

Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held
6. Application:
 1. 405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335
 2. 75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472
 3. *51 Christie Street, Consent, B-12/19SC – 60.84.2240
(Deferred from March 28, 2019 Hearing)
 4. 74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474
 5. *32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
 6. 76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480
 7. 4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481
 8. 24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482
 9. *40 Elgin Street, Consent, B-16/19SC – 60.84.2244
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
 10. 354 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485
 11. 358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
 12. *18 Howard Avenue, Consent, B-17/19SC – 60.84.2245
18 Howard Avenue, Minor Variance, A-53/19 – 60.81.5487
1A Florence Street, Minor Variance, A-54/19 – 60.81.5488
 13. *43 Lloyd Street, Consent, B-18/19SC – 60.84.2246
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490
- Planning Reports are not currently available for applications with *. Anticipate that they may be available on Monday, April 22, 2019.
7. New Business:
8. Date of next Hearing: Wednesday, May 29, 2019
9. Adjournment

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

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

COMMENTS

A-46/18 (60.81.5335)

405 Merritt Street

DATE OF HEARING:
April 25, 2019



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: April 25, 2019

Report Number: A-46/18

File: 60.81.5335

Subject: 405 Merritt Street

Recommendation

That Submission **A-46/18**, by 2605831 Ontario Inc., as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-46/18** is not minor in nature, not desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

The Proposal

Application **A-46/18** is made pertaining to the City of St. Catharines By-law 2013-283, for a reduction of the minimum accessible parking spaces from 1 to 0 for the conversion of a church to 15 residential condominium units, currently under renovation. There is a concurrent Site Plan Agreement and Condo Draft Approval application.

Location and Site Description

The subject property is located on the southwest corner of Merritt Street and Oakdale Avenue, and the northwest corner of Merritt Street and Elm Lane. The property is surrounded by a fast food restaurant to the north, a car dealership to the east and south, and detached dwellings to the west.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject lands are designated Mixed Use as per Schedules D1 and E9 of the Garden City Plan (GCP). The Mixed Use designation is intended to provide for a broad array and mix of medium and higher density housing, work live accommodation, commercial, local

office, institutional, indoor recreation, and cultural uses intended to primarily serve the immediate neighbourhood and community population. The maximum residential density is 100 units per hectare. Height of buildings will not generally not exceed 20 metres.

Zoning By-law (2013-283)

The subject land is zoned Medium Density Mixed Use (M1). The M1 zone permits a wide range of residential, commercial, institutional and office uses, including the proposed residential apartment use.

Background

The subject property received approval for minor variance application **A-04/18**, for a reduction in parking spaces from 1.25 spaces per unit to 1 space per unit (from 19 spaces to 15 spaces), a reduction of the minimum rear yard setback from 4.9 metres to 0 metres, a reduction of the exterior side yard setback from 6 metres to 3 metres and a reduction of the landscape buffer along Elm Lane from 3 metres to 0 metres. The variances were requested for the conversion of the previous church building to a 15-unit apartment building.

Report

Zoning By-law 2013-283 requires the number of accessible parking spaces for a site to be 4% of the required parking for any parking lot with 13-100 parking spaces, resulting in a minimum of 1 accessible parking space necessary to be provided for the subject lot. The intent of the minimum required accessible parking space is to ensure that there is sufficient and accessible access to the uses of a site for a broad range of users, some of which may have accessibility or mobility disabilities. The requested reduction in required accessible parking space from 1 to 0 is not considered minor by staff.

The applicant has demonstrated through the site plan process that 16 spaces can be provided on site, 1 of which is an accessible space adjacent to one of three entrances into the building. The applicant has stated that the building is 0% accessible internally, and therefore accessible parking is not necessary. However, to obtain an accessible parking permit in Ontario, an individual may have one or more of the following health conditions: cannot walk without assistance of another individual or of a brace, cane, crutch, lower limb prosthetic device or similar assistive device or who requires the assistance of a wheelchair; suffers from lung disease to a certain risk level; portable oxygen is a medical necessity; suffers from cardiovascular disease to such an extent that the individual's functional capacity is hindered; severely limited in the ability to walk due to an arthritic, neurological, musculoskeletal or orthopaedic condition; visual acuity is significantly limited in one or both eyes; or their mobility is severely limited by one or more conditions or functional impairments. Therefore, although the building itself may not be classified as having "accessible" units, accessible parking permit holders may not necessarily have such permits solely for mobility issues, and therefore staff are of the opinion that there is not a hardship existing that would prevent the applicant from abiding by the minimum required accessible parking for the subject building. The reduction of accessible parking will not aggravate the parking supply, and the property has already

received a variance for a parking reduction and is able to meet the required parking on site plus provide an accessible parking space.

Transportation staff are also not in favour of eliminating accessible parking and rather, would be more inclined to support a reduction of the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

Staff are not supportive of the requested reduction for accessible parking.

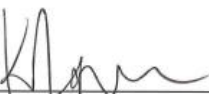
Conclusion

Staff are not satisfied that the variance requested through Submission **A-46/18** is in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate or desirable for the use of the land. It is staff's recommendation that the requested variance be denied.

Prepared by:


for Vincent Wen
Student Planner

Submitted by:


Kirstin Jensen
Planner I

Approved by:


Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

405 Merritt Street
75 Queenston Street
76 Queenston Street
4 Leeson Street

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, April 03, 2019 7:46 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine
Email-1
Cogeco has no issues or concerns with these applications.

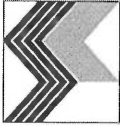
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

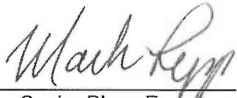
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

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- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-38/19 (60.81.5472)

75 Queenston Street

DATE OF HEARING:
April 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: April 25, 2019

Report Number: A-38/19

File: 60.81.5472

Subject: 75 Queenston Street

Recommendation

That Submission **A-38/19**, by Old Thing Back Inc., as outlined in the Notice of Hearing, be denied.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-38/19** is not minor in nature, not desirable for the appropriate use of the land, and that the intent and purpose of the Official Plan and Zoning By-law are not being maintained.

The Proposal

Application **A-38/19** is made pertaining to the City of St. Catharines By-law 2013-283 for the following:

- 1) A reduction of the minimum lot area from 300 m² to 193 m².
- 2) A reduction of the minimum lot frontage from 16 metres to 11.28 metres.
- 3) A reduction of the minimum required parking spaces from 3 spaces to 1 space.

The variances are requested for the proposed conversion of an existing duplex to a triplex.

Location and Site Description

The subject property is located on the north side of Queenston Street, between Church Street and Calvin Street. The surrounding area consists of primarily detached homes, as well as nearby churches, restaurants, and other commercial uses.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Medium High Density Residential/Commercial as per Schedule E10 of the Garden City Plan (GCP). The Mixed Medium High Density Residential/Commercial designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 60 and 198 units per hectare of land. Additional permitted uses include institutional, small scale commercial, office, indoor recreation and creative and cultural uses, intended to serve the local neighbourhood.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Mixed Use with Special Provision 107 (M1-107). The M1 zone permits a wide range of residential, commercial, institutional, office uses and private road developments. Special provision 107 does not permit a car wash, motor vehicle repair garage and motor vehicle gas station on the property.

Report

The applicant is proposing to convert the existing duplex dwelling into a legal triplex dwelling. Variances are required for the minimum lot area per dwelling unit and the minimum lot frontage necessary for a triplex dwelling. The intent of the minimum lot area and lot frontage requirements of the Zoning By-law are to ensure a dwelling can fit comfortably on a parcel of land for the proposed use, to ensure that sufficient parking and amenity space can be provided on the site in balance with the building envelope, and to ensure it achieves a level of compatibility with the surrounding neighbourhood. The applicant has also applied for a variance to reduce the number of required parking spaces for a triplex dwelling from 3 spaces to 1.

Staff are of the opinion that the combination of the requested variances is indicative of an overdevelopment of the subject property and are not in support of the requested variances. The requested variance for the minimum lot area per dwelling unit for 193 m² is a significant departure from the required 300 m² of lot area per dwelling unit. The requested lot size would not, in technical terms, even meet a minimum requirement for a duplex dwelling in a standard residential zone, which requires 280m² of lot area. In addition, the required lot frontage for a triplex dwelling is 12 metres, whereas the subject property has 11.28 metres of lot frontage. Further, the applicant has demonstrated that 1 parking space can adequately be provided on the property, whereas the 3 required for a triplex cannot be provided. As such, it is staff's opinion that the dwelling on the subject property should remain a duplex dwelling, as the departures from the zoning by-law are considered too great to allow for a triplex dwelling, and a triplex would not be a desirable use of the site or achieve compatibility with the surrounding neighbourhood. Staff are not supportive of the proposed variances.

Conclusion

Staff are not satisfied that the variances requested through Submission **A-38/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not appropriate or desirable for the use of the land. It is staff's recommendation that the requested variances be denied.

Prepared by:

for 

Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

405 Merritt Street
75 Queenston Street
76 Queenston Street
4 Leeson Street

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

Sent: Wednesday, April 03, 2019 7:46 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine

Email-1

Cogeco has no issues or concerns with these applications.

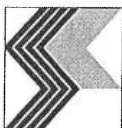
Thanks

Doug Crown
Network Planning Department

7170 McLeod Rd
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

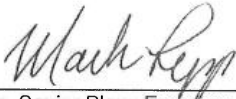
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
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A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
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That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

B-12/19SC (60.84.2240)

51 Christie Street

DATE OF HEARING:
April 25, 2019

Munro, Elaine

Subject:

RE: Email 3 of 5 Committee of Adjustment Hearing St. Catharines March 28, 2019 - 905-19-125

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Wednesday, March 06, 2019 2:51 PM

To: Banda, Wilrik <wbanda@stcatharines.ca>

Cc: Jensen, Kirstin <kjensen@stcatharines.ca>; Wen, Vincent <vwen@stcatharines.ca>; Munro, Elaine <emunro@stcatharines.ca>

Subject: RE: Email 3 of 5 Committee of Adjustment Hearing St. Catharines March 28, 2019 - 905-19-125

Hello,

Re File: B-12/19SC

Details

- ☐ Severance
- ☐ 51 Christie Street

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

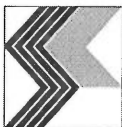
Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2019 hearing - File No.: 300-036

B-12/19SC – 51 Christie Street

Comment:

- No Comment

Condition:

- No Comment

B-13/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 2.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.

B-14/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

B-14/19SC – 32 Lincoln Avenue continued

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.
- The existing storage building crossing Parts 1,2, and 3 to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B16/19SC – 40 Elgin Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling.
- The existing shed on Part 1 is to be removed and a demolition permit is required if its area is greater than 10 square metres.

B-17/19SC – 18 Howard Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling.

Condition:

- The existing shed on Part 2 is to be removed and a demolition permit is required if its area is greater than 10 square metres.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.

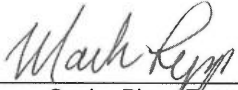
B-18/19SC – 43 Lloyd Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 1, 2, 3, and 4.

