

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. 43 Dieppe Road, Minor Variance, A-71/19 – 60.81.5505
 2. 6 Ridgeview Avenue, Minor Variance, A-72/19 – 60.81.5506
 3. 41 Moffatt Street, Minor Variance, A-73/19 – 60.81.5507
 4. 36 Almond Street, Consent, B-24/19SC – 60.84.2251
 - 36A Almond Street, Minor Variance, A-74/19 – 60.81.5508
 - 36B Almond Street, Minor Variance, A-75/19 – 60.81.5509
 5. 34 Rykert Street, Minor Variance, A-76/19 – 60.81.5510
 6. 27 Oakdale Avenue, Minor Variance, A-77/19 – 60.81.5511
 7. 76 Currie Street, Minor Variance, A-78/19 - 60.81.5512
 8. 14 Tasker Street, Minor Variance, A-79/19 – 60.81.5513
 9. 52 Vine Street South, Minor Variance, A-83/19 – 60.81.5517
 - 10.* 2 Weston Road, Consent, B-25/19SC – 60.84.2252
 - 2 Weston Road, Consent, B-26/19SC – 60.84.2253
 - 40A Edith Street, Minor Variance, A-80/19 – 60.81.5514
 - 40B Edith Street, Minor Variance, A-81/19 – 60.81.5515
 - 2 Weston Road, Minor Variance, A-82/19 – 60.81.5516
 11. 140 Glendale Avenue, Consent, B-27/19SC – 60.84.2254
 - 140A Glendale Avenue, Minor Variance, A-84/19 – 60.81.5518
 - 140B Glendale Avenue, Minor Variance, A-85/19 – 60.81.5519

*Planning Report for 2 Weston Road will be distributed on Monday, June 24, 2019.

7. New Business:
8. Date of next Hearing: Wednesday, July 31, 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-71/19 (60.81.5505)

43 Dieppe Road

DATE OF HEARING:
June 26, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 14, 2019

Date of Meeting: June 26, 2019

Report Number: A-71/19

File: 60.81.5505

Subject: 43 Dieppe Road

Recommendation

That Submission **A-71/19**, by Tracy Broadley, 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-71/19** is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate and desirable for the use of the land. Staff recommend denial of application **A-71/19**.

The Proposal

Application **A-71/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283 for a reduction to the minimum easterly interior side yard setback from 1.2 metres to 0.6 metres for the proposed construction of an addition to the dwelling that is planned to be in alignment with the existing single detached dwelling.

Location and Site Description

The subject property is located on the north side of Dieppe Road and south of Delaware Street. The surrounding area consists of primarily single detached and semi-detached dwellings.

Circulation of Application

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

Planning Analysis

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule 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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse dwellings and private road developments.

Report

Zoning By-law 2013-283 requires a minimum interior side yard setback of 1.2 metres. The intent of the minimum interior side yard setback 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 applicant is requesting a reduction to the interior side yard setback from 1.2 metres to 0.6 metres. The variance to reduce the interior side yard setback to 0.6 metres is requested in order to add an addition to the rear of the dwelling that is built in line with the side wall of the existing dwelling. Staff are of the opinion that the lot size allows for adequate room to build an addition on the rear of the dwelling while still maintaining the 1.2 metre setback requirement of the Zoning By-law.

The property has a significant rear yard area that provides adequate space for an addition to be built in compliance with the zoning by-law. With increasing frequency and intensity of storm events, adequate side yard space for surface drainage takes on increasing importance. Without sufficient justification for a reduced side yard, staff are of the opinion that the requested variance should not be approved. The proposed addition can still be constructed; however, the required side yard should be maintained. The requested variance does not meet the four tests for approval of the variance.

The City's Building Department notes that a building permit is required for the proposed addition. Should the application be approved, notwithstanding staff's recommendation for denial, the applicant should be aware that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.

Conclusion

Staff is of the opinion that Application **A-71/19** is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate and desirable for the use of the land. Staff recommend denial of the application.

Prepared by:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing -

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]
Sent: Tuesday, June 11, 2019 1:17 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing -

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Re: A-71/19 – 60.81.5505
Minor Variance
43 Dieppe Road

Hi Elaine,

Thank you for the recent circulation regarding the above noted application. MTO is not concerned with the minor variance adjusting the easterly side setback. The proposed property is located within MTO permit control area and building and land use permit may be required if any changes will be proposed on the site.

Do not hesitate to contact me if you have any question or concern.

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region

Ministry of Transportation | Corridor Management Section | Niagara Region
159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7
Tel. (416) 235-3883 | Email: Alexandra.Boucetta@ontario.ca



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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

43 Dieppe
6 Ridgeview
41 Moffatt
34 Rykert

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine
Email 1
Cogeco has no issues or concerns with these 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, Mallory Smith, Will Banda
Planning and Building Services

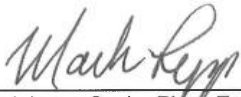
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-72/19 (60.81.5506)

6 Ridgeview Avenue

DATE OF HEARING:
June 26, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 14, 2019

Date of Meeting: June 26, 2019

Report Number: A-72/19

File: 60.81.5506

Subject: 6 Ridgeview Avenue

Recommendation

That Submission **A-72/19**, by Kevin Ras and Michelle Ras, as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-72/19** 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-72/19** is made pertaining to City of St. Catharines By-law 2013-283, for a variance to increase the maximum floor area for a proposed interior accessory dwelling unit from 60 m² to 72.46 m².

Location and Site Description

The subject property is located on the southeast corner of Ridgeview Avenue and Sunnylea Drive. The surrounding area consists of primarily detached homes, as well as nearby grocery stores, 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 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 – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, duplex, quadruplex, and townhouse dwellings, as well as private road developments.

Report

Zoning By-law 2013-283 permits a maximum floor area for an interior accessory dwelling unit of no more than 60 m², or 40% of the floor area of the entire dwelling (including the basement), whichever is less. The applicant has requested to increase the interior accessory dwelling unit area to 72.46 m². The variance is requested to permit an interior accessory dwelling unit within the existing detached dwelling. The additional 12.46 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 unit achieves the intent of an interior accessory dwelling unit despite the requested increase in floor area for the unit.

In this case the following factors favour the approval of this variance:

- i) The unit will make efficient use of the basement area that was underutilized, with the provision of 2 bedrooms and various living spaces;
- ii) The applicant has demonstrated the adequate supply of parking (2 spaces) is met, respecting the minimum parking requirement of the zoning by-law, and they are not provided in tandem;
- iii) The approval of this application *may* serve to provide affordable rental housing in the community;
- iv) The subject site is near to a major Regional arterial road (Carlton Street) and the availability of public transit is a benefit; and,
- v) No other variances are requested.

The Official Plan permits accessory dwelling units in single detached dwellings where they conform with the applicable zoning regulations. 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 variance be approved.

The City's Building department noted that a building permit is required for the proposed accessory dwelling unit.

Conclusion

Staff are satisfied that the variance requested through Submission **A-72/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is appropriate or desirable for the use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

43 Dieppe
6 Ridgeview
41 Moffatt
34 Rykert

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine
Email 1
Cogeco has no issues or concerns with these application

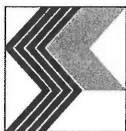
Thanks

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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
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27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-73/19 (60.81.5507)

41 Moffatt Street

DATE OF HEARING:
June 26, 2019



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 14, 2019

Date of Meeting: June 26, 2019

Report Number: A-73/19

File: 60.81.5507

Subject: 41 Moffatt Street

Recommendation

That Submission **A-73/19**, by 1473941 Ontario Ltd., as outlined in the Notice of Hearing, be approved.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-73/19** 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 variances be approved.

The Proposal

Application **A-73/19** is requesting to vary the City of St. Catharines Zoning By-law 2013-283 for the following variances for the proposed construction of five Blocks of 4-unit street townhouses:

1. A reduction of lot area per dwelling unit for a 4-unit townhouse from 280 m² to 258 m² for Block 2.
2. A reduction of lot area per dwelling unit for a 4-unit townhouse from 280 m² to 266 m² for Block 3.
3. A reduction of lot area per dwelling unit for a 4-unit townhouse from 280 m² to 274 m² for Block 4.
4. A reduction of lot area per dwelling unit for a 4-unit townhouse from 280 m² to 213 m² for Block 5.
5. A reduction of lot area per dwelling unit for a 4-unit townhouse from 280 m² to 213 m² for Block 6.

Location and Site Description

The subject property is located west of Moffatt Street, to the north of Marshall Lane. The surrounding area consists of detached homes, semi-detached homes, town homes, green space, public transit and commercial amenities.

