANEL
108.00	DENOTES	EXISTING ELEVATION
○	DENOTES	DECIDUOUS TREE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND  
TO BE DEVELOPED AS SHOWN ON THIS PLAN AND THEIR  
RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY  
AND ACCURATELY SHOWN.

BRENT LAROCQUE  
ONTARIO LAND SURVEYOR

APRIL 25, 2018  
DATE

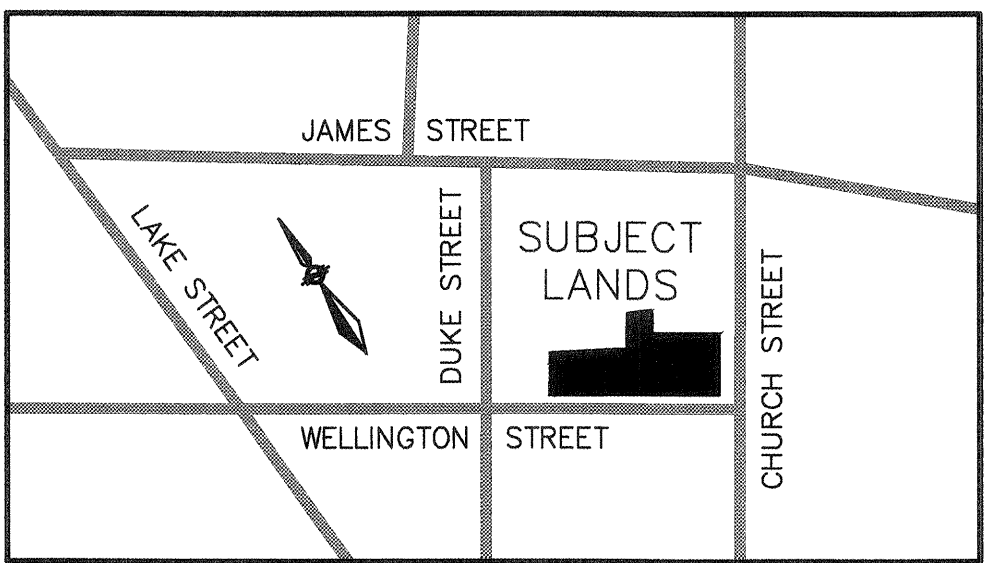
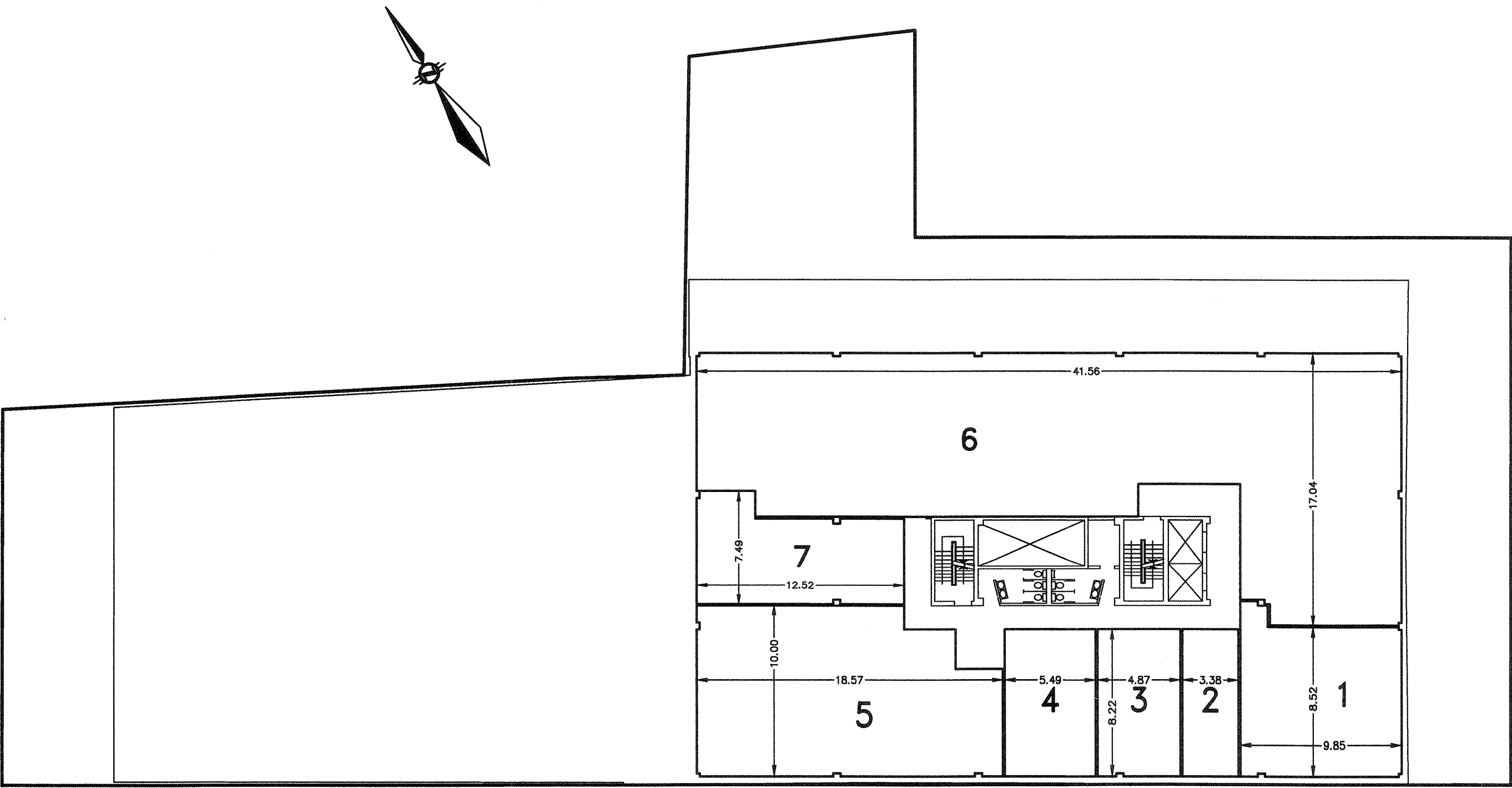
OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT 43CHURCH.CA INC.  
IS THE OWNER OF THE LAND OUTLINED IN HEAVY LINE ON THE PLAN  
AND HEREBY AUTHORIZES THE SUBMISSION OF THIS PLAN FOR APPROVAL.