Condition:

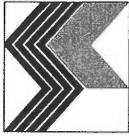
- The existing dwelling on Parts 1,3, and 4 is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2019\08bcoa memo-sev-April25,2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
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Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

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356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
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1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
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- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
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Jessica Button
Project and Development Planner
Parks, Recreation and Culture Services

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-12/19SC



April 9th, 2019

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2019

Applicant: Kevin McKinnon

Location: 51 Christie Street

MUNICIPAL SERVICES

	<u>Christie Street</u>	<u>Bayview Drive</u>	<u>Paxton Avenue</u>
Water:	200mm P.V.C.	150mm C.I.	150mm D.I.
Sanitary:	250mm Conc.	300mm Clay	None
Storm:	None.	250mm	None
Sidewalks:	None	None	None
Road Allowance:	20m±	20m+/-	5.63m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 recreating the lot known as 51 Christie Street with the existing single detached dwelling. A remnant parcel, Part 2 known as 72 Bayview Drive with the existing duplex dwelling would also be retained for continued use.

Roads

Christie Street, Bayview Drive and Paxton Avenue are all designated as Local Roads in the City's Official Plan with desired rights-of-way widths of 20m. Christie Street and Bayview Drive's current widths along the Applicant frontages are already 20.0m and sufficient, however Paxton Avenue is severely deficient at approximately 5.60m±. The City had previously obtained a widened portion along Paxton Avenue by Part 2 Plan 30R-1870 from its previous irregular 'lane-way' width of approximately 4.87m (16'). Although deficient, the City will not be requiring a further widening along the Paxton Street frontage, nor Christie Street and Bayview Avenue.

As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide a "safe, functional and attractive pedestrians and cycling environment". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Sidewalks do not exist along all frontages of the subject properties, and since existing links to other sections of sidewalk do not yet exist on the flanking sections of Christie Street, Bayview Avenue and Paxton Avenue, the City requires contributions to future sidewalk construction provisions be made, in accordance with the above Council-driven policies in the

Official Plan. The Applicant shall therefore contribute a cash-in-lieu payment for future sidewalks in accordance with the City's practice, the costs to be determined based on the current construction price index and average City tender document pricing, at the time of payment. The required amounts shall be based on frontage lengths of 12.4m (Christie Street) and 16.0m (Bayview Drive), for a total length of 28.4m, although not along Paxton Avenue at this time.

Engineering Services

Given the age and history of Port Dalhousie, and previous experiences in this area with respect to the existing configurations of private services, the Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the existing water and sewer service laterals for each dwelling, to confirm they do not conflict with any existing abutting and/or future lot line. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit so as not to continue conflicts of existing services over abutting and/or future lot lines. The Owner shall also pay the City, if determined through the inspections that conflicts exist, the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate, trace, inspect and document the existing sewer and water laterals servicing the existing property; and
- If determined existing services conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay the City the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually; and
- The Owner pay the cash-in-lieu fee for future sidewalks along the frontage lengths of Christie Street and Bayview Drive, the costs to be determined based on the current construction price index and average City tender document pricing, at the time of payment for a total of 28.4m

Prepared by:



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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

Banda, Wilrik

From: Doug Crown <Doug.Crown@cogeco.com>
Sent: Tuesday, March 05, 2019 3:50 PM
To: Banda, Wilrik
Cc: Jensen, Kirstin; Wen, Vincent; Munro, Elaine
Subject: RE: Email 3 of 5 Committee of Adjustment Hearing St. Catharines March 28, 2019

Hello Banda
Email 3
Cogeco has no issues or concerns with these adjustments

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

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

7170 Mcleod Rd
Niagara Falls Ont Canada

60.81.5467
60.81.5468
60.81.5469
60.81.5470
* 60.84.2240



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desabonnement@cogeco.com. Merci!

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

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

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

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

COMMENTS

A-40/19 (60.81.5474)

74 Wiley Street

DATE OF HEARING:
April 25, 2019

Regarding 74 Wiley St.

NEIGHBOUR'S RESIDENCE

Our property at 38 Linden Street is right beside the Wiley St residence and we are concerned about the possible changes that the landlord is proposing. Since this property was purchased more than five years ago and turned into a rental property, basically a rooming house, there have been incidents. Regularly, there are at least 5 or 6 individuals residing at that residence. I have contacted the landlord directly to voice my concerns over the years about certain individuals regarding safety concerns or strange activities taking place at this residence.

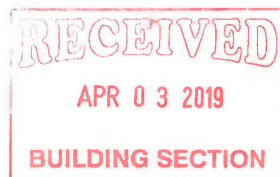
Years ago, a wooden fence was destroyed by renters at that residence. This fence separates the back of the Wiley St residence and the side of our property. I showed this to the landlord and explained that this damage was caused by his renters who had pot plants hiding behind the shed. Currently, due to the wooden fence coming down, a person now can cut through this property and have access to our property at the side of our house. Also, another fence with lattice that separates the 2 properties as well as the front of their property has been knocked down. These damages have been caused by renters over the years. Parts of this fence have been placed behind the shed on the property and the landlord has not repaired it. Years ago, this landlord approached me and informed myself that he would be replacing the fence and told me not to worry that he would look after it. However, these repairs have never been dealt with. When I approached him last year to remind him about the situation, he dismissed it and walked away.

Over the years, some of the renters have kept to themselves and are not an issue. However, we have also witnessed individuals residing at this property, walking through the neighbourhood glancing up driveways. We have witnessed drug dealing and sexual activities on the outside of that property. We have also witnessed people looking through the windows of this property. This is not the type of activity you want to witness beside your own home.

Now, this landlord wants to have a parking lot on this property. When my wife and I purchased this property for our family on this quiet beautiful street years ago, we did not expect to be looking out our front window to gaze at a parking lot next door. I am sure we will be aware every time someone pulls into this proposed parking space not to mention the headlights shining into our living room in the evening hours. Should further damage be caused created from this parking space to our property, I do not have faith that the landlord will repair it.

Also, this parking space will take away valuable street parking that everyone currently uses. Regularly, we or our kids have had visitors and they park their cars on our street. If this parking space is approved, there will be less room on the street for visitors. Over the years, most renters at the Wiley Street residence do not own vehicles. The few that have owned vehicles, have able to park in the driveway on that property. What future changes are taking place that the landlord needs additional parking for that property? We have already endured broken promises and neglect from this landlord and continue to be concerned over what the future holds for this neighbourhood.

CORBY ZDROBOV



76 Wiley Street
St. Catharines, ON L2R 4G8

April 3, 2019

Attention: Wilrik Banda, Acting Secretary-Treasurer
City of St. Catharines
Committee of Adjustment, City Hall
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2



SUBJECT: FILE NO. 60.81.5474, SUBMISSION NO. A-40/19

Ladies and Gentlemen:

In 2003, when we moved to this neighbourhood, 74 Wiley Street was a single detached dwelling with a garage and driveway and the property was always well maintained.

The owners at that time sold the property to a couple who subsequently converted the existing garage to a studio by closing in the garage door and creating a side entrance.

- We are unsure if the garage was properly converted into a living space (insulated walls/floors, etc.)

Several years later that couple put the house up for sale; however, it didn't sell (perhaps due to the lack of a garage?) so they opted to rent for a brief time and later put it up for sale once again.

Eventually, the current owner purchased the dwelling and he created a rooming house situation with multiple renters over the years – some long term and many have come and gone.

- Over the next several years there were some unsavoury tenants resulting in police cars, ambulances and a disruption of our otherwise tranquil neighbourhood.
- Currently, there is a physically challenged tenant occupying one of the rooms without benefit of a ramp for easy access and proper exit strategy in case of an emergency.
- The property has *not* always been well maintained – namely the fence has been in disarray for several years creating an eye sore.

Concerns:

- Are the interior walls sufficiently fire rated if this were to become a duplex?
- Does the dwelling have fire/smoke alarms and carbon monoxide detectors present- along with fire extinguishers?
- Are the occupants trained in a fire evacuation process?
- Is the exit strategy posted and visible?
- Does the current use (rooming house) require a fire alarm system?

Bottom Line – 74 Wiley Street has **not** been used as a single detached dwelling since the current owner purchased the property. Further, if the proposed parking spaces are approved this will eliminate 2 spots for already limited street parking and potentially increase the noise factor for the houses directly beside, across from and behind the dwelling.

Please do not grant this proposal.

Sincerely,
Chuck and Maggie Kenyeres

Banda, Wilrik

From: [REDACTED]
Sent: Wednesday, April 3, 2019 8:42 PM
To: Banda, Wilrik
Cc: Chuck Kenyeres
Subject: File No. 60.81.5474, Submission No. A-40/19
Attachments: File No. 60.81.5474_Submission No. A-40_19.docx

Good evening

We were in attendance on March 28th at which time the hearing was deferred to April 25th.
As such we are attaching a letter outlining some back ground about the property in question and concerns should the subject application be approved.

Thank you for your consideration of the attached.

Kind regards,
Chuck and Maggie Kenyeres
76 Wiley Street,
St. Catharines, ON L24 4G8

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



CITY OF
ST. CATHARINES

Technical Report REVISED

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: March 28, 2019

Report Number: A-40/19

File: 60.81.5474

Subject: 74 Wiley Street

Recommendation

That Submission **A-40/19**, by 1687587 Ontario Ltd., as outlined in the Notice of Hearing, be approved, subject to the following condition for Variance 1 regarding the reduction in parking:

- i) The maximum parking area on the lot be limited to the existing driveway, measuring 22.5 m² (4.9 metres by 4.6 metres), as generally outlined on the sketch submitted with the application.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-40/19** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variances be approved.

The Proposal

Revised application **A-40/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following:

- 1) A reduction of the minimum required parking from 2 spaces to 0 spaces.
- 2) An increase of the maximum floor area for an interior accessory dwelling unit from 60 m² to 89.7 m².

The variances are requested for the proposed construction of an interior accessory dwelling unit.

Location and Site Description

The subject property is located on the southeast corner of Wiley Street and Linden Street, south of the Queen Elizabeth Way and north of St. Patrick Street. The surrounding area consists of primarily detached homes.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E5 of the Garden City Plan (GCP). The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

Zoning By-law (2013-283)

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

Background

The subject property had a previous minor variance application **A-40/19** for a reduction of the minimum lot area per dwelling unit for a duplex dwelling from 560 m² to 371 m² and a reduction of the minimum interior side yard setback from 1.2 metres to 0.9 metres for the proposed conversion from a detached dwelling to a duplex. Staff recommended a deferral based on the comments received from PRCS regarding a revised parking configuration in order to protect the livelihood of the boulevard tree, and the need to revise the proposed plans.

Report

Variance 1

Zoning By-law 2013-283 requires a minimum of 2 parking spaces for a detached dwelling with an interior accessory unit. Variance 1 requests the reduction of the required parking spaces from 2 spaces to 0 spaces. The existing parking spot on the property does not meet the minimum standard dimensions for a parking spot as per the Zoning By-law, and therefore cannot be legally recognized, however is still able to provide at least one space for parking on the site using an existing paved area and curb cut. This existing parking area on the lot is long established and has served this dwelling as a functional undersized parking space.

Part C, Section 5.4.2 of the GCP states that the City may consider the reduction or the elimination of vehicular parking requirements where transit is readily available or where transit facilities are provided, where bicycle parking facilities are provided, and when land

is dedicated for greening and landscaping initiatives. The applicant must demonstrate that reduced vehicular parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management. The subject land is in close walkable proximity to a variety of transit stops within 500 metres (5-minute walk) or less of the property, which serves multiple bus routes. There are also a number of amenities that can be accessed using the nearby bus routes, which include grocery stores, pharmacies, restaurants and retail facilities.