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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road development.

Report

Zoning By-law 2013-283 requires a minimum lot area for one unit of a townhouse dwelling of 280 m² per unit. The minimum lot area requirement is meant to ensure that a building envelope can fit comfortably on a property while still providing adequate amenity space, meeting setback requirements, and ensuring a dwelling will not overwhelm the lot or neighbouring properties. Application A-73/19 requests a reduction of the minimum lot area per dwelling unit from 280 m² to: 258.12 m² for Block 2; 266.21 m² for Block 3; 274.31 m² for Block 4; 213.75 m² for Block 5; and, 213.76 m² for Block 6.

The applicant has demonstrated that 4-unit townhouse dwellings can fit suitably on all Blocks in the plan, albeit each individual lot being slightly undersized, while abiding by all other required zoning provisions. The reductions will not significantly detract from the available amenity space of each property. From a streetscape perspective, the reductions are not visually discernable and will not have adverse impacts on the subject parcel, or neighbouring properties. The reductions will allow the applicant to make efficient use of the parcel of land in an opportunity for good infill development.

Staff would like to note that Lot 1 is planned for a single family detached home, respecting the provisions of the zoning by-law. Block 7 is planned for a private road development, the design of which is consequential on the subdivision Blocks receiving approval of the requested variances. Block 7 will likely come before the Committee of Adjustment at a future date in time.

Staff is of the opinion that approval of the variances will have no measurable impacts to the streetscape or surrounding area. Staff recommends the requested variance for Applications A-73/19 be approved.

Conclusion

Staff are satisfied that the variances requested through Submission **A-73/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are appropriate or desirable for the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:


Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

43 Dieppe
6 Ridgeview
41 Moffatt
34 Rykert

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing -

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]
Sent: Tuesday, June 11, 2019 4:41 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Fyffe, Hugh (MTO) <Hugh.Fyffe@ontario.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing -

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Re: A-73/19 – 60.81.5507
Minor Variance
41 Moffatt Street**

Hi Elaine,

Following the review of the Notice of Hearing, please note that MTO does not have any concerns with the proposed variances. This property is an active Plan of Subdivision that is being reviewed by MTO. If this variance is approved by municipality, please let the proponent know that outstanding drainage package should reflect any changes within the subdivision.

Do not hesitate to contact me if you have any questions.

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

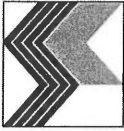
NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-24/19SC (60.84.2251), A-74/19
(60.81.5508) & A-75/19 (60.81.5509)**

36 Almond Street

**DATE OF HEARING:
June 26, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 17, 2019

Date of Meeting: June 26, 2019

Report Number: B-24/19SC
A-74/19
A-75/19

File: 60.84.2251
60.81.5508
60.81.5509

Subject: 36 Almond Street

Recommendation

That Submission **B-24/19SC**, by Anthony Meo, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the owner enters into a Development Agreement with the City of St. Catharines, registered on title to the lands (Part 2), to address the following conditions:
 - a. That Building Permit plans & elevation plans for 36B Almond Street be generally in accordance with the plans submitted to the Design Review Panel at the April 30th, 2019 meeting (site plan since revised and dated May 30, 2019, by Kirkup, Mascoe & Ure Surveying Ltd.) and associated elevations (no date or designer), to be submitted for review and approval by the City's Urban Design Planner to ensure the following:
 - I. That a higher pitched roof be provided, either 5½:12 or 6:12;
 - II. That the garage door includes a portion of glazing;
 - III. That the frieze boards be stronger, to 7½ inches, if feasible;
 - IV. That the fascia shown on the porch be more defined; and,
 - V. That the driveway be a maximum of a single car width to allow for landscaping;
 - b. The approved grading and drainage plan shall be included in the Development Agreement to ensure future development, after the lot is finalized, is in accordance with the approved grading and drainage plan.
2. 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;
3. The applicant pays the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals for the existing dwelling;

4. Any relocations of the existing sanitary lateral and/or water service on private property deemed through an inspection to cross existing or future property lines be completed;
5. Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property to eliminate services crossing existing or future property lines, as deemed necessary through proper inspection;
6. That the applicant submits a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees;
7. That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given' and that the appraisal be completed by a qualified appraiser; and,
8. a) The applicant arranges to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submitted for review and approval by City Development Engineering staff, prior to the finalization of the Consent;

b) The grading and drainage plan approved by the City shall form part of the Development Agreement registered on title.

That Submissions **A-74/19** and **A-75/19** by Anthony Meo, as outlined in the Notices of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is of the opinion that Application **B-24/19SC** is compatible with the surrounding area and will not result in adverse impacts on the surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through Application **A-74/19** and **A-75/19** 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 recommend that the requested consent and variances be approved.

The Proposal

Application **B-24/19SC** is made for consent to a partial discharge of mortgage and to sever 261 m² of land (Part 2 on the submitted sketch) for the proposed construction of a single detached dwelling to be known as 36B Almond Street. A 248.5 m² remnant parcel (Part 1) with the existing single detached dwelling will be retained for continued residential use. There are concurrent minor variance applications (**A-74/19** & **A-75/19**).

The Applicant for application **A-74/19** (Part 1) has applied to vary Zoning By-law 2013-283, for the following variances to the existing dwelling on the remnant parcel (36 Almond Street) to facilitate the concurrent consent application **B-24/19SC**:

1. A reduction of the minimum lot area per dwelling unit for a single detached dwelling from 300 m² to 248.5 m².
2. A reduction of the minimum required lot frontage from 10 metres to 9.82 metres.

The Applicant for application **A-75/19** has applied to vary Zoning By-law 2013-283, to facilitate the concurrent consent application **B-24/19SC** for the proposed construction of a single detached dwelling (Part 2):

1. A reduction of the minimum lot area per dwelling unit for a single detached dwelling from 300 m² to 261 m².
2. A reduction of the minimum average front yard setback to the dwelling from 14.38 metres to 6.1 metres.

Location and Site Description

The subject property is located on the south side of Almond Street, west of Bessey Street and east of Merritt Street. The surrounding area consists of primarily detached and semi-detached dwellings, as well as some commercial uses such as restaurants nearby.

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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings and private road development.

Report

Consent

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

The consent application is requesting to sever 261 m² of land (Part 2 on the submitted sketch) for the proposed construction of a single detached dwelling to be known as 36B Almond Street. A 248.5 m² remnant parcel (Part 1) with the existing single detached dwelling would be retained for continued residential use. There are concurrent minor variance applications (A-74/19 & A-75/19).

The Zoning By-law requires a minimum lot size for detached dwellings of 300 m². Both the severed and remnant parcels of land require a minor variance to reduce the minimum lot size. Lots in the surrounding area vary in shapes and sizes. There are nearby lots for single detached homes, particularly on Bessey Street to the east, which are of similar lot areas and some of even less. The proposal is an example of good infill development in an established residential area. It maintains sufficient sized rear yards and does not compromise the amenity space or parking available on the parcel, albeit smaller than required by the zoning by-law. Staff is of the opinion that the proposed lots will not negatively impact the established character of the neighbourhood.

Provincial land use plans and the GCP state that intensification, if done well, can improve neighbourhoods by bringing vibrancy and new life into existing neighbourhoods. The Official Plan supports intensification and infill where it can be appropriately accommodated, and when consideration of the existing neighbourhood is incorporated into the site and streetscape design. The severance and proposed development for 36 Almond Street maintains the intent and purpose of the Zoning By-law and Official Plan, and will have no adverse impacts on the surrounding area or the character of the neighbourhood. Staff recommend approval of the requested consent.

Design Review Panel (DRP)

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

The proposed consent was submitted to the DRP for review at the meeting of April 30, 2019. The DRP considered a proposal to sever the side yard of 36 Almond Street to create a new lot for the purpose of constructing a new two-storey detached dwelling on the subject lands, while retaining the existing dwelling at 36 Almond Street.

The DRP passed the motion that the DRP supports the proposed lot creation, subject to the following criteria for the new dwelling:

- a) That a higher pitched roof be provided, either 5½:12 or 6:12;
- b) That the garage door includes a portion of glazing;
- c) That the frieze boards be stronger, to 7½ inches, if possible;
- d) That the fascia shown on the porch be more defined; and,
- e) That single width driveways be provided on both parcels to allow for landscaping.

The City's Building Department notes that a building permit is required for the proposed single detached dwelling on Part 2.

The City's Development Engineering Services department have noted Almond Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20 m. Its current width across the frontage of the subject property is sufficient at 20.12 m, therefore, no road widening will be required through this application.