OWNER : 43CHURCH.CA INC.  
  
RAINER HUMMEL  
DIRECTOR

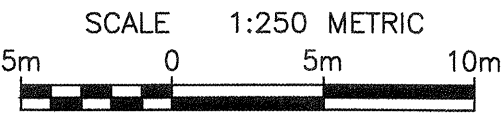
APRIL 25, 2018  
DATE

**THE LAROCQUE GROUP**  
O.L.S./PROJECT CONSULTANTS/LAND MANAGEMENT  
12 LYMAN STREET, ST. CATHARINES, ONTARIO  
905-688-1413  
6385 COLBORNE STREET, NIAGARA FALLS, ONTARIO  
905-358-8400  
www.larocquegroup.ca



KEY PLAN  
SCALE 1:4000

DRAFT PLAN OF CONDOMINIUM  
PART OF LOTS 680 TO 687 (INCLUSIVE)  
CORPORATION PLAN No. 2  
CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA



SECTION 51 (17) , PLANNING ACT  
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- K) ALL MUNICIPAL SERVICES AVAILABLE
- L) AS SHOWN ON DRAFT PLAN

LEGEND

	DENOTES SURVEY MONUMENT FOUND
	DENOTES SURVEY MONUMENT PLANTED
CC	DENOTES CUT-CROSS
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
(539)	DENOTES D. G. URE, O.L.S.
(1257)	DENOTES RICHARD LAROCQUE, O.L.S.
(1339)	DENOTES W. A. MASCOE, O.L.S.
(WIT)	DENOTES WITNESS
BOLL	DENOTES BOLLARD
BP	DENOTES BELL PEDESTAL
CB	DENOTES CATCH BASIN
CLS	DENOTES CONCRETE LIGHT STANDARD
GM	DENOTES GAS METER
GV	DENOTES GAS VALVE
MH	DENOTES MANHOLE
MS	DENOTES METAL SIGN
PM	DENOTES PARKING METER
UCP	DENOTES UTILITY CONTROL PANEL
108.00	DENOTES EXISTING ELEVATION
	DENOTES DECIDUOUS TREE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE DEVELOPED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

BRENT LAROCQUE  
ONTARIO LAND SURVEYOR

APRIL 25, 2018  
DATE

OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT 43CHURCH.CA INC. IS THE OWNER OF THE LAND OUTLINED IN HEAVY LINE ON THE PLAN AND HEREBY AUTHORIZES THE SUBMISSION OF THIS PLAN FOR APPROVAL.

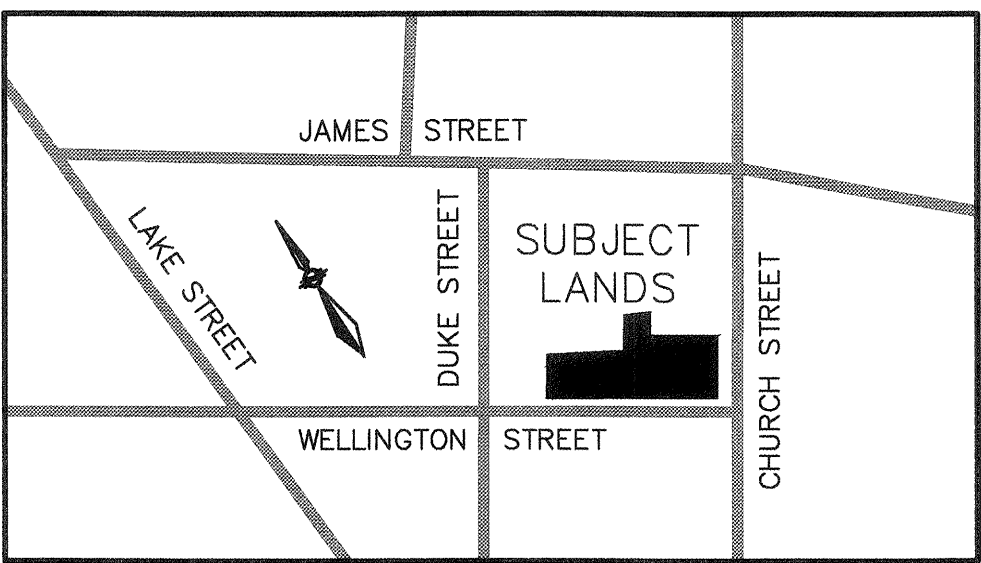
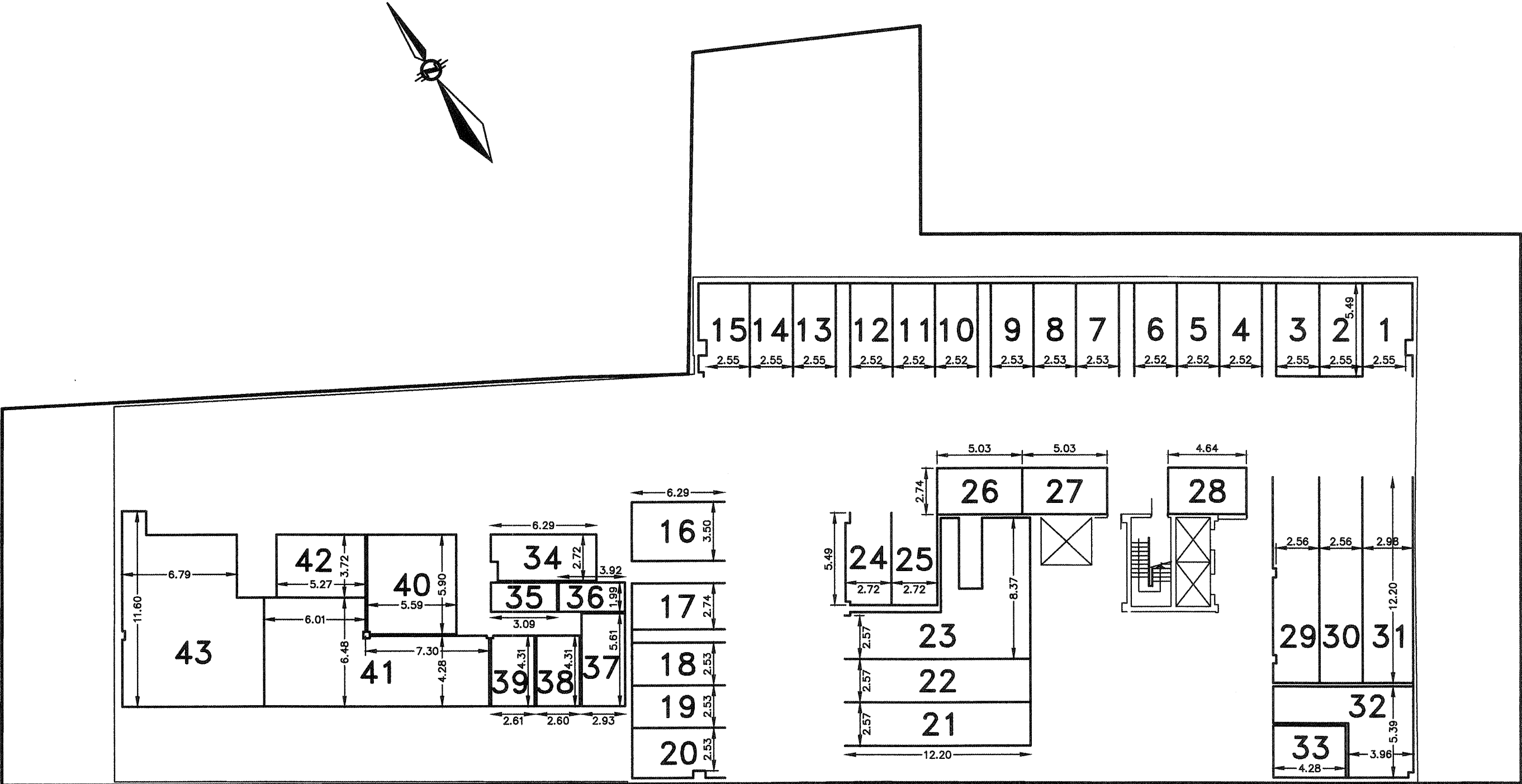
OWNER : 43CHURCH.CA INC.