The property provides one undersized parking spot. The remainder of the lot provides typical yard space associated with a single dwelling. Staff are able to support the requested parking reduction providing the existing yard area is retained and no further expansion to the parking area on the lot is permitted. Retention of the “as is” condition of the lot retains the character of the street and minimizes the impact of an additional unit. As well, it addresses the concern of PRCS regarding retention of the boulevard tree. Staff consider on street parking to supplement any additional demand for parking associated with the granting of an accessory dwelling unit.

Parks, Recreation and Culture Services staff are supportive of the proposed parking reduction and the retention of green space and boulevard planting.

Variance 2

Zoning By-law 2013-283 permits a maximum floor area for an interior accessory dwelling unit be no more than 60 m², or 40% of the floor area of the entire dwelling (including the basement), whichever is less. Variance 2 requests to increase the interior accessory dwelling unit area to 89.7 m². The variance is requested to permit an interior accessory dwelling unit within the existing detached dwelling. The additional 29.7 m² of floor area will have no measureable impacts to the subject property or surrounding sites, and will be visually undetectable, as the conversion and renovations will all take place internally to the existing building on site. The proposed interior accessory dwelling unit will account for only 35.5% of the total floor area of the entire dwelling, and is therefore considerably smaller in size than the primary dwelling unit of the dwelling occupying the property. The proposed unit therefore achieves the intent of an interior accessory dwelling unit despite the requested increase in floor area for the unit.

The Official Plan permits accessory dwelling units in single detached dwellings where they conform with the applicable zoning regulations. Building staff have advised that, should this variance be approved, a building permit will be required to legalize the use.

The requested variances are considered desirable and appropriate for the use of the land and conforms to the general intent and purpose of the Official Plan and Zoning By-law. It is staff's recommendation that the requested variances be approved, subject to conditions to ensure no further expansion of parking on the lot.

Conclusion

Staff is of the opinion that application **A-40/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:



Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Last Application for revised MV - 74 Wiley Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Tuesday, April 09, 2019 2:42 PM

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

Subject: RE: Last Application for revised MV - 74 Wiley Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

Good afternoon Elaine,

Re Files: 74/A/40/19

Details

- ☐ Minor Variance
- ☐ 74 Wiley St
- ☐ LT 40 CY PL 139 GRANTHAM;; CITY OF ST. CATHARINES

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed size adjustments to the parking and maximum floor area.

Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon

Bell

External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263

Munro, Elaine

Subject: RE: Last Application for revised MV - 74 Wiley RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines

74 Wiley

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

Sent: Tuesday, April 09, 2019 1:48 PM

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

Subject: Re: Last Application for revised MV - 74 Wiley RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines

Hi Elaine

Cogeco has no issue or concerns with this application.

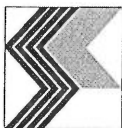
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

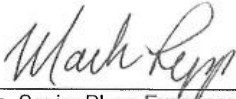
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

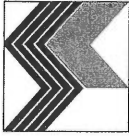
NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-13/19SC (60.84.2241), B14/19SC
(60.84.2242), A-44/19 (60.81.5478) & A-
45/19 (60.81.5479)**

32 Lincoln Avenue

**DATE OF HEARING:
April 25, 2019**

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for 32 Lincoln Avenue for the April 25/19 CofA Hearing, City of St. Catharines -

From: Sarah Mastroianni [mailto:smastroianni@npca.ca]
Sent: Thursday, April 11, 2019 3:14 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for 32 Lincoln Avenue for the April 25/19 CofA Hearing, City of St. Catharines -

Hi Elaine,

NPCA staff offer no objections to the approval of these four applications for 32 Lincoln Ave.

Thank you

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

April 8, 2019

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

Attention: Elaine Munro

File# 60.84.2241, 60.84.2242, 60.81.5478 & 60.81.5479

Re: 32 Lincoln Ave and 12 & 14 Waite Lane

In response to your correspondence dated April 2, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

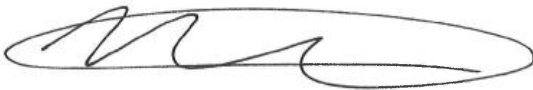
We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.

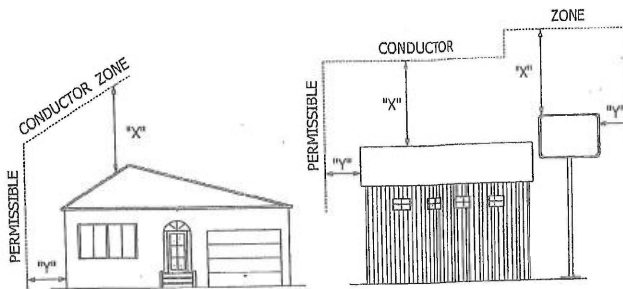
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

- THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
- THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
- THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
- THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
- THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE, TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.

horizon
UTILITIES Looking beyond...

DRAWING STATUS	BY	DATE DD/MM/YY
REDRAWN	JM	12/06/07
CHECKED	ND	26/04/05
APPROVED	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #
3-105

SHEET#
1

REVISION#
0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2

32 Lincoln Avenue

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

Sent: Wednesday, April 03, 2019 7:47 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2

Hi Elaine

Email-2

Cogeco has no issues or concerns with these applications.

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2 -905-19-161

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Thursday, April 04, 2019 1:31 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2 -905-19-161

Good afternoon Elaine,

Re File: B-13/19SC

Details:

- ☐ Severance
- ☐ 32 Lincoln Avenue
- ☐ Pt Lot 18 & 18 Corp Plan 6, designated as Parts 2&3 30R14736

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2 - 905-19-162

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]

Sent: Thursday, April 04, 2019 1:28 PM

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

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 2 - 905-19-162

Good afternoon Elaine,

Re File: B-14/19SC

Details:

- ☐ Severance
- ☐ 32 Lincoln Avenue
- ☐ Pt Lot 18 & 18 Corp Plan 6, designated as Parts 2&3 30R14736

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2019 hearing - File No.: 300-036

B-12/19SC – 51 Christie Street

Comment:

- No Comment

Condition:

- No Comment

B-13/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 2.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.

B-14/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

B-14/19SC – 32 Lincoln Avenue continued

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.
- The existing storage building crossing Parts 1,2, and 3 to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B16/19SC – 40 Elgin Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling.
- The existing shed on Part 1 is to be removed and a demolition permit is required if its area is greater than 10 square metres.

B-17/19SC – 18 Howard Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling.

Condition:

- The existing shed on Part 2 is to be removed and a demolition permit is required if its area is greater than 10 square metres.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.

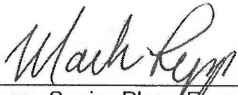
B-18/19SC – 43 Lloyd Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 1, 2, 3, and 4.

Condition:

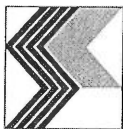
- The existing dwelling on Parts 1,3, and 4 is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

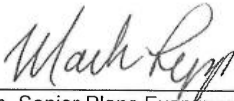
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-13&14/19SC**



April 9th, 2019

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2019

Applicant: Jerry & Nancy Della Vecchia

Location: 32 Lincoln Avenue

MUNICIPAL SERVICES

Waite Lane

Water: 150mm P.V.C.
Sanitary: 200mm P.V.C.
Storm: None
Sidewalks: None
Road Allowance: 20m±

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

Comment(s):

It is noted that the Owner proposes to sever Parts 1 & 2 creating new lots to be known as 14 & 12 Waite Lane, respectively, for the purpose of constructing single detached dwellings. A remnant parcel Part 3 would be retained for continued commercial use.

Roads

Waite Lane is designated a Local road per the City's Official plan with desired right-of-way width of 20.12m. Waite Lane is currently at the desired width; therefore, the Owner shall not have to dedicate any further lands to the City for road widening purposes.

As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide a "safe, functional and attractive pedestrians and cycling environment". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Sidewalks do not exist along the frontage of the subject properties of Parts 1 & 2, therefore the City requires contributions to future sidewalk construction provisions be made, in accordance with the above Council-driven policies in the Official Plan. The Applicant shall therefore contribute a cash-in-lieu payment for future sidewalks in accordance with Council's policy direction, the costs to be determined based on the current construction price index and average City tender document pricing, at the time of payment. The required amounts shall be based on total frontage lengths along Parts 1 & 2 of 44.0m. The current rate is \$194.45 per square meter, therefore, the total estimated cost of the Owner's share if paid in 2019 is \$8,555.80.

Engineering Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. An individual lot grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future lots convey drainage to a suitable outlet, while at the same time will not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a piped storm sewer are available. Since a storm sewer does not exist at this location on Waite Lane, the sump pumps will be permitted to discharge to grade provided the discharge is directed towards the front lot lines. The location and direction of discharge shall be shown on the lot grading and drainage plan. Rain water leaders (downspouts) shall also be directed/discharged to the front of the proposed dwelling, and in accordance with the applicable By-law. These too must be identified on the approved grading plan.

Given the age and history of this area, and previous experiences with respect to the existing configurations of private services, the Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the existing water and sewer service laterals for the existing commercial building on 32 Lincoln Avenue, to confirm they do not conflict with any existing abutting and/or future lot line orientations. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property (32) through a Plumbing Only permit so as not to continue conflicts of existing services over abutting and/or future lot lines. The Owner shall also pay the City, if determined through the inspections that conflicts do exist, the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually.


The Owner shall pay the City the fees to install new water and sanitary sewer services for the new lots from the City sewer main and water main to the front property lines through the building permit process.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate, trace, inspect and document the existing sewer and water laterals servicing the existing property; and
- If determined existing services conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay the City the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually; and
- The Owner pay the cash-in-lieu fee for future sidewalks along the frontage length of Waite Lane, the costs to be determined based on the current construction price index and average City tender document pricing, at the time of payment for a total of 44.0m; and
- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent

Prepared by:


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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-46/19 (60.81.5480)

76 Queenston Street

DATE OF HEARING:
April 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: April 25, 2019

Report Number: A-46/19

File: 60.81.5480

Subject: 76 Queenston Street

Recommendation

That Submission **A-46/19**, by Rosa Ariza Ordonez, as outlined in the Notice of Hearing, be approved, conditional upon a limit of no more than 3 residential units being permitted on the property at any time.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through application **A-46/19** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variances be approved, subject to conditions.

The Proposal

Application **A-46/19** is made pertaining to City of St. Catharines By-law 2013-283, as amended for the following:

- 1) A reduction of the minimum lot frontage from 16 metres to 12.5 metres.
- 2) A reduction of the minimum front yard setback from 3 metres to 0.47 metres.
- 3) A reduction of the minimum interior side yard setback from 1.2 metres to 0 metres.

The variances are requested for the proposed conversion of an existing duplex with a commercial unit to a triplex.

Location and Site Description

The subject property is located on the south side of Queenston Street, between Church Street and Calvin Street. The surrounding area consists of primarily detached homes, as well as nearby churches, restaurants, and other commercial uses.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Downtown as per Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Medium High Density Residential/Commercial as per Schedule E10 of the Garden City Plan (GCP). The Mixed Medium High Density Residential/Commercial designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 60 and 198 units per hectare of land. Additional permitted uses include institutional, small scale commercial, office, indoor recreation, and creative and cultural uses intended to serve the local neighbourhood.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Mixed Use with Special Provision 107 (M1-107). The M1 zone permits a wide range of residential, commercial, institutional, and office uses and private road developments. Special provision 107 stipulates that car washes, motor vehicle repair garages and motor vehicle gas stations are not permitted on the property.