Sidewalks and curbs exist along the frontage of the subject property at this time. The applicant is advised that care should be taken not to damage these services with the construction of the proposed dwelling, if this application is approved. A sidewalk damage deposit shall be obtained through the Building Permit process to ensure that damages do not occur to these services with the proposed dwelling's construction.

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, and submitted for review and comment by City staff, prior to approval and 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 do not adversely affect abutting properties. The grading and drainage plan will form part of the Development Agreement registered on title to the lands, to ensure future development after the lot is created is bound to the approved grading and drainage plan.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Almond Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit.

The applicant should be advised that roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Almond Street. These too must be shown on the approved grading plan.

The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwelling do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit. The Owner shall also pay the City to install any new water service and/or sewer lateral, from the City owned main line sewer and water main to the front property line, in order for each property to be serviced individually. Fees to complete this work are to be paid prior to the issuance of the Plumbing Only permit.

Variances

Application A-74/19 (Part 1)

Zoning By-law 2013-283 requires a minimum lot frontage for a detached dwelling of 10 metres. The applicant is requesting a reduction from 10 metres to 9.82 metres for Part 1 on the submitted sketch, with the existing single family dwelling. 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. Staff are of the opinion that there is no measurable impact on the property or surrounding properties through a reduction to the lot frontage, and sufficient access to the property as well as parking on site can still be provided. Staff recommend approval of the reduction to the minimum lot frontage.

Zoning By-law 2013-283 requires a minimum lot area for a detached dwelling of 300 m². This is to ensure a lot has adequate space to accommodate a building footprint while still providing sufficient outdoor amenity space and meeting respective yard setbacks. A reduction in lot area to 248.5 m² is requested. Staff is of the opinion that the proposed reduction will have no measurable impact on the streetscape, available amenity space, or enjoyment of the property. The applicant has demonstrated that the existing dwelling can fit suitably on a property of this size, while providing required setbacks, parking spaces and amenity space. Staff recommend approval.

Application A-75/19 (Part 2)

Similar to Part 1, the applicant is requesting a reduction in lot area from 300 m² to 261 m² for Part 2. Staff is of the opinion that the proposed reduction will have no measurable impact on the streetscape, available amenity space, or enjoyment of the property. The applicant has demonstrated that the proposed dwelling can fit suitably on the property even with a reduced lot area, while still providing required setbacks, parking and sufficient amenity space. Staff recommend approval.

The average setback of adjacent properties, +/- 0.75 metres, is the required average front yard setback where the average is in excess by 2 metres or greater of the stated requirement in the Zoning By-law. In this situation, the average setback of adjacent properties is 15.13 metres and with the permitted as-of-right variance of 0.75 metres, the minimum front yard setback for the lots is 14.38 metres and the maximum front yard setback is 15.88 metres. Variance 2 of Application **A-75/19** requests that the average front yard setback be reduced to 6.1 metres, for the proposed construction of the detached dwelling on Part 2. The average front yard setback provision of the by-law is intended to ensure that the front walls of dwellings are generally aligned with neighbouring lots to create a consistent built form along the streetscape.

The reduction to the front yard setback in this instance is a result of the fact that the neighbouring lot to the east at 38 Almond Street is setback considerably from the right-of-way at Almond Street, and actually fronts on Almond Lane. While the setback at 38 Almond Street is by definition a front yard setback, it functions as a rear yard, and has an impact on the average required front yard setback for the new proposed dwelling. Permitting the reduction to the front yard setback at 36B Almond Street would allow the proposed dwelling to maintain a consistent setback, streetscape presence and built form

with all other dwellings along Almond Street, with the exception of 38 Almond Street, and will achieve compatibility with the adjacent properties.

The minimum and maximum front yard setback offers a range for new construction that will maintain consistency and compatibility with the surrounding neighbourhood. Staff is supportive of the requested reduction to the front yard setback as it will maintain a consistent built form with neighbouring properties and achieve compatibility of streetscape aesthetic.

Conclusion

Staff is of the opinion that Applications **B-15/19SC** is compatible with the neighbourhood, the provisions of the Zoning By-law, and will have no potential adverse impacts on the surrounding area and the environment. It is staff's recommendation that the requested consent to sever be approved with the conditions outlined in the recommendation.

Staff is of the opinion that Applications **A-74/19** and **A-75/19** are in keeping with the general intent of the Official Plan and Zoning By-law, 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:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2

36 Almond Street
27 Oakdale

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:22 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine
Email 2
Cogeco has no issues or concerns with these 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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2 - 905-19-232

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

Sent: Monday, June 10, 2019 10:36 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2 - 905-19-232

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elaine,

Re File: B-24/19SC

Details:

- ☐ Severance
- ☐ 36 Almond Street
- ☐ Pt Lots 392 & 393 Corp Plan No 6

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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 26, 2019 hearing - File No.: 300-036

B-24/19SC – 36 Almond Street

Comment:

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

Condition:

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

B-25/19SC – 2 Weston Road

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 accessory structure 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.

B-26/19SC – 2 Weston Road

Comment:

- Be advised that a building permit is required for the proposed semi detached dwelling on Parts 1, 2, 3, and 4.
- Be advised that a building permit is required for the proposed detached garage on Part 4.
- Be advised that a building permit is required for the proposed carport on Part 5.

Condition:

- The existing accessory structure 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.
- The rear portion of the existing dwelling on Part 5 and associated deck is to be removed. A building permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B27/19SC – 140 Glendale Avenue

Comment:

- Be advised that a building permit is required to create accessory dwelling units.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

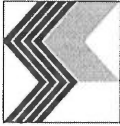
NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: June 10, 2010
Subject: Committee of Adjustment Hearing – June 26, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of June 26, 2019 and provides the following comments;

36 Almond Street, Consent, B-24/19SC – 60.84.2251
36B Almond Street, Minor Variance, A-75/19 – 60.81.5509

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

2 Weston Road, Consent, B-25/19SC – 60.84.2252
2 Weston Road, Consent, B-26/19SC – 60.84.2253
40A Edith Street, Minor Variance, A-80/19 – 60.81.5514
40B Edith Street, Minor Variance, A-81/19 – 60.81.5515
2 Weston Road, Minor Variance, A-82/19 – 60.81.5516

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

140 Glendale Avenue, Consent, B-27/19SC – 60.84.2254

140A Glendale Avenue, Minor Variance, A-84/19 – 60.81.5518

140B Glendale Avenue, Minor Variance, A-85/19 – 60.81.5519

PRCS is supportive of driveway widths which maximize opportunities for greening the front yard. Reduced driveway widths increase both front yard and boulevard greenspace and provide space for boulevard trees. PRCS is not supportive of requests to increase driveway widths.

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

PRCS offers no comments of the remaining applications.

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

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-24/19SC**



June 10, 2019

ENGINEERING FILE 300-36

Hearing Date: June 26, 2019

Applicant: Anthony Meo

Location: 36 Almond Street

MUNICIPAL SERVICES

Water: 150mm P.V.C.
Sanitary Sewer: 250mm clay
Storm Sewer: 450mm concrete
Sidewalks: Yes
Curbs: Yes
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 submitted sketch, for the proposed construction of a single detached dwelling. A remnant parcel, Part 1 with the existing single detached dwelling will be retained for continued residential use.

Roads

Almond Street is designated a Local road as per 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 sufficient at 20.12m, therefore, no road widening will be required through this application.

Sidewalks and curbs exist along the frontage of the subject property at this time. Care should be taken not to damage these services with the construction of the proposed dwelling, if approved. A sidewalk damage deposit shall be obtained through the Building Permit process to ensure that damages do not occur to these services with the proposed dwelling's construction.

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, and submitted for review and comment by City staff, prior to approval and 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 do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Almond Street, weeping tile flows shall be pumped via sump pump and discharged to a storm

sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit.

Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Almond Street. These too must be shown on the approved grading plan.

The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwelling do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit. The Owner shall also pay the City the fee to install any new water service and/or sewer lateral, from the City owned main line sewer and watermain to the front property line, in order for each property to be serviced individually. Fees to complete this work are to be paid prior to the issuance of the Plumbing Only permit.