RAINER HUMMEL  
DIRECTOR

APRIL 25, 2018  
DATE

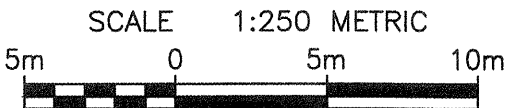


LEVEL A – BASEMENT



KEY PLAN  
SCALE 1:4000

DRAFT PLAN OF CONDOMINIUM  
PART OF LOTS 680 TO 687 (INCLUSIVE)  
CORPORATION PLAN No. 2  
CITY OF ST. CATHARINES  
REGIONAL MUNICIPALITY OF NIAGARA



SECTION 51 (17), PLANNING ACT  
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BRENT LAROCQUE  
ONTARIO LAND SURVEYOR

APRIL 25, 2018  
DATE

OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT 43CHURCH.CA INC. IS THE OWNER OF THE LAND OUTLINED IN HEAVY LINE ON THE PLAN AND HEREBY AUTHORIZES THE SUBMISSION OF THIS PLAN FOR APPROVAL.

OWNER : 43CHURCH.CA INC.

RAINER HUMMEL  
DIRECTOR

APRIL 25, 2018  
DATE

GENERAL NOTES

- 1. INTERIOR PARKING UNITS 1-31 (INCLUSIVE)
- 2. STORAGE UNITS 32-43 (INCLUSIVE)

**Conditions of Draft Approval  
43 Church Street  
File No. 60.46.443**

**General Approval**

1. That this approval applies to lands described as Lot 680, Corporate Plan 2; and Lots 681 to 687 (inclusive), Corporation Plan 2, together with an easement over Part 2 on 30R-14341, municipally known as 43 Church Street, for a draft plan of standard condominium prepared by The Larocque Group – OLS/Project Consultants/Land Management, dated April 24, 2018, and showing a seven-storey commercial building, including 55 commercial units, 12 storage units, and 35 parking spaces and related common areas.

**Administration**

2. That if approval is not given to this plan within three years of the approval date and no extension has been granted, draft plan approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required shall be submitted to the Director of Planning and Building Services.

Prior to granting approval to the final plan of condominium, the City of St. Catharines shall be satisfied that all conditions herein have been satisfactorily met.



CITY OF  
ST. CATHARINES

## Corporate Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 23, 2018

**Date of Meeting:** September 10, 2018

**Report Number:** PBS-208-2018

**File:** 60.46.440

**Subject:** *Planning Act Continuation of Public Meeting – Recommendation Report*  
Application for Draft Plan of Standard Condominium; 405 Merritt Street;  
Owner: 2605831 Ontario Inc.; Agent: Better Neighbourhoods Inc.

### Recommendation

That Council approve the Draft Plan of Standard Condominium for the lands described in Appendix 1 known as 405 Merritt Street, showing 15 apartment dwelling units within one apartment building together with common elements containing parking, landscaping, and servicing, as illustrated in Appendix 1 and 3 of this report, subject to the Conditions of Draft Plan of Standard Condominium Approval, as outlined in Appendix 2 of this report; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That the Notice of Decision include a statement that public input has been received, considered, and has informed the decision of Council; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Provincial Local Planning Appeals Tribunal (LPAT) (formerly the Ontario Municipal Board) for consideration and final approval; and

That after notice of Council's decision has been given, the Clerk be authorized to endorse the plan as "Draft Approved" on the day after the appeal period has expired, in accordance with the Planning Act, provided that no appeals have been lodged; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

### Summary

This application seeks approval of a Draft Plan of Standard Condominium for a 15-unit apartment building plus common areas for parking, landscaping and servicing, as illustrated in Appendix 1 and 3 of this report. Condominium approval will allow each of the apartment dwellings to be sold individually.