Report

Zoning By-law 2013-283 requires a minimum lot frontage of 16 metres for a triplex dwelling in the M1 zone. The minimum lot frontage provision is intended to ensure a property is wide enough to adequately accommodate sufficient vehicular access, a building footprint with sufficient outdoor amenity space, and conformity to various setback requirements. Variance 1 requests a reduction of the minimum lot frontage from 16 metres to 12.5 metres. The reduction is necessary to facilitate the dwelling conversion from a duplex with a commercial unit, to a triplex. The applicant is maintaining the existing building envelope, with only internal renovations taking place. Due to the fact that the current building envelope is not proposed to increase in size or mass, staff are satisfied that the reduced lot frontage is appropriate for the property to continue to accommodate the uses on the site.

Variance 2 requests a reduction of the minimum front yard setback from 3 metres to 0.47 metres and Variance 3 requests a reduction of the minimum interior side yard setback from 1.2 metres to 0 metres. The intent of the minimum front yard setback is to promote a balanced neighbourhood streetscape and to prevent the built form from overwhelming a property, while also ensuring front yard amenity space and a sufficient parking area can be provided between the dwelling and front lot line. The intent of the minimum interior side yard setback is to ensure that sufficient distance and buffer is maintained between structures on adjacent properties and sufficient distance from property lines is maintained to support on-site drainage and access to rear yards. The submitted drawings indicate that the dwelling is existing and alterations are only proposed for the interior. The existing front yard setback and interior side yard setback are both existing situations and have reached a level of compatibility with the surrounding properties, as it predates the Zoning By-law. Staff have no concerns with variances 2 or 3.

Building staff have advised that a building permit is required for the proposed conversion of the commercial dwelling to a residential unit to permit a triplex on the property.

Staff is of the opinion that the requested variances are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved, subject to the condition that the variances be approved on the basis that the conversion of the duplex and commercial unit to a triplex is for the commercial unit to become a residential unit, and at no time are more than 3 residential units permitted on the property.

Conclusion

Staff is of the opinion that Application **A-46/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved, subject to a condition as per the recommendation.

Prepared by:

for 

Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pinach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

405 Merritt Street
75 Queenston Street
76 Queenston Street
4 Leeson Street

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

Sent: Wednesday, April 03, 2019 7:46 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine

Email-1

Cogeco has no issues or concerns with these applications.

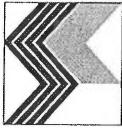
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

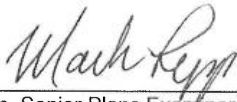
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
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NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
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4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-47/19 (60.81.5481)

4 Leeson Street

DATE OF HEARING:
April 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: April 25, 2019

Report Number: A-47/19

File: 60.81.5481

Subject: 4 Leeson Street

Recommendation

That Submission **A-47/19**, by Mancini Development Inc., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variance requested through application **A-47/19** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be approved.

The Proposal

Application **A-47/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for a reduction of the minimum width of a parking space, obstructed on both sides, from 3.5 metres to 3.3 metres. The variance is requested to facilitate the proposed construction of an interior accessory dwelling unit for a single detached dwelling that is currently under construction.

Location and Site Description

The subject property is located on the east side of Leeson Street, to the north of Townline Road West and south of Michael Avenue. The surrounding area consists of primarily detached homes, as well as a nearby convenience store to the south.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule

E9 of the Garden City Plan (GCP). The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

Zoning By-law (2013-283)

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

Report

Zoning By-law 2013-283 requires a minimum width of 3.5 metres for a parking space obstructed on two sides. The variance requests to reduce the required parking space width from 3.5 metres to 3.3 metres. The intent of the requirement is to ensure that parking spaces within confined spaces have adequate space on either side of the vehicle to facilitate entering and exiting a vehicle feasibly and maintaining access surrounding the vehicle. A reduction of 0.2 metres will have no measurable impacts to the subject property or the sufficient provision of parking on site. Staff is of the opinion that the requested variance is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Conclusion

Staff is of the opinion that application **A-47/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP

Manager of Planning Services



Where Ships Climb The Mountain...

Thorold

April 8, 2019

EMAIL ONLY (emunro@stcatharines.ca)

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

Re: File No. 60.81.5481
Submission No. A-47/19
4 Leeson Street
Part Lot 701, Corporation Plan 6

Purpose of Application

Application A-47/19 is requesting to vary the City of St. Catharines Zoning By-law 2013-283, as amended, for the following variance:

1. A reduction of the minimum width of a parking space, obstructed on both sides from 3.5 m to 3.3 m.

City of Thorold Comments

Planning staff have reviewed Application A-47/19 and do not offer any objections to the proposed minor variance to reduce the minimum width of a parking space by 0.2 m to facilitate the proposed construction of an interior accessory dwelling unit for the single detached dwelling that currently is under construction.

Regards,

Julie Hannah, MES, MA, MCIP, RPP
Senior Planner

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.com

Tel: 905-227-6613

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

405 Merritt Street
75 Queenston Street
76 Queenston Street
4 Leeson Street

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

Sent: Wednesday, April 03, 2019 7:46 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 1

Hi Elaine

Email-1

Cogeco has no issues or concerns with these applications.

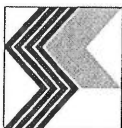
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

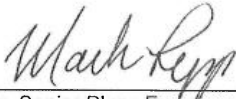
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

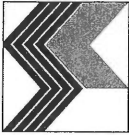
NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484

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

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10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488

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- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019

Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-48/19 (60.81.5482)

24 Wakelin Terrace

DATE OF HEARING:
April 25, 2019



Attn: Elaine Munro

File Number: 60.81.5482

Submission No: A-48119

From: Andrew and Rebecca Martin
Residents of 24a Wakelin Terrace

We are writing to strongly object to the minor variance request from the residents of 24 Wakelin Terrace - Antonio and Maria Reis.


Their request of a minor variance of the side yard in between our property is not minor. They are asking that the setback be changed from 1.2 meters (4ft) to 0.6 meters (2ft). That is a reduction of 50% which is significant. This would leave only 1.1 meters (3ft8in) in between our eavestrough and the Reis' eavestrough.

The spatial separation would be too narrow and would create a major hazard if there were to be a fire. The proposed carport would not only hinder airflow and sun exposure causing our side lot to stay wet and cause drainage problems (which is already a problem) but it would also severely block our only two north facing windows.

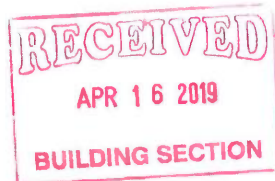
The proposed carport which the applicants propose to build would be 14 feet; the majority of the carports in the neighborhood including ours are 11 feet. We feel that such a wide carport would be inconsistent with the design of the neighborhood. A carport by definition is a roofed, wall-less structure projecting from the side of a building, used as a shelter for an automobile.

Overall we feel that the applicants have sufficient room to build a carport well within the bylaw/zoning allowance set forth by the city without encroaching towards our property and adversely impacting the enjoyment and functionality of our property

Yours truly,



Rebecca and Andrew Martin

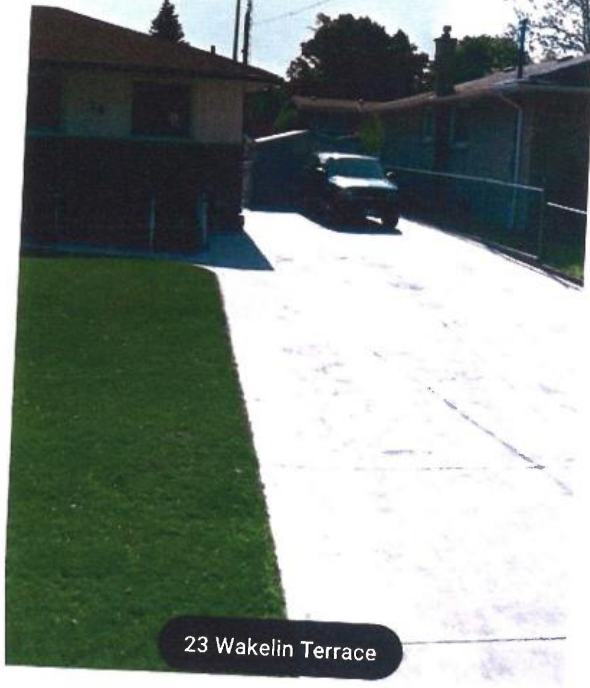




TRUCK IS MORE THAN
4 FEET FROM FENCE. LOTS
OF ROOM ON THE OTHER SIDE
AS WELL.

238831967-1 20190404_132550.jpg

OLDER VIEW, NOTICE THE ROOM
THEY HAVE, LOTS OF AIR FLOW
AND LIGHT GETTING THROUGH.



23 Wakelin Terrace

21/06/2019 11:11:11 Jpe
238831967-1 Screenshot_2019-04-0



SMALL DRAINAGE GROOVE
BESIDE TRUCK ON DRIVERS SIDE
IS 3 FEET FROM THE FENCE.
THE TRUCK IS MORE THAN 4 FEET
FROM FENCE.

238831967-1 20190404_132738.jpg



VERY NARROW SPACE
FROM EDGE OF EAVESTROUGH
TO FENCE. ACTUAL MEASUREMENT
IS 20 INCHES.

238531967- 20190404_132735_HDR

20 INCHES FROM KAUFSTROUFT TO PROPERTY
LINE (FENCE). FENCE IS 6 FOOT 8 INCHES.





Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 17, 2019

Date of Meeting: April 25, 2019

Report Number: A-48/19

File: 60.81.5482

Subject: 24 Wakelin Terrace

Recommendation

That Submission **A-48/19**, by Antonio Reis and Maria Reis, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That downspouts be provided and directed towards the front and rear lot lines of the subject property, to avoid drainage onto adjacent neighbouring properties; and
2. That the exterior wall of the carport, adjacent to 24A Wakelin Terrace, at no time be enclosed.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variance requested through application **A-48/19** is minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variance be approved.

The Proposal

Application **A-48/19** is made pertaining to City of St. Catharines By-law 2013-283, as amended for a reduction of the minimum interior side yard setback from 1.2 metres to 0.6 metres. The variance is requested to accommodate the proposed construction of a carport.

Location and Site Description

The subject property is located on the east side of Wakelin Terrace, to the west of Bunting Road and north of Southwood Drive. The surrounding area consists of primarily detached homes, as well as nearby apartment dwellings to the east.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E3 of the Garden City Plan (GCP). The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

Zoning By-law (2013-283)

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

Report

The Zoning By-law requires a minimum interior side yard setback of 1.2 metres. The intent of the minimum interior side yard setback of the Zoning By-law is to ensure that sufficient distance and a buffer is maintained between structures on adjacent properties, and that sufficient distance from property lines is maintained to support on-site drainage and access to rear yards. The variance to reduce the interior side yard setback to 0.6 metres is to facilitate the construction of a carport.

Staff are of the opinion that the impact of the reduced side yard for the carport will be minimal both for the subject property and the neighbouring property. However, in order to mitigate any significant drainage impacts, staff advise that downspouts must be provided off the front and rear of the carport, directing run-off towards the respective lot lines, and to maintain drainage on the subject property. In addition, staff is supportive of the requested variance on the condition that at no time is the exterior wall of the carport, facing 24A Wakelin Terrace, to be enclosed in any manner.