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

- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the finalization of the Consent; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals for the existing dwelling; and
- Complete any relocations of the existing sanitary lateral and/or water service on private property deemed through the above inspection to cross existing or future property lines; and
- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property to eliminate services crossing existing or future property lines, as deemed necessary through the above inspection



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
Mallory Smith, Planning Co-op Student

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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

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

COMMENTS

A-76/19 (60.81.5510)

34 Rykert Street

DATE OF HEARING:
June 26, 2019

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

43 Dieppe
6 Ridgeview
41 Moffatt
34 Rykert

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 1

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 17, 2019

Date of Meeting: June 26, 2019

Report Number: A-76/19

File: 60.81.5510

Subject: 34 Rykert Street

Recommendation

That Submission **A-76/19**, by Old Thing Back Inc., as outlined in the Notice of Hearing, be denied for Variances 1 and 2, and that Variance 3 be approved.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that variances 1 and 2 requested through application **A-76/19** are 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. This said, variance 3 is considered to be minor in nature, to be 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 1 and 2 be denied, and that variance 3 be approved.

The Proposal

Application **A-76/19** is made pertaining to City of St. Catharines Zoning By-law 2013-283, for the following variances for the proposed conversion of the existing detached 2 storey dwelling to a duplex dwelling:

- 1) A reduction of the minimum lot area for a duplex dwelling from 560 m² to 411 m².
- 2) A reduction of the minimum lot frontage from 12 metres to 10 metres.
- 3) A reduction of the minimum required parking spaces from 2 spaces to 1 space.

Location and Site Description

The subject property is located on the northern side of Rykert Street, west of Merigold Street and east of Lloyd Street. The surrounding area consists of primarily detached, semi-detached and townhouse dwelling units.

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 E6-7 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.

Report

The applicant is proposing to convert the existing dwelling into a legal duplex dwelling. Variances are required for the minimum lot area and the minimum lot frontage necessary for a duplex 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. Staff are of the opinion that the application for conversion of the dwelling into a duplex is unnecessary, since the zoning by-law also permits an accessory dwelling unit as a permitted use, without variances to minimum lot frontage and minimum lot area.

Zoning-By-law 2013-283 permits one interior accessory dwelling unit in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit, provided the following:

- a) The interior accessory dwelling unit is entirely within the exterior walls of the principal dwelling unit;
- b) The floor area of the interior accessory dwelling unit shall not exceed 60 m² or 40% of the floor area of the dwelling unit (including the basement), whichever is less; and
- c) The lot complies with all other provisions of this By-law.

Based on the floor area of the existing house, being 98.2 m² according to the submitted sketch, the applicant has sufficient floor area to achieve an interior accessory dwelling unit proposed at 36.8 m² for Unit 2 as per the submitted sketch, without the need for variances to the existing structure or lot. As such, staff are not supportive of the requested variances for the lot area or lot frontage of the property.

The applicant has also applied for a variance to reduce the number of required parking spaces for a duplex dwelling from 2 spaces to 1 space (Variance 3). The single detached dwelling requires 1 parking space, and an interior accessory dwelling unit also requires 1 parking space. Therefore, the reduction in parking spaces to 1 space remains for an accessory dwelling unit.

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.

On street parking is available on the north side of Rykert Street, as well as on the east side of nearby Merigold Street. The subject land is in close walkable proximity to a number 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 standard sized 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 to 1 parking space.

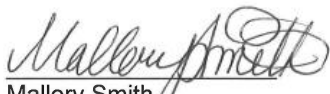
As such, it is staff's opinion that a second unit (an interior accessory dwelling unit) is already permitted, so Variances 1 and 2 for a duplex dwelling are not necessary and accordingly should be denied. Staff are in support of Variance 3, for a reduction in parking from 2 spaces to 1 space.

The City's Building department noted that that a building permit will required for the proposed interior accessory dwelling unit.

Conclusion

Staff is of the opinion that Variance 3 of Application **A-76/19** 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 3 be approved, and that Variances 1 and 2 be denied.

Prepared by:



Mallory Smith
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:

A handwritten signature in cursive script, appearing to read 'J. Pihach', written in dark ink.

Judy Pihach, MCIP, RPP
Manager of Planning Services



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

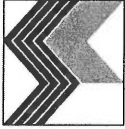
NO.	ADDRESS	COMMENTS
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A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
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A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
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A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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

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

COMMENTS

A-77/19 (60.81.5511)

27 Oakdale Avenue

**DATE OF HEARING:
June 26, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 19, 2019

Date of Meeting: June 26, 2019

Report Number: A-77/19

File: 60.81.5511

Subject: 27 Oakdale Avenue

Recommendation

That Submission **A-77/19**, 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 the variance requested through application **A-77/19** is not minor in nature, is not desirable or appropriate for the use of the land and that the intent and purpose of the Official Plan and Zoning By-law is not being maintained. Staff recommend that the requested variance be denied.

The Proposal

Application **A-77/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283, for a reduction to the minimum lot area for a triplex dwelling from 840 m² to 504 m², for the proposed conversion of the existing detached 2-storey dwelling to a triplex dwelling.

Location and Site Description

The subject property is located on the south side of Oakdale Avenue, east of Hickory Street and west of Merritt Street. The surrounding area consists of primarily detached homes, as well as townhouse developments. The area has access to greenspace, restaurants, grocery stores, and retail.

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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments.

Report

Zoning By-law 2013-283 requires a minimum lot area of 840 m² for a triplex. This is to ensure a lot has adequate space to accommodate a building footprint while still providing sufficient outdoor amenity space and meeting respective yard setbacks. The applicant is requesting a reduction of the minimum lot area from 840 m² to 504 m², to facilitate the conversion of the existing duplex into a triplex dwelling. This is a reduction of 336 metres, and a significant departure from the requirement of the zoning by-law. The requested lot area is more in line with the requirements of a duplex dwelling, albeit still undersized, which requires a minimum of 560 m² of lot area.

In addition, staff notes that the density range for Low Density Residential designated properties as per the City's Official Plan is generally between 20 and 32 units per hectare. If the proposed variance were approved, it would facilitate a residential density of 60 units per hectare on the subject property, which is double the permitted maximum density and significantly out of conformity with the City's policies for low density residential in the Official Plan. Therefore, the requested variance does not meet the test for a minor variance under the Planning Act as to whether the variance would be in keeping with the general intent of the Official Plan. Staff are of the opinion that the lot is not adequate for a triplex dwelling, and as such staff recommend denial.

Staff advise the applicant and Committee that City mapping, as well as a recently completed survey for the adjacent area, indicates a discrepancy in the lot depth and lot frontage from the information submitted with the application. This discrepancy triggers variances beyond those requested in the application. City data indicates a lot frontage of 11.88 m and a lot depth of 40.23 m, yielding a lot area of 477.9 m². This in comparison to the information in the application, being 12.0 m lot frontage and 42.0 m lot depth, yielding a lot area of 504.2 m². Accordingly, the variances requested do not accurately reflect the City's data for this lot and, in fact, the City data further supports the denial of this application.

The requested variance is not in keeping with the intent of the Official Plan and Zoning By-law and is not appropriate or desirable for the use of the land. As such, it is staff's opinion that the departure from the required provisions of the zoning by-law is 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 requested variance.

Notwithstanding the staff recommendation to deny the application, the City's Development and Engineering Department reviewed the file and noted Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26 m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20 m. Should the Committee decide to approve the application, a road widening of 3.0 m is required. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and bike lanes (promoting non-vehicular forms of transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and bike lanes.

If the Committee does not support the staff recommendation to deny the application, the application should be returned to staff to determine the actual variances required based on a road widening and the City's data on accurate lot size.

Conclusion

Staff is of the opinion that application **A-77/19** is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate and not desirable for the use of the land. It is staff's recommendation that the requested variance be denied.

Prepared by:



Mallory Smith
Student Planner

Submitted by:



Kirstin Jensen
Planner I

Approved by:

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

Judy Pihach, MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2

36 Almond Street
27 Oakdale

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

Sent: Wednesday, June 05, 2019 1:22 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 2

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine

Email 2

Cogeco has no issues or concerns with these 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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-78/19 (60.81.5512)

76 Currie Street

DATE OF HEARING:
June 26, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 17, 2019

Date of Meeting: June 26, 2019

Report Number: A-78/19

File: 60.81.5512

Subject: 76 Currie Street

Recommendation

That Submission **A-78/19**, by Boredwalk 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 the variances requested through application **A-78/19** are not minor in nature, are 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. Staff recommends that the requested variances be denied.

The Proposal

The Applicant for application **A-78/19** is made pertaining to City of St. Catharines Zoning By-law 2013-283, for the following variances for the proposed conversion of the existing single detached dwelling to a triplex dwelling:

- 1) A reduction of the minimum lot area for a triplex dwelling from 840 m² to 341 m².
- 2) An increase of the permitted parking area from 20% of the total lot area to 36.03%.