The applicant is planning to construct the 15 units within an existing building formerly used as St. James Anglican Church. Alterations are also proposed to the landscaping

and parking area on the site. These alterations are being reviewed through the Site Plan Control process.

Staff is recommending approval of this Draft Plan of Standard Condominium, subject to the Conditions of Draft Plan Approval outlined in Appendix 2 of this report. The proposal conforms to the relevant Provincial land use policies, and Regional and local Official Plan policies.

## Background

On August 13, 2018, Council received an [Information Report](#) (linked here and available upon request) on this Application for Draft Plan of Standard Condominium Approval, which provided an overview of the proposed development, location and site description, planning context and policies, circulation comments and questions that arose from public consultation.

This Recommendation Report provides Council with a planning analysis and staff recommendation on the application.

## Report Proposal

The applicant proposes standard condominium tenure – a form of property ownership – for 15 dwelling units, to be constructed within the existing former church building. The development is accessed from Merritt Street, and a number of parking spaces are to be accessible from Elm Lane. Common element areas are provided for parking, landscaping, and servicing, as illustrated in Appendix 3 of this report. Draft plan of standard condominium approval will allow each of the 15 units to be sold individually.

## Draft Plan of Condominium

Section 51(24) of the Planning Act guides staff in assessing plans of condominium, as described in the [Information Report](#), which was considered at a Public Meeting under the Planning Act on August 13, 2018. To that end, the following analysis is provided.

- The development does not have a detrimental effect on matters of provincial interest, it is not premature and is in the public interest. The parcel is already zoned and planned to allow for multi-unit residential uses, and contributes to the City's growth which is supported and encouraged by the Growth Plan and Provincial Policy Statement.
- The proposal complies with the Official Plan which designates the site as Mixed Use, and the lands are suitable for development as proposed. The area is intended to develop at medium density for residential uses, as is proposed, and the site contains adequate parking, access and landscaping, in keeping with the policies of the Official Plan.



- The adequacy of existing roads in the vicinity of the development is sufficient. The development is located at the corner of Merritt Street and Oakdale, both of which are designated as Arterial roads in the Official Plan. They are considered adequate to support any traffic generated by the subject development.
- The proposed development is compatible with the surrounding land uses. The surrounding uses are residential, and commercial. The building in which the units are proposed has been a long-standing structure on this site. The surrounding area will be unaffected in terms of visual impact or the impact of the building massing. The proposed residential building will be compatible with existing residential uses, and offer additional apartment dwelling units in the area.
- The size of the units is appropriate for the residential use proposed.
- The existing utilities and services are adequate to support the development.
- The site plan will address the detailed design and function of the site, and should be a condition of final approval of the condominium.

Given that the Public Meeting for this application was held more than 14 days prior to the date when Council gives consideration to the recommendations herein, in accordance with Section 51(20)(b) of the Planning Act, Council may make its decision on the application forthwith.

### Site Plan Approval

As outlined in the [Information Report](#) (linked here and available upon request), a site plan agreement is required to be registered against the title of the lands and security deposits are collected to ensure the terms of that agreement are adhered to. For condominium developments such as this one, the future Condominium Corporation will assume the responsibilities of the site plan agreement.

The proposed site plan (Appendix 3) shows one entrance from Merritt Street. There are 15 apartment dwellings proposed within the existing building on site. The site is to be improved with increased landscaping, and the parking area will be designed to minimize impact on surrounding land uses while meeting the needs of the development. The plan includes a number of spaces accessible from Elm Lane to the south.

In accordance with Council's direction, detailed designs reviewed through the site plan process were presented to the public at an open house hosted by Planning and Building Services on May 24, 2018. As outlined in the [Information Report](#), 7 members of the public attended the open house. No concerns were raised.

The site plan approval process for the subject development is ongoing. Staff recommends that the requirement for the owner to enter into a site plan agreement be included as a Condition of Draft Plan Approval (Appendix 2). In accordance with the requirements of the Condominium Act, additional securities for incomplete primary

services within common elements may need to be collected prior to final condominium approval. Staff recommends that this requirement, which is also outlined in the site plan agreement, be included as a Condition of Draft Plan Approval (Appendix 2).

## Public Meeting

In accordance with the Planning Act, a Public Meeting was held by Council on August 13, 2018. Staff from Planning and Building Services presented an [Information Report](#). The agent for the application was in attendance. No members of the public spoke to the application.

## Second Planning Opinion Advisory

Should Council consider not supporting the staff Recommendation provided in this report, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

## Financial Implications

There are no financial costs to the City should this application be approved. All costs incurred by the approval of this development are attributed to the developer.

## Relationship to Strategic Plan

### Economic Sustainability

Draft approval of this standard condominium will support the goals of economic sustainability by:

- Facilitating private investment through development in the City (Goal 1).

## Potential Appeals

Council should be aware that, effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For draft plan of condominium applications, the appeal process has not been significantly revised and largely reflects the process in effect prior to April 3, 2018. Any appeals to draft plans of condominium are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the former Ontario Municipal Board (OMB).

## Conclusion

In summary, staff recommends that approval be granted to this Draft Plan of Standard Condominium, as illustrated in Appendix 1 and 3, subject to the Conditions of Draft Plan Approval outlined in this report and included as Appendix 2. A plan of condominium will allow each of the proposed apartment dwellings to be sold individually. The proposal is consistent with Provincial, Regional and local Official Plan policies.

## **Notification**

It is in order to advise Dan Romanko of Better Neighbourhoods Inc, 190A Ontario Street, St. Catharines, ON, L2R 5K9, the owner's agent.