Building staff have advised that a building permit is required for the proposed carport.

Staff is of the opinion that the requested variance is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Conclusion

Staff is of the opinion that application **A-48/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate and desirable for the use of the land. It is staff's recommendation that the requested variance be approved, subject to the conditions outlined in the recommendation.

Prepared by:



Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

April 8, 2019

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

Attention: Elaine Munro

File# 60.81.5482

Re: 24 Wakelin Terrace

In response to your correspondence dated April 2, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

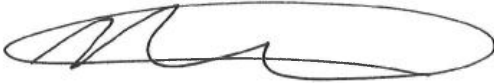
We would also like to stipulate the following:

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

- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', enclosed within a large, horizontal oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3

24 Wakelin Terrace
40 Elgin Street

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

Sent: Wednesday, April 03, 2019 7:49 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3

Hi Elaine

Email-3

Cogeco has no issues or concerns with these applications.

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)

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

On Tue, Apr 2, 2019 at 5:06 PM Munro, Elaine <emunro@stcatharines.ca> wrote:



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

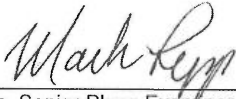
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-16/19SC (60.84.2244), A-49/19
(60.81.5485) & A-50/19 (60.81.5486)**

40 Elgin Street

**DATE OF HEARING:
April 25, 2019**

April 8, 2019

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

Attention: Elaine Munro

File# 60.84.2244, 60.81.5483 & 60.81.5484

Re: 38 & 40 Elgin St

In response to your correspondence dated April 2, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.

We would also like to stipulate the following:

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

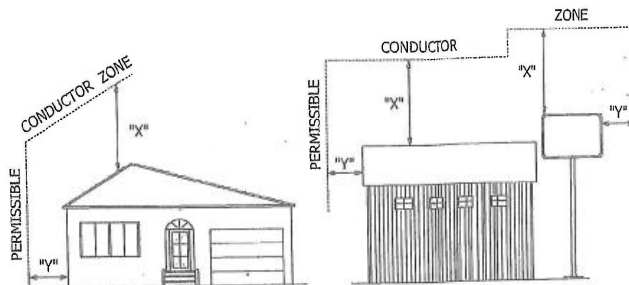
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.

horizon
UTILITIES Looking beyond..

DRAWING STATUS	BY	DATE
REDRAWN:	JM	12/06/07
CHECKED:	ND	26/04/05
APPROVED:	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS
(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #
3-105

DRAWINGS
NOT TO SCALE

SHEET #
1

REVISIONS
0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3 -905-19-163

From: Gordon, Carrie [mailto:carrie.gordon@bell.ca]
Sent: Monday, April 15, 2019 10:12 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3 -905-19-163

Good morning Elaine,

Re File: B-16/19SC

Details:

- ☐ Severance
- ☐ 40 Elgin Street
- ☐ Lot 36 Plan 700

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Severance.

Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-722-2263

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3

24 Wakelin Terrace
40 Elgin Street

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, April 03, 2019 7:49 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 3

Hi Elaine
Email-3
Cogeco has no issues or concerns with these applications.

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

On Tue, Apr 2, 2019 at 5:06 PM Munro, Elaine <emunro@stcatharines.ca> wrote:

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - 40 Elgin

From: Richer, Chloe
Sent: Wednesday, April 03, 2019 11:37 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - 40 Elgin

Hi Elaine,

Thank you for following up regarding 40 Elgin Street.

A heritage permit application went before the St. Catharines Heritage Permit Advisory Committee (SCHPAC) on Thursday, March 28th, 2019. The Committee supported the application and moved the following motion:

"That the SCHPAC approve the Heritage Permit application for the construction of a new dwelling at 40 Elgin Street, in accordance to the first set of submitted drawings with the garage set back at a depth of two feet and 1.2-metre side yard setbacks, conditional upon approval of the severance."

Please note, the meeting minutes are currently in draft form and will be approved at the next SCHPAC meeting on April 25th, 2019.

I have followed up with the applicant, requesting that the plans indicate that the set back from the front façade to the garage will be 2' and the side yard setbacks will be 1.2m. As of Monday, April 1st, 2019, the applicant advised they are coordinating an updated drawing. As such, I have not brought the drawings to the Director of Planning and Building Services for delegated approval of the heritage permit application as of yet.

In addition, at the meeting on March 28th, 2019, the Committee members noted that one of their priorities in the design of new homes is symmetry. As such, I have requested that the applicant clarify whether there will be accent siding below all window openings. The front elevation only shows the accent siding on one side of the façade.

I have also encouraged the applicant to use cedar shakes rather than the style of cedar shakes in another material, as the Port Dalhousie Heritage Conservation District – Guidelines for conservation and change states "Limited use or small areas of synthetic cladding may be permitted on secondary facades or when used with traditional materials on principal facades."

Once I receive the revised drawing of the front façade, I will send you my updated comments. Please let me know if you have any questions in the meantime.

Thanks,
Chloe



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2019 hearing - File No.: 300-036

B-12/19SC – 51 Christie Street

Comment:

- No Comment

Condition:

- No Comment

B-13/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 2.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.

B-14/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

B-14/19SC – 32 Lincoln Avenue continued

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.
- The existing storage building crossing Parts 1,2, and 3 to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B16/19SC – 40 Elgin Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling.
- The existing shed on Part 1 is to be removed and a demolition permit is required if its area is greater than 10 square metres.

B-17/19SC – 18 Howard Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling.

Condition:

- The existing shed on Part 2 is to be removed and a demolition permit is required if its area is greater than 10 square metres.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.

B-18/19SC – 43 Lloyd Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 1, 2, 3, and 4.

Condition:

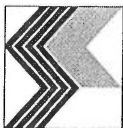
- The existing dwelling on Parts 1,3, and 4 is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

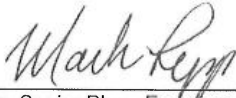
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

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10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
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12. **43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
 43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
 43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-16/19SC



April 9th, 2019

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2019

Applicant: John D., Vassiliki, Georgia and John Howard

Location: 40 Elgin Street

MUNICIPAL SERVICES

Elgin Street

Water:	150mm P.V.C.
Sanitary:	200mm P.V.C.
Storm:	None
Sidewalks:	None
Road Allowance:	20m±

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

Comment(s): It is noted that the Owner proposes to sever Part 1 creating a new lot to be known as 38 Elgin Street, for the purpose of constructing a single detached dwelling. A remnant parcel Part 2 would be retained for continued residential use.

Roads

Elgin Street is designated a Local road per the City's Official plan with desired right-of-way width of 20.12m. Its current width is sufficient being that of 20.12m; therefore, the City shall not be requesting any further dedications of land for road widening purposes.

As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide a "safe, functional and attractive pedestrians and cycling environment". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Sidewalks exist along the frontage of the subject property. The Owner shall be aware that through the Building permit process, sidewalk damage deposits will be required for the new dwelling construction.

Engineering Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. An individual lot grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and

approved by City staff, prior to the finalization of the Consent. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future lots convey drainage to a suitable outlet, while at the same time will not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a piped storm sewer are available. Since a storm sewer does not exist at this location on Elgin Street, the sump pump will be permitted to discharge to grade provided the discharge is directed towards the front of the lot. The location and direction of discharge shall be shown on the lot grading and drainage plan. Rain water leaders (downspouts) shall also be directed/discharged to the front of the proposed dwelling, and in accordance with the applicable By-law. These too must be identified on the approved grading plan.

Given the age and history of Port Dalhousie, and previous experiences in this area with respect to the existing configurations of private services, the Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the existing water and sewer service laterals for the existing dwelling, to confirm they do not conflict with any existing abutting and/or future lot line. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit so as not to allow conflicts to exist. The Owner shall also pay the City, if determined through the inspections that conflicts exist, the fees to provide new water and sewer services to the existing dwelling in order for each lot to be serviced individually.

The Owner shall pay the City the fees to install new water and sanitary sewer services for the new lot from the City sewer main and water main to the front property line through the building permit process.

Condition(s):

Prior to the severance finalization the Owner shall:

- Pay the fee for City crews to locate, trace, inspect and document the existing sewer and water laterals servicing the existing property; and
- If determined existing services conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay the City the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually; and
- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent

Prepared by:



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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**A-51/19 (60.81.5485) &
A52/19 (60.81.5486)**

**354 Glenridge Avenue
358 Glenridge Avenue**

**DATE OF HEARING:
April 25, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 8, 2019

Date of Meeting: April 25, 2019

Report Number: A-51/19
A-52/19

File: 60.81.5485
60.81.5486

Subject: 354-356 Glenridge Avenue
358-360 Glenridge Avenue

Recommendation

That Submissions **A-51/19** and **A-52/19**, by John Janzen, as outlined in the Notice of Hearing, be approved, subject to the following condition:

1. That the north west corner of the lands identified as Part 1 on the sketch, adjacent to the parking space 1, be reinstated as landscaping to achieve the 1.9 metre landscape buffer along the rear lot line.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through applications **A-51/19** and **A-52/19** are minor in nature, desirable for the appropriate use of the land and that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff recommends that the requested variances be approved.

The Proposal

Application **A-51/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following on Part 1:

- 1) A reduction of the minimum lot area from 1120 m² to 948 m²
- 2) A reduction of minimum landscaped open space from 35% to 28%
- 3) A reduction of minimum landscape buffer along the rear lot line from 3 metres to 1.9 metres
- 4) An increase of the maximum dwelling size from 93 m² to 174 m²
- 5) An increase of the maximum parking area coverage from 20% to 48.2%

The variances are requested to facilitate a concurrent application for Part Lot Control.

Application **A-52/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for the following on Part 2:

- 1) A reduction of the minimum lot area from 1120 m² to 892 m²
- 2) A reduction of the minimum landscaped open space from 35% to 24%

- 3) A reduction of the minimum landscape buffer along the rear lot line from 3 metres to 1.8 metres
 - 4) An increase of the maximum dwelling size from 93 m² to 166 m²
 - 5) An increase of the maximum parking area coverage from 20% to 52.8%
- The variances are requested to facilitate a concurrent application for Part Lot Control.

Location and Site Description

The subject property is located on the west side of Glenridge Avenue, north of Victor Boulevard and east of Masterson Drive. The surrounding area consists of primarily detached homes and quadruplexes, as well as a nearby place of worship to the northeast.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E8 of the Garden City Plan (GCP). The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2-31). The R2-31 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments. Special Provision 31 permits site specific zoning provisions regarding setbacks, heights, landscaping, lot coverage and parking areas.

Report

A-51/19 (Part 1) and A-52/19 (Part 2)

The application is requesting to address variances that have been triggered as a result of the lifting of Part Lot Control process that has been undertaken to correct the inadvertent merging of the property at 354 Glenridge Avenue (Part 1) and 358 Glenridge Avenue (Part 2), which merged as a result of the title of all properties being under the same name of ownership. The existing quadruplex buildings on Parts 1 and 2 were constructed in 1967 on the subject properties. The requested variances for deficiencies in lot area, landscaped open space, landscape buffers, dwelling sizes and parking area coverage are existing situations on the properties that pre-date the current zoning of the property and were triggered due to the applications to rectify the merger situation.