Location and Site Description

The subject property is located on the eastern side of Currie Street, south of Garnet Street. The surrounding area consists of primarily detached and semi-detached dwelling units, and apartment buildings.

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 – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments.

Report

The applicant is proposing to convert the existing one and a half storey detached dwelling into a legal triplex dwelling. Variances are required to reduce the minimum lot area for a triplex and to increase the maximum permitted parking area on a property. 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 requests.

Variance 1 requests a reduction of the minimum lot area for a triplex dwelling from 840 m² to 341 m², a reduction of 499 square metres. This is a significant departure from the requirement of the zoning by-law. The minimum lot area provision of the zoning by-law is meant to ensure a lot has adequate space to accommodate a sufficiently sized building footprint while still providing sufficient outdoor amenity space and meeting respective yard setbacks. The requested lot area is more in line with the requirements of a single detached dwelling, which requires a minimum of 300 m² of lot area. The property does not have enough lot area for even a duplex dwelling to be considered, which requires a minimum of 560 m².

In addition, staff notes that the density range for Low Density Residential designated properties as per the City's Official Plan is generally between 20 and 32 units per hectare. If the proposed variance were approved, it would facilitate a residential density of 88 units per hectare on the subject property. This is significantly out of conformity with the City's policies for low density residential in the Official Plan. Therefore, the requested variance does not meet the test for a minor variance under the Planning Act as to whether the variance would be in keeping with the general intent of the Official Plan. Staff are of the opinion that the lot is not adequate for a triplex dwelling, and as such staff recommend denial.

Zoning By-law 2013-283 also requires that the parking area on any residential lot be a maximum of 20% of the total lot area of the property. This is to ensure adequate amenity space, preservation of a desirable streetscape, that a lot is not overwhelmed by asphalt surface, and to ensure adequate drainage is maintained by minimizing the impermeable surface of a lot. The applicant is requesting an increase of the maximum parking area on the site to 36.03% of the total lot area. The variance is requested to facilitate a driveway area to the rear in order to provide 3 parking spaces as per the requirements for a triplex dwelling in the zoning by-law. Staff is of the opinion that due to the lot area being significantly undersized for this proposed development, the increase in parking area coverage is not considered minor. It would permit the overwhelming of a property with

asphalt and paved surface area to an extent that is not only far greater than permitted by the by-law, but also doing so on a lot that is noticeably and significantly undersized.

The lot does not have adequate space available for a triplex dwelling, nor the provision of 3 required parking spaces, and approval would not maintain adequate amenity space or areas for drainage. The requested variances are not in keeping with the intent of the Official Plan and Zoning By-law and are not appropriate or desirable for the use of the land. As such, it is staff's opinion that 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 requested variances.

Notwithstanding the staff recommendation to deny the application, should the Committee grant approval, the City's Development and Engineering Department acknowledge the significant increase in hard surfaces within the lot, should the application be approved. The percentage of imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site and to adjacent properties will be noticeably higher. With significant rain events triggered by climate change, on site drainage is increasingly a factor in considering site alterations, such as those proposed in this application. In this instance, should the Committee approve the application, a condition, requiring a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval, should be approved as a condition to be met prior to the variance taking effect.

Conclusion


Staff is of the opinion that application **A-78/19** is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate and not desirable for the use of the land. It is staff's recommendation that the requested variances be denied.

Prepared by:

A handwritten signature in cursive script, appearing to read 'Mallory Smith', written in black ink.

Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

76 Currie
14 Tasker
52 Vine St. S.
2 Weston Rd – B-25/19SC

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:28 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing -

From: Boucetta, Alexandra (MTO) [mailto:Alexandra.Boucetta@ontario.ca]

Sent: Tuesday, June 11, 2019 1:49 PM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing -

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**Re: A-78/19 - 60.81.5512
Minor Variance
76 Currie Street**

Hi Elaine,

The property above is located outside MTO permit control area. MTO is not concerned with this development.

Have a wonderful day!

Kindest Regards,

Alexandra Boucetta

Corridor Management Officer – Niagara Region



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019

Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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

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

COMMENTS

A-79/19 (60.81.5513)

14 Tasker Street

DATE OF HEARING:
June 26, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 19, 2019

Date of Meeting: June 26, 2019

Report Number: A-79/19

File: 60.81.5513

Subject: 14 Tasker Street

Recommendation

That Submission **A-79/19**, by Boredwalk 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 the variances requested through application **A-79/19** are not minor in nature, are 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. Staff recommends that the requested variances be denied.

The Proposal

Application **A-79/19** is made pertaining to the City of St. Catharines Zoning By-law 2013-283, for the following variances for the proposed conversion of the existing 2-storey duplex dwelling to a triplex dwelling:

- 1) A reduction of the minimum lot area for a triplex dwelling from 840 m² to 613 m².
- 2) An increase of the maximum permitted parking area from 20% of the total lot area to 24.44%.

Location and Site Description

The subject property is located on the east side of Tasker Street, north of Queenston Street. The surrounding area consists of primarily detached, semi-detached, and duplex dwelling units, and apartment buildings. The area has access to many amenities including restaurants and places of worship.

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.

Report

Zoning By-law 2013-283 requires a minimum lot area for a triplex dwelling of 840 m². This is to ensure that a lot has adequate space to accommodate a building footprint while still providing sufficient outdoor amenity space, adequate parking and meeting respective yard setbacks. The applicant is requesting a reduction of the minimum lot area from 840 m² to 613 m², a reduction of 227 m², and a significant departure from the requirement of the zoning by-law. The requested lot area is more in line with the requirements of a duplex dwelling, which requires a minimum of 560 m² of lot area. The variance is requested to facilitate the conversion of the existing duplex into a triplex dwelling.

Staff notes that the density range for Low Density Residential designated properties as per the City's Official Plan is generally between 20 and 32 units per hectare. If the proposed variance were approved, it would facilitate a residential density of 48.9 units per hectare on the subject property, which is beyond the permitted maximum density and out of conformity with the City's policies for low density residential in the Official Plan. Therefore, the requested variance does not meet the test for a minor variance under the Planning Act as to whether the variance would be in keeping with the general intent of the Official Plan. Staff are of the opinion that the lot is not adequate for a triplex dwelling, and as such staff recommend denial.

Zoning By-law 2013-283 also requires that the parking area on any residential lot be a maximum of 20% of the total lot area of the property. This is to ensure adequate amenity space, preservation of a desirable streetscape, that a lot is not overwhelmed by asphalt surface, and to ensure adequate drainage is maintained by minimizing the impermeable surface of a lot. The applicant is requesting an increase of the maximum parking area on the site to 24.44% of the total lot area. The variance is requested to facilitate a driveway area to the rear in order to provide 3 parking spaces as per the requirements for a triplex dwelling in the zoning by-law. Staff is 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 a minimum lot area of 613m² is a significant departure from the required 840 m² necessary for lot area for a triplex. The requested unit sizes are more in line with the requirements of a duplex dwelling. Further, while the applicant has demonstrated that 3 parking spaces can be provided on the property, it cannot be

accomplished without a variance to permit an increased amount of paved parking area on the already undersized site. 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 surround neighbourhood.

The lot does not have adequate space available for a triplex dwelling, nor the provision of 3 required parking spaces, and approval would not maintain adequate amenity space or areas for drainage. The requested variances are not minor in nature, not in keeping with the intent of the Official Plan and Zoning By-law and are not appropriate or desirable for the use of the land. Staff are not supportive of the requested variances.

Conclusion

Staff is of the opinion that application **A-79/19** is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not appropriate and not desirable for the use of the land. It is staff's recommendation that the requested variances be denied.

Prepared by:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

76 Currie
14 Tasker
52 Vine St. S.
2 Weston Rd – B-25/19SC

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:28 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine
Email 3
Cogeco has no issues or concerns with these 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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefor a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-83/19 (60.81.5517)

52 Vine Street South

DATE OF HEARING:
June 26, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 17, 2019

Date of Meeting: June 26, 2019

Report Number: A-83/19

File: 60.81.5517

Subject: 52 Vine Street South

Recommendation

That Submission **A-83/19**, by Heritage Heating (Niagara) Inc., as outlined in the Notice of Hearing, be approved, conditional upon:

1. All outside storage of equipment and supplies shall be prohibited, with the exception of motor vehicles for business-related purposes.

Summary

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that application **A-83/19** 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.

The Proposal

Application **A-83/19** is made for permission to allow a roofing contractor's office and related storage within the existing building on the subject parcel, and to be considered a use similar to that existing currently.

Under Section 45(2)(a)(ii) of the Planning Act, the agent believes that the proposed roofing contractor's office and related storage is a use similar to the current use of a heating and mechanical contractor's office and related storage, which lawfully existed on the day that By-law 2013-283 was passed.