### **Prepared by:**

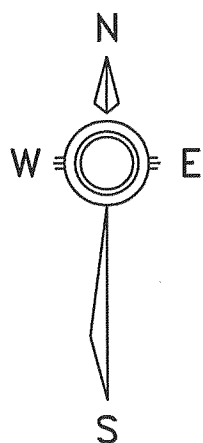
Charlotte McEwan  
Planner I

### **Submitted by:**

Judy Pihach, MCIP, RPP  
Manager of Planning Services

### **Approved by:**

James N. Riddell, M.PL., MCIP, RPP  
Director of Planning and Building Services



< FORMERLY DAK STREET BY CORPORATION PLAN No. 6 >

OAKDALE AVENUE  
< 20.117 WIDE >

N 87° 01' 03" E

40.234

EDGE OF ROAD

MUNICIPAL CONCRETE SIDEWALK

PART  
HIGHWAY PLAN 744

CONCRETE

HYDRANT TL

SIGN TL

6

FRAME PORCH

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NO.  
EXISTING BRICK BUILDING  
No. 405 MERRITT STREET  
< FORMERLY ST. JAMES CHURCH >

PLAN

LOT LINE

GARDEN

GLASS ENTRANCE

CONCRETE WALK

LOT 188

ASPHALT

ASPHALT

N 86° 55' 57" E

ASPHALT LANE

ELM LANE  
< 5.029 WIDE >

"RESIDENTIAL"

195

LOT

40.206

STREET

< WIDTH VARIES - 20.117 ± >

MERRITT

< FORMERLY REGIONAL ROAD No. 52 >

N 02° 44' 27" W

MERRITT

< FORMERLY REGIONAL ROAD No. 52 >

CURB CUT

HP

BELL

PEDESTALS

40.234

"RESIDENTIAL"

LOT

CORPORATION

N 02° 44' 29" W

3.35

BOARD FENCE

40.266

CONCRETE

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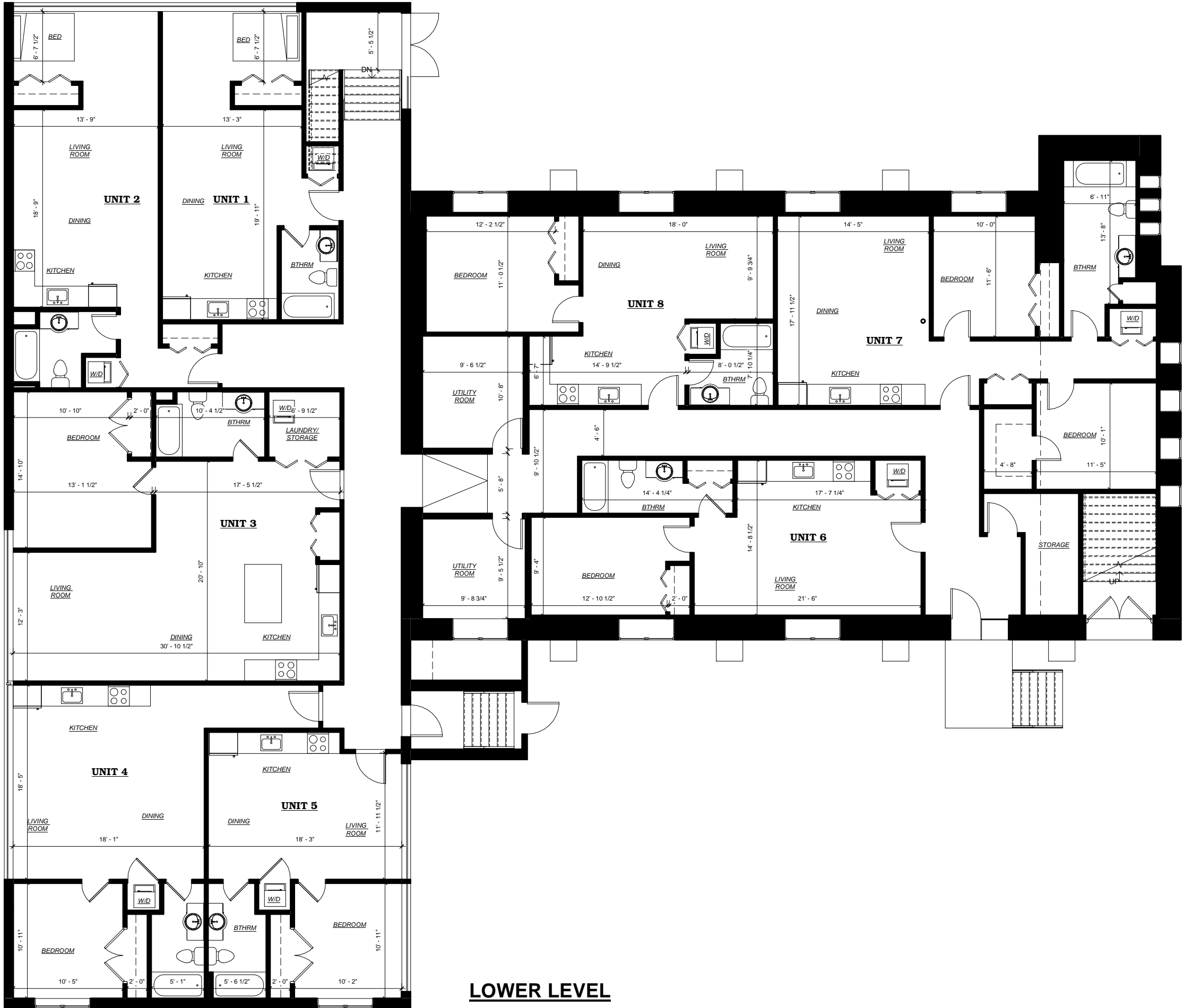
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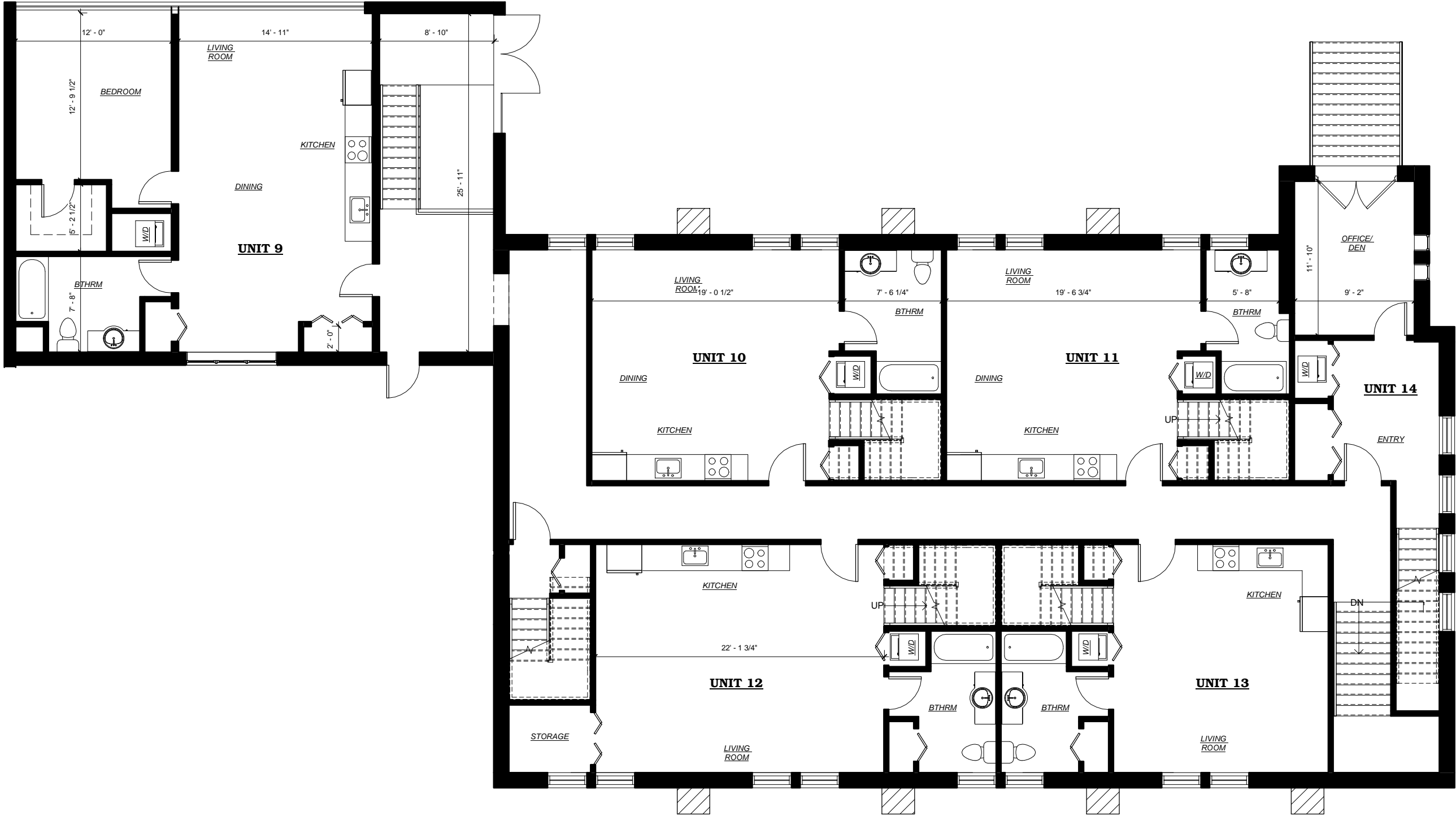
WALK