The existing dwellings, parking layout and landscaping on the properties will be maintained as previously existing, and no new development or construction is taking

place. It should be noted that on the submitted sketch, a portion of the parking area extends to the property line at the north west corner of Part 1. This portion of the parking area should be removed and reinstated with landscaping in order to meet the provisions of the requested variances for landscape buffering. Staff are in support of the requested variances, as they are necessary to permit a legal non-compliant situation on the subject properties to continue to function as already existing while facilitating the severance of two properties that have inadvertently merged.

Staff is of the opinion that the requested variances are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Conclusion

Staff is of the opinion that Applications **A-51/19** and **A-52/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate and desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:

for 

Vincent Wen
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:



Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 4

354 & 358 Glenridge Avenue

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

Sent: Wednesday, April 03, 2019 7:51 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 4

Hi Elaine

Email-4

Cogeco has no issues or concerns with these applications.

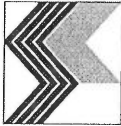
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

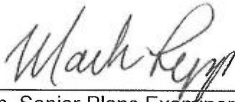
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
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Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

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CC:
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Subject: Committee of Adjustment Hearing – April 25, 2019

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No comment.

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-17/19SC (60.84.2245), A-53/19
(60.81.5487) & A-54/19 (60.81.5488)**

18 Howard Avenue

**DATE OF HEARING:
April 25, 2019**

Re: Severance Request to the City for
18 Howard Ave. St Catharines

By the sign posted at the corner of Howard and Florence Streets:

The new owners are looking to sever the backyard and build on a 60+/- ft deep lot. This doesn't conform to the setbacks of the other homes that face Florence Street. We all chose this area for the single family neighbourhood with lot sizes that our children could have enough room to play in. This is going to cram 2 families on a lot the size of one lot, driving down values of anyone living close by. This is infilling, that doesn't fit the homes in the area. What is to stop the next person selling to someone that wants to build something like a Semi three stories high like what has been built elsewhere in the city (Eastchester and Grantham area)

We have all seen the mess that infilling has caused in other areas of the city and the city had put a hold on infilling. I hadn't heard it was dropped at council but it was done quietly.

This is going to create parking problems, as Florence St is a short street. At present this backyard fills with water after a heavy rain next to my driveway. With only 5.00 m behind and 5.49m in front of the house for lawn this will not hold a heavy downfall. Water will be forced on to my property and that of Mrs.Cigana at 20 Howard St flooding her back yard and on down the back yards behind on Howard and Jefferson St. since water at present flows towards Florence St. There is a Bell easement along the back of the lots on Howard and Jefferson Streets and along my driveway on Florence. How will this be handled? I couldn't build a two car garage from a single car port because it would block access to the line.

Please take the time to look at the notice, and contact your Councilman about this application. Please take the time to attend the meeting posted for Thursday April 25th at 5.00 PM. Also notify the city that you want to attend and if possible also speak to this notice. I'm asking you as my neighbours for support for my wife and I and the other neighbours that borders this property.

Thanks for reading this. If you have concerns or ideas please feel free to call me, John Tiffin 1 Florence St. St Catharines Ont. [REDACTED]

Call the City Alderman in our area Carlos Garcia 905-937-7012 or Bruce Williamson 905-327-9754, to voice your concerns. And sign my petition

Thank You for your time.

To Whom It May Concern:

Problems with the request for severance of 18 Howard

A: The request for the severance for 18 Howard Plan 286 Lot 12 will not leave enough land to soak up heavy rain or snow melt water at the back of the home. It doesn't fit the needs of anyone who was to live there for green space and would be unsightly and cluttered.

B: The Variance request for the proposed lot if allowed on the front and back of the home also will create a water problem. By allowing the home to be built it also creates a problem with water in times of rain and heavy snow. The added roof space with drains will force water that drains onto the lot now with no place to go or soak in.

The house at 18 Howard is the high point the lot slopes down to the back of the lot. Water will now not be able to pool at the low end of the yard just inside the lot line by 3 m. as it does now. Where does this water find a new home, simple it will be forced back onto 20 Howard St. From there into yards behind not only Howard but Jefferson and also mine included on Florence. We don't want anyone elses water. Bad enough we have to contend with our own. Also in winter snow from this home that settles back and drifts down the yard of 18 Howard will now drop into my driveway and yard. I clear the drifts from the house across the street at 2 Howard were at present it drifts from the fence along her driveway back of 16 Howard.

The new home creates a problem with parking. The street is narrow at the west area of exit to Howard. There used to be no parking signs on both sides back from the corner for cars and trucks turning. These were removed when the city repaved Florence St some years back and were not replaced. With no sidewalks kids walking to school will be forced out onto the street into traffic. On days when the Optimist Park is holding baseball or other sport tournaments, parking along the sides of Howard, Florence and Jefferson are full. Parking reduces Florece St. to one lane when this happens. Fire trucks would have a hard time getting to a fire or ambulances to a call. Florence is a main exit for cars from Jefferson heading to Linwell Ave. Parking in front of the proposed lot at this end will not be safe for people or cars here. The road width at the Howard end of Florence is 7.46m wide, and 8.45 at the Jefferson end. This is a further restriction leaving a tight corner for turning of trucks, cars and firetrucks with parking.

The homes on Florence numbers 1,2,3,4 are set back about 30m from the centre of the road both sides. The total distance of road and road allowance in front of this proposed lot both sides is only 30m yard to yard. This will make the area look crowded with this home sticking out only 5.49m from city property which doesn't meet the city guidelines for frontage setback from the road. When our subdivision was built there was no road to Howard from Florence, the road was a lot and a fence across it at the end of my yard. The Florence St. stopped in front of my home the road curbs end at the corner of my yard and 2 Florence St. across the street. Being only 30m total shows it was a building lot that was bought to add an exit by the Grantham township.

C: This severance, in this area, will reduce the value of our property on the street by trying to cram too big of a home on too small of a lot. The people in this area bought their homes with enough land so their kids could play safe in their yards and keep them off the street. This home doesn't even come close to having that kind of space for a family to enjoy or the family that buys 18 Howard. This will force their kids out on the street to play this is not a good situation.

D: The Bell Canada easement on the east side of this property is only 1.5m for the proposed lot but the Bell line is 2.13m in from the lot line. The house has a setback of 1.22m from the lot line and a second story. This puts the line against the house as set out by the plan. The hydro pole is right in the east end of the driveway of proposed house restricting the turn in room to the garage. The city planted a tree right in the middle of the proposed driveway creating another problem of turning into the proposed lot.

E: There is still lots of land to develop in the city boundaries without carving up our neighbourhoods. When it comes to this type of infilling it doesn't take into consideration the effect it has on long term residents. My wife and I have been here over 34 years. The Mrs Belski across the street since her house was new and Mrs Cigana since her home was built over 60 years ago. This Company didn't buy the home at 18 Howard to join the people that live here. They are trying to make a quick buck on lots where they didn't have to pay for the infrastructure that we paid for in our taxes all these years.

Closing

I am not against development. It is a good thing, we just had neighbours on Howard add an extension to their home. They added to the back of their house put

in a pool and spent a lot of time and money. Would they have if they knew that someone was going to have a direct view of their pool area? I spent a lot on mine with the garage, driveway, siding to clean up my property and add value. Did I make a mistake? All my neighbours take pride in their homes, this may make them think twice in the future.

I don't think this severance is a good idea for this property, for the street, or the neighbourhood. It doesn't fit in this area, with the homes on Florence as it sticks way out in front of the sight lines of the homes on Florence St. with their setbacks under the original city lot plans. From the City's own Building Services Reports April 14th 2017

Report Number PBS-114201 File: 60.35.2.1, 60.30.329, 60.35.1026 this request doesn't even meet the city's own guideline. I thank you for your time.

John Tiffin
1 Florence St.
St Catharines Ont.

People Not in Support of of Serverances
For 18 Howard Ave & Proposed Lot 1A Florence St.

Files No. 60.84.2245 Sub. No B-1719SC
Roll No.2629060023076000000

File No.60.81.5487
Sub. No.A-53/19

File No. 60-81-5488
Sub. NO. a-54/19

Name

Address

Phone





Bell Canada
Fl-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-722-2263
Tel: 705-722-2244
E-mail: carrie.gordon@bell.ca



April 15, 2019

City of St Catharines
Committee of Adjustment
P.O. Box 3012
50 Church St
St Catharines, ON
L2R 7C2

Attention: Elaine Munro, ACST, Secretary-Treasurer
Email only: emunro@stcatharines.ca

Dear Madam:

Subject: Application for Consent – Severance
18 Howard Avenue
Plan 286 Lot 12 Corner
CofA File: B-17/19SC

Bell File: 905-19-164

We acknowledge receipt and thank you for your correspondence April 2, 2019.

Subsequent to review of the above noted Consent Application by our local Engineering Department, it has been identified, that Bell Canada requests a transfer of easement over these lands, to protect existing aerial facilities that supply service to the property and to maintain service in the area.

Bell Canada would like to confirm that Part 2 as shown on the associated Planning Sketch, or a 3.0m wide corridor to be measured 1.5m on either side of the east property line aerial facilities, as can be accommodated, would satisfy our needs.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction is the responsibility of the landowner. Compensation should be set to the nominal amount of \$2.00 for the acquisition of these rights. Additionally, Bell Canada requires separate, registered postponements for any mortgages and certification of title.

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

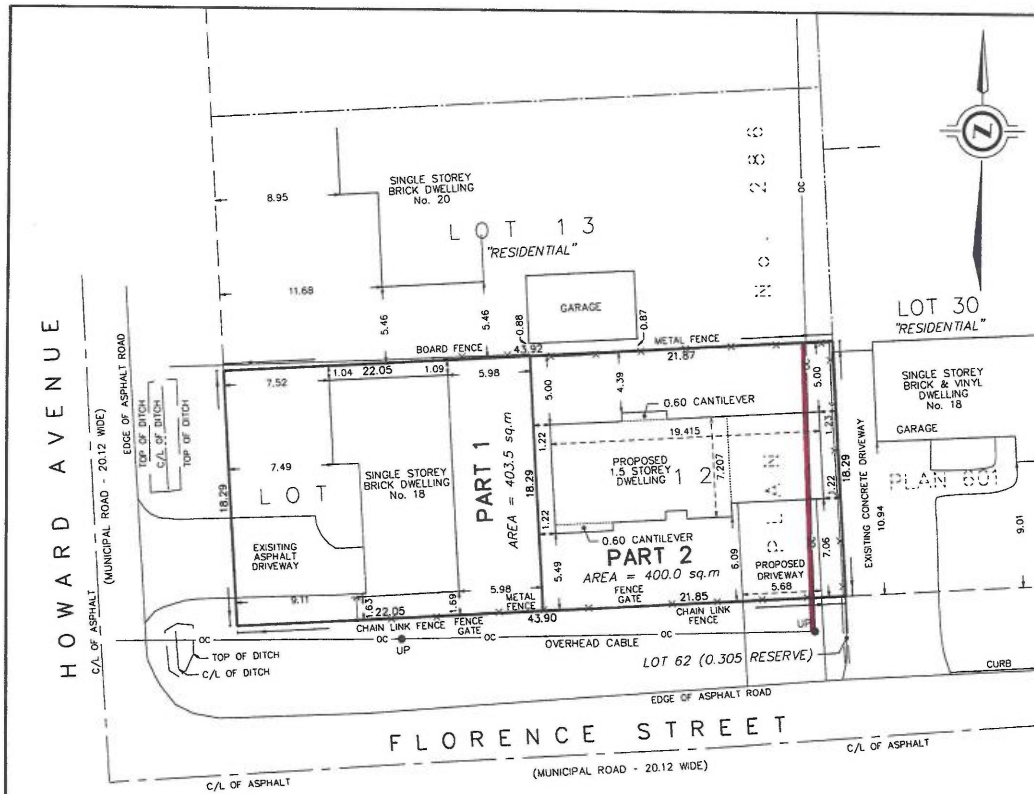
If you have any questions or concerns, please feel free to contact me.