No new development is proposed, simply a change of use.

Background

Permission was previously granted by the Committee in 2004 (File A-68/04) to allow for the operation of an appliance and equipment repair business and office, as well as other variances to recognize the existing building location on the site. Historically, the building was restricted to use as an electrical contractor's office only, by way of a zoning by-law amendment. The approved variance in 2004 allowed the existing building and property to remain as it was, and merely permitted the use to change to allow a use similar to.

The request to change the use at this time to a use similar to the long existing use of the site is required to permit the building to be used now as a roofing contractor's office. The building and property will remain as is.

Location and Site Description

The subject property is located on the east side of Vine Street South, south of Yale Crescent. The surrounding area consists of primarily detached and semi-detached dwelling units, commercial uses and apartment buildings.

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-H1) with a holding provision. The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments.

The H1 zoning provision means that the zoning of the site (R2) shall not take effect until any prescribed conditions are met and the '(H)' is removed from the subject lot. In order to remove an H1 provision from a site, a zoning amendment is necessary.

In the instance that prevails on this site, a residential use is not proposed for this property. Until such time that a residential use is proposed for this property, the use of the site (or a use similar to upon approval) is permitted to continue without removal of the H1 provision, as the use is in line with the pre-existing use of the property.

Report

Application **A-83/19** is requesting approval to allow the site to be used for a heating and mechanical contractor's office and related storage, and that it be considered as being a use similar to the current legal non-conforming use (roofing contractor's office).

Zoning By-law 2013-283 permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments in the R2 zone. The existing roofing contractor's office and storage was legal at the time of adoption of the Zoning By-law and therefore is a legal non-conforming use. The historic use of the

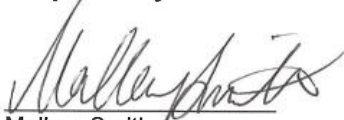
property has achieved a measure of compatibility with the surrounding neighbourhood. The change to another form of similar industry will not inflict any obnoxious noise or dangerous or offensive trades. Staff see no measurable impacts from allowing the change from the current use as a roofing contractor's office to a heating and mechanical contractor's office. The requested similar use is minor in nature, is desirable and appropriate for the use of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law.

By-law 78-194 previously instated a condition on the property that all outside storage of equipment and supplies shall be prohibited with the exclusion of motor vehicles. While this By-law is no longer in effect on the subject lands, staff are of the opinion that the justification behind this provision still holds true to the current use proposed on site, and feel it should be included as a condition to staff recommendation. Staff recommend approval of the variance, subject to the condition noted in the recommendation.

Conclusion

Staff are satisfied that the variance requested through application **A-83/19** is desirable and compatible with the surrounding area. Staff recommend that the application be approved, subject to the condition outlined.

Prepared by:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

76 Currie
14 Tasker
52 Vine St. S.
2 Weston Rd – B-25/19SC

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:28 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine
Email 3
Cogeco has no issues or concerns with these 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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

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

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

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-25/19SC (60.84.2252), B-26/19SC
(60.84.2253), A-80/19 (60.81.5514), A-
81/19 (60.81.5515) & A-82/19 (60.81.5516)**

2 Weston Road

**DATE OF HEARING:
June 26, 2019**

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

76 Currie
14 Tasker
52 Vine St. S.
2 Weston Rd – B-25/19SC

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:28 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 3

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 4

2 Weston

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

Sent: Wednesday, June 05, 2019 1:29 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 4

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Hi Elaine

Email 4

Cogeco has no issues or concerns with these 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

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 4 - 905-19-233

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

Sent: Monday, June 10, 2019 10:34 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 4 - 905-19-233

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elaine,

Re File: B-25/19SC & B-26/19SC

Details:

- ☐ Severance
- ☐ 2 Weston Road
- ☐ Lots 1565 & 1566 Corp No 2

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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 26, 2019 hearing - File No.: 300-036

B-24/19SC – 36 Almond Street

Comment:

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

Condition:

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

B-25/19SC – 2 Weston Road

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 accessory structure 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.

B-26/19SC – 2 Weston Road

Comment:

- Be advised that a building permit is required for the proposed semi detached dwelling on Parts 1, 2, 3, and 4.
- Be advised that a building permit is required for the proposed detached garage on Part 4.
- Be advised that a building permit is required for the proposed carport on Part 5.

Condition:

- The existing accessory structure 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.
- The rear portion of the existing dwelling on Part 5 and associated deck is to be removed. A building permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B27/19SC – 140 Glendale Avenue

Comment:

- Be advised that a building permit is required to create accessory dwelling units.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

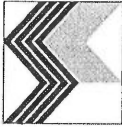
NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: June 10, 2010
Subject: Committee of Adjustment Hearing – June 26, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of June 26, 2019 and provides the following comments;

36 Almond Street, Consent, B-24/19SC – 60.84.2251
36B Almond Street, Minor Variance, A-75/19 – 60.81.5509

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

2 Weston Road, Consent, B-25/19SC – 60.84.2252
2 Weston Road, Consent, B-26/19SC – 60.84.2253
40A Edith Street, Minor Variance, A-80/19 – 60.81.5514
40B Edith Street, Minor Variance, A-81/19 – 60.81.5515
2 Weston Road, Minor Variance, A-82/19 – 60.81.5516

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

140 Glendale Avenue, Consent, B-27/19SC – 60.84.2254

140A Glendale Avenue, Minor Variance, A-84/19 – 60.81.5518

140B Glendale Avenue, Minor Variance, A-85/19 – 60.81.5519

PRCS is supportive of driveway widths which maximize opportunities for greening the front yard. Reduced driveway widths increase both front yard and boulevard greenspace and provide space for boulevard trees. PRCS is not supportive of requests to increase driveway widths.

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

PRCS offers no comments of the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-25&26/19SC



June 10, 2019

ENGINEERING FILE 300-36

Hearing Date: June 26, 2019

Applicant: Stephen Ford

Location: 2 Weston Road

<u>MUNICIPAL SERVICES</u>	Weston Road	Edith Street
Water:	150mm P.V.C.	150mm P.V.C.
Sanitary Sewer:	300mm (2.25m± Depth)	375mm (2.8m± Depth)
Storm Sewer:	450mm	525mm
Sidewalks:	Yes	Yes
Curbs:	Yes	Yes
Road Allowance Width:	18.28m±	18.28m±

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

Comment(s): It is noted that the Applicant proposes to sever Parts 1 & 2 on the submitted sketch creating a new lot to be known Municipally as 40A Edith Street for the purposes of severing one half of a semi-detached dwelling. A remnant parcel, Part 5 with the existing single detached dwelling is to be retained for residential use. Parts 3 & 4 would create a new lot to be known Municipally as 40B Edith Street for the purposes of the other one half of a semi-detached dwelling.

Roads

Weston Road and Edith Street are designated as Local roads per the City's Official Plan with desired rights-of-way widths of 20m. Their current widths are 18.28m, therefore the City shall request 0.80m along the Edith Street frontage of Parts 1 & 4, and 0.86m along the Weston Road frontage of Parts 4 & 5 be dedicated to the City free and clear of any encumbrances to be known as Public Highway Edith Street and Weston Road.

Sidewalks and curbs exist along the frontage of the subject property at this time Care should be taken not to damage these services with the construction of the proposed dwelling, if approved. A sidewalk damage deposit shall be obtained through the Building Permit process to ensure that damages do not occur to these services with the proposed dwelling's construction.

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, and submitted for review and comment by City staff, prior to approval and 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 do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since storm sewers does exist on both Weston Road and Edith Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit.


Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Edith Street. These too must be shown on the approved grading plan.

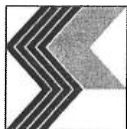
The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwelling do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit. The Owner shall also pay the City the fee to install any new water service and/or sewer lateral, from the City owned main line sewer and watermain to the front property line, in order for each property to be serviced individually. Fees to complete this work are to be paid prior to the issuance of the Plumbing Only permit.