STEP

3.37

CONCRETE</





**MAIN FLOOR**

**SECOND FLOOR**



**Conditions of Draft Approval  
405 Merritt Street  
File No. 60.46.440**

**General Approval**

1. That this approval applies to lands described as lots 187 and 188 Corporation Plan 6 Grantham designated as Part 1 on 30R15099; City of St. Catharines, municipally known as 405 Merritt Street, for a draft plan of standard condominium prepared by Suda & Maleszyk Surveying Inc., dated July 24, 2018, and showing a 15-unit residential apartment building.

**Site Plan Agreement**

1. That prior to final approval of the plan of condominium, the owner shall enter into a Site Plan Agreement with the City of St. Catharines, which shall be registered against the title of the lands. The Site Plan Agreement shall address certain matters including, but not limited to landscaping, fencing, parking, lighting, waste collection, noise mitigation, and servicing.

*(City of St. Catharines)*

2. The site plan agreement shall require, prior to final approval of the plan of condominium, that the Owner shall deposit securities in the amount of 100% of the estimated cost of all works that are incomplete and which comprise part of a common element.

*(City of St. Catharines)*

**Administration**

3. That if final approval is not given within three years of the approval date and no extension has been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required must be received by the City prior to the lapsing date. An updated review and revisions to the conditions of approval may be necessary at that time.

Prior to granting approval to the final plan of condominium, the City of St. Catharines shall be satisfied that all conditions herein have been satisfactorily met.

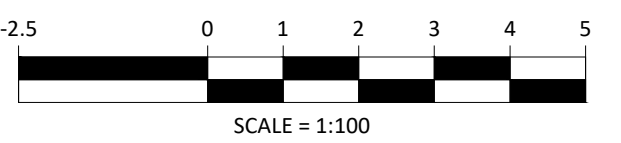
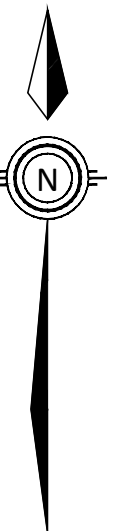


KEY MAP - NOT TO SCALE

## SITE STATISTICS

<b>LAND USE SCHEDULE</b>	
<b>AREA</b>	<b>1616.7 m²</b>
<b>BUILDING COVERAGE</b>	<b>42%</b>
<b>PAVEMENT COVERAGE</b>	<b>26%</b>
<b>LANDSCAPE COVERAGE</b>	<b>32%</b>
<b>PROPOSED DEVELOPMENT</b>	
<b># UNITS</b>	<b>15</b>
<b>PARKING PROVIDED</b>	<b>16</b>

#	DATE	REVISIONS	
1	2018 06 04	FOR SPA RESUBMISSION	DR/MK
0	2018 02 23	FOR SPA SUBMISSION	DR/MK



PROJECT TITLE:

**405 MERRITT STREET**  
**St. Catharines, Ontario**

DRAWING TITLE:

## SITE PLAN

DATE OF ISSUE:

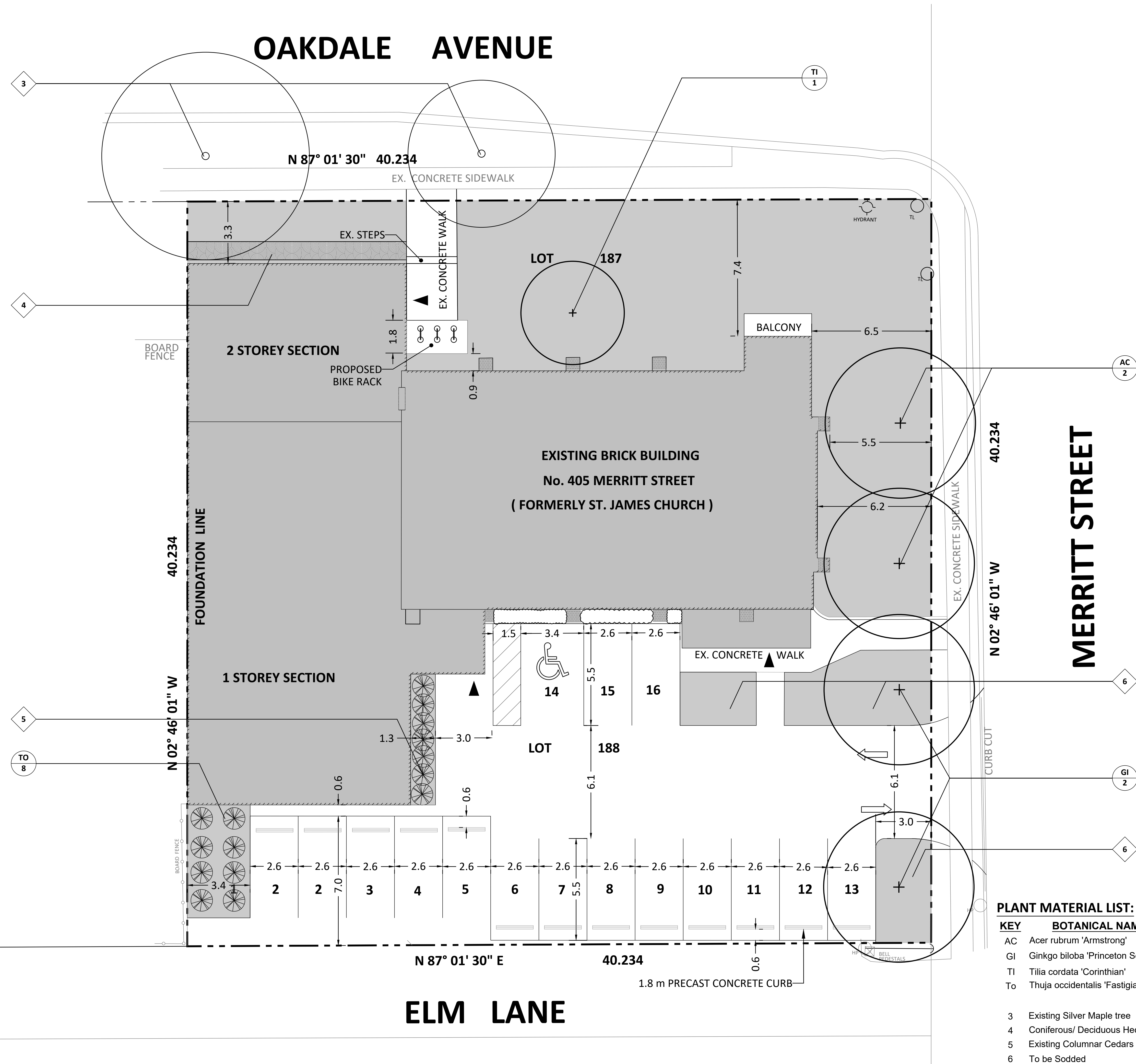
2018 06 18

DRAWING No:

0276 SP - 1

V. NO.

1





CITY OF  
ST. CATHARINES

**AGENDA ITEM #5.7**  
At the meeting of August 13, 2018, General  
Committee approved the Recommendation to hold a  
public meeting on September 10, 2018, at which time  
Council will consider the Staff Recommendation.

## Corporate Report

**Report from** Legal and Clerks Services, Legal Services

**Date of Report:** July 7, 2018

**Date of Meeting:** August 13, 2018

**Report Number:** LCS-174-2018

**File:** 56.15.14

**Subject:** Business Licensing By-law – Amendment to Regulation of Amusement Arcades

### Recommendation

That Council refer Report No. LCS-174-2018 to the regular meeting of Council scheduled for September 10, 2018, for discussion following a public meeting to be held pursuant to the Public Notice By-law; and

That the City Clerk be directed to provide the necessary public notice; and

That the City Solicitor be directed to prepare the necessary by-law for the September 10, 2018 agenda. FORTHWITH

### Staff Recommendation

That Council direct staff to amend the Business Licensing By-law to delete the restrictions of the hours of operation for amusement arcades. FORTHWITH

### Background

At the regular Council meeting of June 25, 2018, Council directed staff to prepare a report amending the hours of operation for arcades in the Business Licensing By-law.

The request for this change was initiated by Councillor Britton who has requested that the existing restrictions on the hours of operation for amusement arcades be removed from the licensing by-law.

### Report

Attached as Appendix 1 is Schedule B2 of the Business Licensing By-law 2005-318, which is the schedule pertaining to the licensing of Amusement Arcades.

Paragraph 7(a) of Schedule B2 currently restricts the hours of operation of an Amusement Arcade to:

- (i) Monday to and including Thursday from 1:00 p.m. to 11:00 p.m.
- (ii) Friday from 1:00 p.m. to 12:00 midnight
- (iii) Saturday from 10:00 a.m. to 12:00 midnight, and
- (iv) Sunday from 12:00 noon to 11:00 p.m.

The proposed amendment would delete these restrictions on operating hours from the by-law.

## **Financial Implications**

There are no financial implications arising from this report.

## **Relationship to Strategic Plan**

### **Economic Sustainability Pillar**

#### **GOALS:**

1. Attract public and private investment, support local businesses and provide excellent customer service to demonstrate we are open for business.