Yours truly,

A handwritten signature in blue ink that reads "Carrie Gordon".

Carrie Gordon
Right of Way Associate
Encl.





NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY

SKETCH FOR PLANNING PURPOSES ONLY

18 HOWARD AVENUE
CITY OF ST. CATHARINES
 REGIONAL MUNICIPALITY OF NIAGARA
 MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOME SURVEYING LTD.
 SCALE 1 : 250

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KEY PLAN (not to scale)



CITY OF ST. CATHARINES

LEGAL DESCRIPTION

LOT 12, REGISTERED PLAN No. 286

BOUNDARY INFORMATION HAS BEEN DERIVED FROM A FIELD SURVEY DATED MARCH 8, 2019. THIS IS NOT A PLAN OF SURVEY.

Mar 12, 2019
 DATE
 ALLAN G. HEYWOOD
 ONTARIO LAND SURVEYOR

CAUTION

(A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

(B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

NOTE: THIS SKETCH IS AN ORIGINAL IF EMBOSSED BY A SURVEYOR'S SEAL.



MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOME
 SURVEYING LIMITED
 A wholly owned subsidiary of J.D. Haynes Limited
 633 STANLEY AVENUE, UNIT 1, NIAGARA FALLS, ON L2G 1K7
 T: (905) 338-3693 F: (905) 338-6224 www.photomaps.com

12/02/2019
 PLOTTED
 19-16-052-00

April 8, 2019

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

Attention: Elaine Munro

File# 60.84.2245, 60.81.5487 & 60.81.5488

Re: 18 Howard Ave and 1A Florence St

In response to your correspondence dated April 2, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our Customer Connections Department @ 905-317-4746 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.

We would also like to stipulate the following:

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

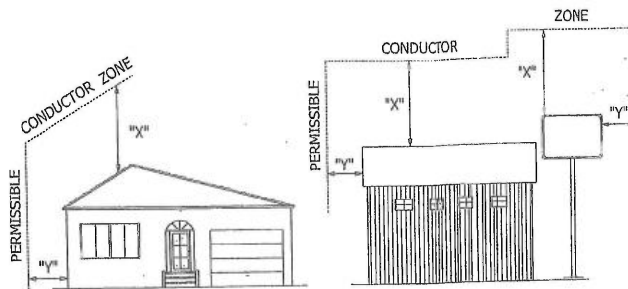
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Jakubowski', enclosed within a large, loopy oval shape.

Mark Jakubowski
Supervisor, Design, Customer Capital



- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

- THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
- THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
- THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
- THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
- THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.

horizon
UTILITIES Looking beyond..

DRAWING STATUS	BY	DATE
REDRAWN	JM	12/06/07
CHECKED	ND	26/04/05
APPROVED	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS
(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET#

1

REVISION#

0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 5

18 Howard Avenue

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

Sent: Wednesday, April 03, 2019 7:52 AM

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

Subject: Re: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 5

Hi Elaine

Email-5

Cogeco has no issues or concerns with these applications.

Thanks

Have a Great day

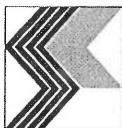
Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

On Tue, Apr 2, 2019 at 5:07 PM Munro, Elaine <emunro@stcatharines.ca> wrote:



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2019 hearing - File No.: 300-036

B-12/19SC – 51 Christie Street

Comment:

- No Comment

Condition:

- No Comment

B-13/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 2.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.

B-14/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

B-14/19SC – 32 Lincoln Avenue continued

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.
- The existing storage building crossing Parts 1,2, and 3 to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B16/19SC – 40 Elgin Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling.
- The existing shed on Part 1 is to be removed and a demolition permit is required if its area is greater than 10 square metres.

B-17/19SC – 18 Howard Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling.

Condition:

- The existing shed on Part 2 is to be removed and a demolition permit is required if its area is greater than 10 square metres.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.

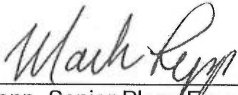
B-18/19SC – 43 Lloyd Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 1, 2, 3, and 4.

Condition:

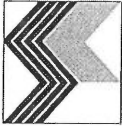
- The existing dwelling on Parts 1,3, and 4 is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2019\08bcoa memo-sev-April25,2019.docx



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

Mark Lepp

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**
No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**
No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**
No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**
40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483
38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**
356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486
No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**
18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487
1A Florence Street, Minor Variance, A-55/19 – 60.81.5488
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

- 12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246**
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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

ENGINEERING FILE 300-36

Applicant: Brayston Guhl

Location: 18 Howard Avenue

MUNICIPAL SERVICES

Florence Street

Sanitary Sewer: No (Requires 15m -18m Extension)

Storm Sewer: No

Sidewalks: No

Curbs: No

Road Allowance Width: 20m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 on the Sketch Plan included with the application, creating a lot for a new detached dwelling fronting on Florence Street. Part 1 will be retained for the existing dwelling fronting on Howard Avenue.

Roads

Florence Street is designated as a Local Road in the Garden City Plan (The City's Official Plan) with a desired right-of-way width of 20m. Its current width across the frontage of the subject property is 20.12m. Therefore, no road widening is required at this time.

Sidewalks do not exist along the frontage of the subject property at this time. However, as per the Garden City Plan, Council wishes to achieve Complete Streets and “Walkable” Communities. In addition to accommodating vehicles, the roadways shall provide a “safe, functional and attractive pedestrian and cycling environment”. Section 5.2.1 indicates sidewalks should be provided on both sides of all streets. Section 5.3 indicates “All existing roads will be brought up to meet current general standards now required for roads”. However, it is recognized that due to the expense this may not be achieved for many years.

As a condition of Consent and, since existing links to other sections of sidewalk do not yet exist, the City requires the Owner to make a cash contribution for the construction of a future sidewalk rather than construct the sidewalk at this time. The cash contribution will be based on the average City tender construction pricing, at the time of payment. The current rate is \$194.45 per square meter. The required total amount shall be based on a 1.5m wide sidewalk along the total property length of

43.90m. Therefore, the total estimated cost of the Owner's share if paid now is \$12,804.53.

Municipal Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. An individual lot grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time not adversely affecting abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped storm sewer. Since a storm sewer does not exist at this location on Florence Street, the sump pump will be permitted to discharge to grade provided the discharge is directed towards the front lot line. The location and direction of discharge shall be shown on the lot grading and drainage plan.

Roof Water Leaders (Downspouts) shall also be direct to, and be discharged at, the front of the proposed dwelling. These too must be shown on the approved grading plan.

Since the sanitary lateral and the water service connection for the existing house both appear to be connected to the City's main lines on Howard, there is no need to confirm their locations for potential conflicts.

A new sanitary lateral and water service will be required to service the new lot. As indicated above there is no existing sanitary sewer across the frontage of the proposed lot. In order to provide a sanitary outlet for the new lot the existing sanitary sewer on Florence Street must be extended approximately 18m. In order to complete the installation of these services the applicant will be required to enter into a Servicing Agreement in which they will be required to hire a qualified engineer to design and oversee the construction of the sewer extension, as well as the individual sanitary sewer lateral and water service connections to the new lot. The Servicing Agreement will also require the Owner to provide applicable securities to the City to ensure the work is completed to the satisfaction of the City Engineer.

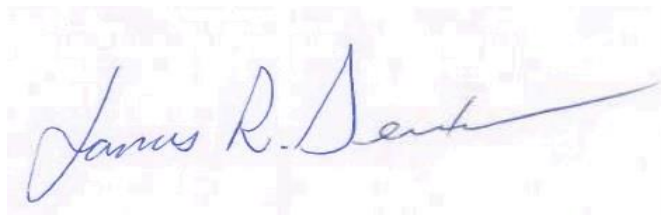
The terms of the Servicing Agreement shall include, but not be limited to, the following;

- The Owner shall be responsible for obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.,
- The Owner shall hire an Engineer who shall design all of the works covered by the Servicing Agreement, prepare a plan & profile drawing and specifications for the said works, submit all plans and documents to the City for approval, prepare applications for submission to all other approval agencies, supervise and inspect the construction of the works, including the setting and checking of all lines and grades, etc. prior to, during and after construction,

- The Owner shall pay all City costs associated the improvements, including among other things the cost of City inspection of the works,
- The Owner shall be required to deposit securities with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Agreement,
- The Owner shall have his Engineer provide as-constructed servicing and grading drawings as well as lateral cards for all proposed works,
- The Owner shall ensure the Servicing Agreement is executed and registered on Title of the subject lands to the satisfaction of the City.

Condition(s): **Prior to the severance being finalized the Owner shall;**

- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff.
- Pay the cash-in-lieu fee for future sidewalks along the frontage length of Florence Street, the costs to be determined based on the construction price index and average City tender document pricing, at the time of payment for a total of 43.9m;
- Enter into a Servicing Agreement with the City of St. Catharines.



Prepared By: _____
James R. Denham, P.Eng.
Development Engineering Technologist



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-18/19SC (60.84.2246), A-55/19 *
(60.81.5489) & A-56/19)**

43 Lloyd Street

**DATE OF HEARING:
April 25, 2019**

Munro, Elaine

From: Silvana Vega, APP, OCR [REDACTED] >
Sent: Friday, April 12, 2019 8:54 AM
To: Munro, Elaine
Subject: 43 Lloyd Street St. Catharines Ontario

Morning Elaine Munro,

File No. 60.81.5489
Submission No.A-55/19

I am writing to you with my concerns regarding an upcoming hearing and proposal for 43 Lloyd Street, St. Catharines.

Area of concerns.

1. That the build of two Semi are being constructed to house students. Similar build to 52A and 52B Merigold which by my understand has 5 rooms in each for students.
2. I would be against the proposal. As I have had student reside next to my residence for the last five years approx. The challenges I have had to endure with this - unable to use my driveways either from the entrance being block, cars parked in driveway, loud music from parties, empty beer cans tossed onto the property, cigarette buds tossed over the fence. As a result of this I was faced with addition expenses by having to erect a fence and gate to try secure my residence.
3. There would be reduced parking on the street for all other residence on the street.
4. Not sure to why the build is being build with a reduce frontage from the road given the depth of the property. Two issue with this. Firstly, reduced light for my residence as I currently live very close to the sidewalk and road. secondly, Increased Noise being so close to the road. .. If its laid further back into the lot more parking readily available to said property and more light.
5. If this proposal is being build for Student housing, there would be a noise disturbance for all surrounding residence.
6. Increase noise would directly interfere with myself as I work from home.
7. As a resident living so close, what are we to expected while this build is in process.? duration..etc.
8. Who will be repairing any damages that may happen to surrounding homes. Example surrounding homes are old and have older foundation. The vibration from the dig may cause these properties to face structural damage. Who would be repairing this if this occurs?
9. What time length would it take to build?
10. Not really understanding the plans it mention Part 1, Part 2, Part 3, Part 4, please explain... is there further development for the rear?