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

- Provide the City a draft reference plan indicating the proposed widenings 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, 0.80m along the Edith Street frontage of the subject property and 0.86m along the Weston Road frontage to be known as Public Highway Edith Street and Weston Road; and
- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the finalization of the Consent; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals for the existing dwelling; and
- Complete any relocations of the existing sanitary lateral and/or water service on private property deemed through the above inspection to cross existing or future property lines; and
- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property to eliminate services crossing existing or future property lines, as deemed necessary through the above inspection

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
Mallory Smith, Planning Co-op Student

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS

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-27/19SC (60.84.2254), A-84/19
(60.81.5518) & A-85/19 (60.81.5519)**

140 Glendale Avenue

**DATE OF HEARING:
June 26, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 14, 2019

Date of Meeting: June 26, 2019

Report Number: B-27/19SC
A-84/19
A-85/19

File: 60.84.2254
60.81.5518
60.81.5519

Subject: 140 Glendale Avenue

Recommendation

That Submission **B-27/19SC**, by Marc and Antonette Torelli, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. The Owner construct a 1.3-metre landscape strip to facilitate side yard drainage, in accordance with the grading and drainage plan approved as part of the building permit, as follows:
 - a) For Part 1, along the westerly side lot line abutting the driveway;
 - b) For Part 2, along the easterly side lot line abutting the driveway; and,
 - c) The City shall inspect and approve the works prior to final consent.
2. That the applicant submits a payment of \$457.70 for deposit in the general tree planting reserve fund, in accordance with the 2019 Schedule of Rates and Fees.

That Submissions **A-84/19** and **A-85/19**, Variances 1 and 2, by Marc and Antonette Torelli, as outlined in the Notices of Hearing, be approved; and,

That Submissions **A-84/19** and **A-85/19**, Variance 3, by Marc and Antonette Torelli, as outlined in the Notices of Hearing, be denied.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is of the opinion that Application **B-27/19SC** is compatible with the surrounding area and will not result in adverse impacts on the surrounding properties. Additionally, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that variances 1 and 2 requested through Applications **A-84/19** and **A-85/19** 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 are not satisfied that Variance 3 of either application is minor in nature, desirable for the appropriate use of the land or that the intent and purpose of the Official Plan and Zoning By-law are being maintained. Staff

recommends that the requested consent and variances 1 and 2 be approved, and that variance 3 of both applications be denied.

The Proposal

Application **B-27/19SC** is made for consent to sever 367.6 m² of land (Part 1 on the submitted sketch), creating a new lot to be known as 140A Glendale Avenue, which will hold one half of a semi-detached dwelling currently under construction. A 367.6 m² remnant parcel (Part 2) with the other half of the semi-detached dwelling (140B Glendale Avenue) currently under construction. The application would allow each unit of the semi-detached dwelling to be owned and/or sold separately. There are concurrent minor variance applications **A-84/19** and **A-85/19**.

The Applicant for application **A-84/19** has applied to vary Zoning By-law 2013-283, for the following variances for the semi-detached dwelling unit currently under construction on Part 1:

1. A reduction of the minimum lot area per dwelling unit for a semi-detached dwelling unit from 370 m² to 367 m².
2. A reduction of the minimum lot frontage from 12 metres to 10.95 metres.
3. An increase of the maximum driveway size from 5.48 metres (50% of lot frontage) to 5.97 metres.

The Applicant for application **A-85/19** has applied to vary Zoning By-law 2013-283, for the following variances for the semi-detached dwelling unit currently under construction on Part 2:

1. A reduction of the minimum lot area per dwelling unit for a semi-detached dwelling unit from 370 m² to 367 m².
2. A reduction of the minimum lot frontage from 12 metres to 10.95 metres.
3. An increase of the maximum driveway size from 5.48 metres (50% of lot frontage) to 5.97 metres.

Location and Site Description

The subject property is located on the south side of Glendale Avenue, east of Wakil Drive. The subject property is surrounded by townhouses, detached dwellings and green space to the north, and detached dwellings to the east, south and west.

Background

The subject property previously went to the Committee of Adjustment on May 30th, 2018 for a proposal to construct a semi-detached dwelling on the property with access from Glendale Avenue. The property is subject to minor variances through Application **A-64/17**. **A-64/17** was approved for:

1. A reduction of the minimum front yard setback to the garage from 7 metres to 6.12 metres for Part 2 (140B Glendale Avenue).
2. A reduction of the minimum rear yard setback from 7.5 metres to 5.49 metres for Parts 1 & 2 (140A and 140B Glendale Avenue).

The following variance was denied:

3. A reduction of the minimum setback from the rear lot line to the platform structure (deck) that is 1.2 metres above grade from 4.5 metres to 3.0 metres for Part 1 (140A Glendale Avenue).

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 – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings and private road development.

Report

Consent

Part F, Section 16.11.3(c) of the GCP states that consents to sever will only be permitted where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

The consent application is requesting to sever 367.6 m² of land (Part 1 on the submitted sketch) creating a new lot to be known as 140A Glendale Avenue, to hold one half of a semi-detached dwelling currently under construction. The 367.6 m² remnant parcel (Part 2 on the submitted sketch) known as 140B Glendale Avenue, addresses the other unit, currently under construction. The proposed severance would allow each unit of the semis currently under construction to be owned and/or sold separately. Each of the lots require a minor variance for reduction of minimum lot size, reduction of minimum lot frontage, and an increase of maximum driveway size. The consent will create lots that are slightly smaller than what currently exists in the surrounding area, however staff believe that the proposed consent will have minimal impact. A building permit has been issued for the semi-detached dwelling on one lot. The consent application to separate the original lot into two lots, one for each unit, triggers the need for variances.

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

The City's Building Department notes that a building permit is required to create interior accessory dwelling units.

The City's Development and Engineering Department reviewed the application and noted there is a grading plan approved for the dwelling. The grading plan indicates a grassed swale along each side of the property, to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines, this swale is compromised and drainage impacted accordingly. Staff have included a condition that the grassed swale (landscaped open space) be constructed as a condition to the consent.

Design Review Panel

The DRP reviewed the proposal for a semi-detached dwelling on one lot at the May 1st, 2018 meeting. The DRP was favourable of the proposed semi-detached dwelling, and a development agreement was included as a condition of the decision for minor variance at the hearing of the Committee on May 30, 2018. Upon review of the building permit plans by the City's Urban Design planner, the terms of the Development Agreement were satisfied and it was registered on title in September, 2018. Building permit plans were issued accordingly.

Variances

Applications A-84/19 (Part 1) and A-85/19 (Part 2)

Zoning By-law 2013-283 requires a minimum lot area for a semi-detached dwelling unit of 370 m². Applications **A-84/19 (Part 1)** and **A-85/19 (Part 2)** request a reduction of the minimum lot area per dwelling unit from 370 m² to 367 m². The Zoning By-law 2013-283 also requires a minimum lot frontage of 12 metres for each semi-detached dwelling unit. Application **A-84/19 (Part 1)** and Application **A-85/19 (Part 2)** request a reduction in lot frontage from 12 metres to 10.95 metres for both parts.

As previously explained, at the time of issuance of a building permit, the lot was in compliance with the requirements of the zoning by-law in place at that time. The division of the lots to allow for individual ownership of each unit through the requested consent triggered the variances necessary to the lot frontages and lot areas that are being requested. The requested variances are minor in nature, desirable and maintain the intent of the Official Plan and Zoning By-law. Staff recommend the requested Variances 1 and 2 for Applications **A-84/19** and **A-85/19** be approved.

Zoning By-law 2013-283 restricts the maximum driveway size to 50% of the width of the lot frontage. The maximum driveway size provision is in place to prevent the streetscape from being overwhelmed by driveway and asphalt, allow for adequate landscaped space and amenity space in front yards and to facilitate adequate drainage Applications **A-84/19 (Part 1)** and **A-85/19 (Part 2)** are requesting an increase in maximum driveway size from 5.48 metres (50%) to 5.97 metres. The condition addressing the construction of a grass landscaped open space area along each lot line, in accordance with the approved grading and drainage plan, further serves to deny this variance. Staff are not in support of the requested variances to the driveway sizes.

The applicant has not demonstrated any hardship as to why a larger driveway is needed for either property. A semi-detached dwelling unit requires 1 parking space, and an interior accessory dwelling unit requires 1 parking space, resulting in a need for 2 parking spaces per property. The standard city parking space is 2.6 metres in width. In order to accommodate a 2-car width driveway, a minimum of 5.2 metres of driveway width is required. Each lot is able to provide that minimum width within 50% of the lot width (5.49 metres). Staff recommend denial of Variance 3 for Applications **A-84/19** and **A-85/19**.

The City's Parks, Recreation, and Culture Services Department (PRCS) notes that PRCS is supportive of driveway widths which maximize opportunities for greening the front yard. Reduced driveway widths increase both front yard and boulevard greenspace and provide space for boulevard trees. PRCS is not supportive of requests to increase driveway widths.