## **Notification**

Notice will be provided to the public in accordance with Public Notice By-law 2007-310.

### **Prepared and Submitted by:**

Heather A. Salter, Director of Legal and Legislative Services / City Solicitor

### **Approved by:**

Shelley Chemnitz, Chief Administrative Officer

SCHEDULE B2 -

## A Schedule for the Licensing of Amusement Arcades. -

## 1.(- In this Schedule:-

- (a)(- "Amusement machine" means any mechanical, electronic or computerized machine or device or any combination thereof, which is coin operated or used for gain or hire, intended for use as a game, entertainment or amusement and shall include - pinball machines, television games, shooting galleries or other similar devices, but shall not include billiards, games of chance as defined by the Criminal Code, or any machine used only for the purpose of vending merchandise, or services, or playing( recorded - music - or - any - machines - used - for - educational - purposes - used - in( conjunction with institutions governed by the *Education Act* R.S.O. 1990, c. E.2, as(- amended.(-
- (b)(- "Amusement arcade" means any premises, part thereof, or separate part of a premises, in which are located four or more amusement machines but does not include any premises, part thereof or separate part thereof that is licensed under the *Liquor License Act* R.S.O. 1990 c. L. 19, as amended.-

## 2.(- An application for an Amusement Arcade License shall be circulated to:-

- (a)(- The City of St. Catharines Fire Services;-
- (b)(- The City of St. Catharines Building Division, Zoning Section;-
- c)(- The Niagara Regional Health Services Department;-
- d)(- The Niagara Regional Police Department.-

## 3. (- No license shall be issued unless or until the City Clerk has been furnished with - satisfactory proof that all approvals have been received from agencies and authorities circulated with the said application for license. -

## 4.(- No person shall operate an amusement arcade unless or until such time as a license - pursuant to this by-law has been issued therefor. -

5.(- No person shall conduct, operate or carry on, or permit to be conducted, operated or carried on an amusement arcade closer than 300m to any school, as defined by the *Education Act* R.S.O. 1990, c. E.2, as amended.-

## 6.(- No person shall operate any amusement arcade in areas other than those permitted by the provisions of the applicable zoning by-laws for the City of St. Catharines. -In the event of( any conflict between the provisions of this by-law and those of any zoning by-law of the(- City, the provisions of the zoning by-law shall prevail.(-

## 7.(- The licensee shall ensure that:-

- (a)(- The amusement arcade remains closed except during the following times:-
  - i)(- Monday to and including Thursday from 1:00 p.m. to 11:00 p.m.-
  - ii)(- Friday from 1:00 p.m. to 12:00 midnight-
  - iii)(- Saturday from 10:00 a.m. to 12:00 midnight, and-
  - iv)(- Sunday from 12:00 noon to 11:00 p.m.-



Schedule B2 :

-2-;

- (b),; The amusement arcade is, at all times, supervised by a person who is no less than; 18 years of age;
  - (c),; Only ;amusement ;machines ;which ;have ;been ;approved ;by ;Ontario ;Hydro ;or; successor thereof, or Canadian Standards Association (C.S.A.) and which display; the prescribed approval sticker shall be;available for the public to use within the; amusement arcade;
  - (d),; No glass or transparent surface of the amusement arcade is obstructed in such a; way as to prevent a person outside the premises from observing activity within the; premises, without actually having to enter upon the premises;;
  - (e),; The amusement arcade is kept in a clean and sanitary condition at all times;;
  - (f),; The amusement arcade has at least two waste receptacles which are emptied at; least once a day;;
  - (g); All amusement machines are located within the premises;;
  - (h); No external sound system is installed or allowed to operate upon the premises;;
  - (i),; No internal sound system broadcasting music or other sound can be heard from; outside the premises;;
  - (j),; No person is allowed to loiter, create a disturbance or cause;undue noise while on; the licensed premises; and;;
  - (k),; The amusement arcade has aisles between the ends of the amusement machines; measuring at least 2.4 metres.;
- 8.,; In the case of a transfer of any license issued hereunder, the City Clerk shall forward a; copy of the application to the Niagara Regional Police Department for approval.;

**By-laws to be considered Monday, September 10, 2018**

- (a) A By-law to amend By-Law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading – with respect to converting parts of King Street and Church Street from One-Way Highway to Two-Way Highway. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-Law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading – with respect to stop sign locations on King Street and Greystone Cr. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize a contract with Peters Excavating Inc. (One reading - with respect to Race Street Improvements, under Project No. P18-064. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to authorize a contract with Nexterra Substructures Incorporated. (One reading - with respect to Park Avenue Watermain Replacement and Minor Storm Works, under Project No. P16-104. Delegation By-law No.2004-277, as amended.)
- (e) A By-law to amend By-law No. 2014-169 entitled “A By-law to appoint a Chief Building Official and Inspectors under the Ontario Building Code Act, 1992.” (One reading – with respect to appointment. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to authorize the acceptance of a conveyance of certain lands from Silvergate Developments Inc. and Mancini Developments Inc. for a road widening along Eastchester Avenue. (One reading – with respect to 104A and 106A Eastchester Ave. Delegation By-law No. 2004-277, as amended.)
- (g) A By-law to authorize a contract with O’Hara Trucking & Excavating Inc. (One reading - with respect to Rodger and Sharon Streets Storm Sewer Installation, under Project No. P16-004. To be considered by General Committee, September 10, 2018.
- (h) A By-law to provide for the collection of taxes for all property classes and to authorize an interim tax levy for the Year 2019. (One reading - with respect to 2019 property tax due dates and interim billings. To be considered by General Committee, September 10, 2018.)
- (i) A By-law to amend By-law No. 2005-318 entitled “A By-law respecting the issuing of business licenses.” (One reading - with respect to amendment to regulation of amusement arcades.) To be considered by Council, September 10, 2018.
- (j) A By-law to confirm the proceedings of council at its meeting held on the 10<sup>th</sup> day of September, 2018. (One reading - with respect to confirming the proceedings of the meeting held on September 10, 2018.)