Unfortunately I will not be able to attend the Hearing as I am out of town.

--
Respectfully,

Silvana Vega, APP, OCR - 44 Lloyd Street
Adriano Vega - Unable to attend hearing - out of country
Franca Jackson - Unable to attend hearing - out of country
Anna Noone - Unable to attend hearing - out of country

Munro, Elaine

Subject: RE: Building on lloyd street

From: Virginia Woods [mailto:]
Sent: Monday, April 15, 2019 10:47 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Building on lloyd street

To whom it may concern
My name is virginia woods
Ive lived on lloyd street since 1991
Im very concerned about the proposed lot of 43b lloyd street
For a semi detached dwelling
Im not in favor of this
Im concerned that our quiet neighborhood
Wont be quiet anymore
Please let me know a.s.a.p
About this proposal
Thank you
Sincerely Virginia woods

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

April 8, 2019

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

Attention: Elaine Munro

File# 60.84.2246, 60.81.5489 & 60.81.5490

Re: 43, 43A & 43B Lloyd St

In response to your correspondence dated April 2, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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


We would also like to stipulate the following:

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

- Electrical Safety Code Rule 75-312
- Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
- CAN/CSA-C22.3 No. 1-15, Overhead System
- C22.3 No. 7-15 Underground Systems

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

Sincerely,

A handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature is stylized and appears to read 'Mark Jakubowski'.

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: FW: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 6 - Last Email

43 Lloyd Street

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

Sent: Wednesday, April 03, 2019 8:56 AM

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

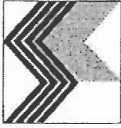
Subject: Re: FW: Committee of Adjustment Notices and Applications for the April 25/19 CofA Hearing, City of St. Catharines - Email 6 - Last Email

Hi Elaine

Email 6 I didn't receive.

Cogeco has no issues or concerns with these adjustments

Thanks



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

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

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 25, 2019 hearing - File No.: 300-036

B-12/19SC – 51 Christie Street

Comment:

- No Comment

Condition:

- No Comment

B-13/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 2.

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.

B-14/19SC – 32 Lincoln Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

B-14/19SC – 32 Lincoln Avenue continued

Condition:

- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the west face of the existing detached building on Part 3 opposite Part 1.
- The existing storage building crossing Parts 1,2, and 3 to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B16/19SC – 40 Elgin Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 1.

Condition:

- ⁴ - The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the southeast face of the existing dwelling.
- The existing shed on Part 1 is to be removed and a demolition permit is required if its area is greater than 10 square metres.

B-17/19SC – 18 Howard Avenue

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling.

Condition:

- The existing shed on Part 2 is to be removed and a demolition permit is required if its area is greater than 10 square metres.
- The applicant shall satisfy the Chief Building Official for the City of St. Catharines that the spatial separation requirements for glazed openings and wall construction meets the requirements for subsection 9.10.14. and 9.10.15. of the 2012 Ontario Building Code for the east face of the existing dwelling on Part 1.

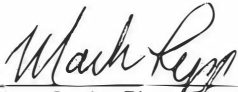
B-18/19SC – 43 Lloyd Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling on Parts 1, 2, 3, and 4.

Condition:

- The existing dwelling on Parts 1,3, and 4 is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\ldg memo 2019\08bcoa memo-sev-April25,2019.docx



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Vincent Wen
Planning and Building Services

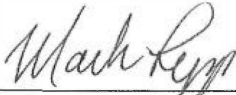
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: April 9, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –April 25, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-46/18	405 Merritt Street	-No Comment
A-38/19	75 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-40/19	74 Wiley Street	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-44/19	14 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-45/19	12 Waite Lane	-Be advised that a building permit is required for the proposed single detached dwelling.
A-46/19	76 Queenston Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-47/19	4 Leeson Street	-No Comment
A-48/19	24 Wakelin Terrace	-Be advised that a building permit is required for the proposed carport.
A-49/19	40 Elgin Street	-No Comment
A-50/19	38 Elgin Street	-No Comment
A-51/19	354-356 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-52/19	356-358 Glenridge Avenue	-Be advised that a building permit is required for the proposed multiplex.
A-53/19	18 Howard Avenue	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-54/19	1A Florence Street	-Be advised that a building permit is required for the proposed single detached dwelling. - Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.

NO.	ADDRESS	COMMENTS
A-55/19	43A Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.
A-56/19	43B Lloyd Street	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings facing these yards.



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\07 bcoa memo-mv-Apr25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: April 9, 2019
Subject: Committee of Adjustment Hearing – April 25, 2019

1. **405 Merritt Street, Minor Variance, A-46/18 – 60.81.5335**
No comment.
2. **75 Queenston Street, Minor Variance, A-38/19 – 60.81.5472**
No comment.
3. **51 Christie Street, Consent, B-12/19SC – 60.84.2240**
No revised comments.
4. **74 Wiley Street, Minor Variance, A-40/19 – 60.81.5474**
PRCS is supportive of the proposed parking reduction and the retention of green space and boulevard planting.
5. **32 Lincoln Avenue, Consent, B-13/19SC – 60.84.2241**
32 Lincoln Avenue, Consent, B-14/19SC – 60.84.2242
14 Waite Lane, Minor Variance, A-44/19 – 60.81.5478
12 Waite Lane, Minor variance, A-45/19 – 60.81.5479
Please be advised that we have reviewed the above-noted applications and request the following be included as a conditions of each severance:

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall

be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. **76 Queenston Street, Minor Variance, A-46/19 – 60.81.5480**

No comment.

7. **4 Leeson Street, Minor Variance, A-47/19 – 60.81.5481**

No comment.

8. **24 Wakelin Terrace, Minor Variance, A-48/19 – 60.81.5482**

No comment.

9. **40 Elgin Street, Consent, B-16/19SC – 60.84.2244**

40 Elgin Street, Minor Variance, A-49/19 – 60.81.5483

38 Elgin Street, Minor Variance, A-50/19 – 60.81.5484

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

10. **354-356 Glenridge Avenue, Minor Variance, A-51/19 – 60.81.5485**

356-358 Glenridge Avenue, Minor Variance, A-52/19 – 60.81.5486

No comment.

11. **18 Howard Avenue, Consent, B-17/19SC – 60.84.2245**

18 Howard Avenue, Minor Variance, A-54/19 – 60.81.5487

1A Florence Street, Minor Variance, A-55/19 – 60.81.5488

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

**12. 43 Lloyd Street, Consent, B-18/19SC – 60.84.2246
43A Lloyd Street, Minor Variance, A-55/19 – 60.81.5489
43B Lloyd Street, Minor Variance, A-56/19 – 60.81.5490**

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

That the applicant submit a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

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

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

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

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-18/19SC**



April 9th, 2019

ENGINEERING FILE 300-36

Hearing Date: April 25th, 2019

Applicant: 2556067 Ontario Inc.

Location: 43 Lloyd Street

MUNICIPAL SERVICES

Lloyd Street

Water:	150mm C.I.
Sanitary:	250mm P.V.C.
Storm:	None
Sidewalks:	Yes
Road Allowance:	18.28m±

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

Comment(s):

It is noted that the Owner proposes to sever Parts 1 & 2 to be known as 43B Lloyd Street, for the proposed construction of one-half of a semi-detached dwelling subject to an easement in perpetuity over Part 2 to benefit the northerly abutting lands (Parts 3 & 4) for eaves, gutters and a party wall. A remnant parcel (Parts 3 & 4) would be retained for the other half of the proposed semi-detached dwelling, subject to an easement in perpetuity over Part 4 for eaves, gutter and party wall to benefit the southerly abutting lands known as 43B Lloyd Street with the other half of the proposed semi-detached dwelling.

Roads

Lloyd Street is designated a Local road per the City's Official plan with a desired right-of-way width of 20.0m. Its current width is deficient at 18.28m, therefore, the City shall request a 0.86m road widening be dedicated to the City free and clear of any encumbrances to be known as Public Highway Lloyd Street.

As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide a "safe, functional and attractive pedestrians and cycling environment". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Sidewalks exist along the frontage of the subject property. The Owner shall be aware that through the Building permit process, sidewalk damage deposits will be required for the new dwelling construction.

Engineering Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. An individual lot grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future lots convey drainage to a suitable outlet, while at the same time will not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a piped storm sewer are available. Since a storm sewer does not exist at this location on Lloyd Street, the sump pump will be permitted to discharge to grade provided the discharge is directed towards the front of the lot. The location and direction of discharge shall be shown on the lot grading and drainage plan. Rain water leaders (downspouts) shall also be directed/discharged to the front of the proposed dwelling, and in accordance with the applicable By-law. These too must be identified on the approved grading plan.

The Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the existing water and sewer service laterals for the existing dwelling, to confirm they do not conflict with any existing abutting and/or future lot lines. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit so as not to allow conflicts to exist. The Owner shall pay the City the fees to install new water and sanitary sewer services for the new lot from the City sewer main and water main to the front property line through the building permit process.

Condition(s):

Prior to the severance finalization the Owner shall;

- * Pay the fee for City crews to locate, trace, inspect and document the existing sewer and water laterals servicing the existing property; and
- * If determined existing services conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay the City the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually; and
- * Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent; and
- * Provide the City a draft reference plan indicating the proposed 0.86m widening for review and approval, prior to registration of the plan in the Land Registry Office; and
- * Dedicate to the City, free and clear of any encumbrances, 0.86m along the frontage of the subject property, to be known as Public Highway Lloyd Street

Prepared by:



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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Kirstin Jensen, Planner I
Wilrik Banda, Planning Technician
Vincent Wen, Planning Co-op Student

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

Date: April 9th, 2019
Hearing Date: April 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
405 Queenston Street, A -46/18SC
75 Queenston Street, A -38/19SC
74 Wiley Street, A -40/19SC
14 Waite Lane, A -44/19SC
76 Queenston Street, A -46/19SC
4 Leeson Street, A -47/19SC
24 Wakelin Terrace, A -48/19SC
38&40 Elgin Street, A -49-50/19SC
354/356&358/360 Glenridge Avenue, A -51-52/19SC
18 Howard Avenue and 1A Florence Street, A -53-54/19SC
43A&43B Lloyd Street, A -55-56/19SC

Development Engineering have reviewed the above noted applications for Minor Variance requests. Unless otherwise noted below we have no concerns or comments.

- [Regarding 38&40 Elgin Street, A -49-50/19SC, see comments for Consent Application for same addresses.
- [Regarding 18 Howard Avenue and 1A Florence Street, A -53-54/19SC, see comments for Consent Application for same addresses.
- [Regarding 43A&43B Lloyd Street, A -55-56/19SC, see comments for Consent Application for same addresses.

Prepared by: James Denham P.Eng.
Development Engineering Technologist

JD cc. Brian Thiessen, Brad Johnston, PBS. (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 10, 2019

Subject: Committee of Adjustment
Public Hearings – April 25, 2019
File No. 305-17-01

A-046/19 – 405 Merritt Street

We aren't in favour of eliminating accessible parking and would be supportive of reducing the standard parking in order to accommodate accessible parking. The accessible parking may not necessarily be required for tenants, but could also be used to accommodate visitors.

We have no concerns or requirements with the remaining applications.

If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/