Conclusion

Staff is of the opinion that Application **B-27/19SC** is compatible with the neighbourhood, the provisions of the Zoning By-law, and will have minimal adverse impacts on the surrounding area and the environment. It is staff's recommendation that the requested consent to sever be approved with the conditions outlined in the recommendation.

Staff is of the opinion that Applications **A-84/19** and **A-85/19** for Variances 1 and 2 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 1 and 2 be approved. It is staff's opinion that Variance 3 of Applications **A-84/19** and **A-85/19** are not in keeping with the intent of the Zoning By-law and Official Plan, are not minor, and are not desirable for the use of the land.

Prepared by:



Mallory Smith
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, City of St. Catharines, for the June 26/19 CofA Hearing - Email 5 - Last Email

140 Glendale

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:30 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 5 - Last Email

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Elaine

Email 5
Cogeco has no issues or
concerns with these
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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 26/19 CofA Hearing - Email 5 - Last Email

140 Glendale

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, June 05, 2019 1:30 PM
To: Munro, Elaine <emunro@stcatharines.ca>
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Hi Elaine

Email 5
Cogeco has no issues or
concerns with these
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, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 26, 2019 hearing - File No.: 300-036

B-24/19SC – 36 Almond Street

Comment:

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

Condition:

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

B-25/19SC – 2 Weston Road

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 accessory structure 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.

B-26/19SC – 2 Weston Road

Comment:

- Be advised that a building permit is required for the proposed semi detached dwelling on Parts 1, 2, 3, and 4.
- Be advised that a building permit is required for the proposed detached garage on Part 4.
- Be advised that a building permit is required for the proposed carport on Part 5.

Condition:

- The existing accessory structure 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.
- The rear portion of the existing dwelling on Part 5 and associated deck is to be removed. A building permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

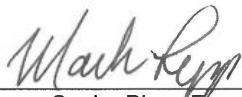
B27/19SC – 140 Glendale Avenue

Comment:

- Be advised that a building permit is required to create accessory dwelling units.

Condition:

- No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

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Memorandum

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

Cc: Judy Pihach, B. Thiessen, Kirsten Jensen, Mallory Smith, Will Banda
Planning and Building Services

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

Date: June 8, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance –June 26, 2019 hearing- File No.: 300-010

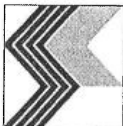
NO.	ADDRESS	COMMENTS
A-71/19	43 Dieppe Road	-Be advised that a building permit is required for the proposed addition. - Be advised that reductions in the required yards will have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-72/19	6 Ridgeview Avenue	-Be advised that a building permit is required for the proposed accessory dwelling unit.
A-73/19	41 Moffatt Street	-No Comment
A-74/19	36A Almond Street	-No Comment
A-75/19	36B Almond Street	-No Comment
A-76/19	34 Rykert Street	- Be advised that a building permit is required for the proposed conversion to a duplex.
A-77/19	27 Oakdale Avenue	- Be advised that a building permit is required for the proposed conversion to a triplex. -Be advised that a demolition permit is required for the removal of the existing detached garage.
A-78/19	76 Currie Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-79/19	14 Tasker Street	-Be advised that a building permit is required for the proposed conversion to a triplex.
A-80/19	40A Edith Street	-No Comment
A-81/19	40B Edith Street	-No Comment

NO.	ADDRESS	COMMENTS
A-82/19	2 Weston Road	- Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing these yards.
A-83/19	52 Vine Street South	-No Comment
A-84/19	140A Glendale Ave.	-No Comment
A-85/19	140B Glendale Ave.	-No Comment



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\11 bcoa memo-mv-June 26, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: June 10, 2010
Subject: Committee of Adjustment Hearing – June 26, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of June 26, 2019 and provides the following comments;

36 Almond Street, Consent, B-24/19SC – 60.84.2251
36B Almond Street, Minor Variance, A-75/19 – 60.81.5509

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

2 Weston Road, Consent, B-25/19SC – 60.84.2252
2 Weston Road, Consent, B-26/19SC – 60.84.2253
40A Edith Street, Minor Variance, A-80/19 – 60.81.5514
40B Edith Street, Minor Variance, A-81/19 – 60.81.5515
2 Weston Road, Minor Variance, A-82/19 – 60.81.5516

PRCS has reviewed the above-noted consent application and request the following be included as a conditions of 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.

140 Glendale Avenue, Consent, B-27/19SC – 60.84.2254

140A Glendale Avenue, Minor Variance, A-84/19 – 60.81.5518

140B Glendale Avenue, Minor Variance, A-85/19 – 60.81.5519

PRCS is supportive of driveway widths which maximize opportunities for greening the front yard. Reduced driveway widths increase both front yard and boulevard greenspace and provide space for boulevard trees. PRCS is not supportive of requests to increase driveway widths.

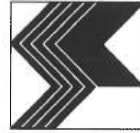
PRCS has reviewed the above-noted consent application and request the following be included as a conditions of severance:

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.

PRCS offers no comments of the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-27/19SC



June 10th, 2019

ENGINEERING FILE 300-36

Hearing Date: June 26th, 2019

Applicant: Marc & Antonette Torelli

Location: 140 Glendale Avenue

MUNICIPAL SERVICES

Water:	300mm C.I.	
Sanitary Sewer:	600mm Conc.	200mm A.C.
Storm Sewer:	250mm Concrete	
Sidewalks:	Yes	
Curbs:	Yes	
Road Allowance Width:	30.5m±	

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

Comment(s): It is noted that the Applicant proposes to sever two semi-detached dwellings that have recently been constructed.

Roads

Glendale Avenue is designated a Regional Road in the City's Official Plan with a desired right-of-way width of 26.2m. Its current width across the frontage of the subject property is sufficient at +/-30.5m2. Since this is a Region of Niagara Road we defer any widening comments to them.

Sidewalks and curbs exist along the frontage of the subject property at this time Care should be taken not to damage these services with the construction of the proposed dwelling, if approved. A sidewalk damage deposit was obtained through the Building Permit process to ensure that damages do not occur to these services with the proposed dwelling's construction.

Municipal Services

All servicing has been dealt with through the building permit application. However, the grading plan is being revised as part of the concurrent Minor Variances associated with this property.

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

- Have the lot grading and drainage plan revised by the OLS that prepared the original plan and submit for the revised plan for review and approval by City staff, prior to the finalization of the Consent.

A handwritten signature in dark ink, reading "James R. Denham". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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
Mallory Smith, Planning Co-op Student

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

Date: June 10th, 2019
Hearing Date: June 26th, 2019

Subject: **Development Engineering - Minor Variance Applications**
43 Dieppe Road, A-71/19SC
6 Ridgeview Avenue, A-72/19SC
41 Moffatt Street, A-73/19SC
36A&B Almond Street, A-74&75/19SC
34 Rykert Street, A-76/19SC
27 Oakdale Avenue, A-77/19SC
76 Currie Street, A-78/19SC
14 Tasker Street, A-79/19SC
40A&B Edith Street, A-80&81/19SC
2 Weston Road, A-82/19SC
52 Vine Street, A-83/19SC
140A&B Glendale Avenue, A-84&85/19SC

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

- **27 Oakdale Avenue, A-77/19SC**

Oakdale Avenue is designated as an Arterial Road in the City's Official Plan. Arterial Roads have a recommended right-of-way width of 26m. The present width of Oakdale Avenue across the frontage of the subject lands is +/-20m. Therefore a widening of 3.0m is requested at this time. This request is consistent with acquisitions taken through Planning Applications for other nearby properties (#25 and #22 Oakdale Avenue).

It should also be noted a significant portion of Oakdale Avenue further north of the subject property has recently been reconstructed (Westchester Avenue to Disher Street). The cross-section for the reconstructed roadway includes wider sidewalks (in accordance with today's Accessibility Standards) and Bike Lanes (promoting non-vehicular forms of

transportation). Being designated as an Arterial Road, it is clearly the City's intent to have these added features extended all the way to Merritt Street.

Several other development opportunities exist along the section of Oakdale Avenue between Disher Street and Merritt Street. The City will continue to obtain right-of-way widenings as those developments proceed to facilitate the ultimate extension of the wider sidewalks and Bike Lanes.

Condition of Minor Variance: The Applicant/Owner shall provide to the City a road widening across the frontage of the subject lands of 3.0m and pay all costs related to same.

- **76 Curry Street, A-78/19SC**

If this application is approved, the percentage of Imperviousness of this site will increase by approximately 36%. This is a significant increase and the amount of rain water flowing from the parking area to the remainder of this site, to adjacent properties will be noticeably higher. To ensure these flows are handled without negatively impacting the adjacent lands, the City requires a Storm Water Management Report to be prepared by a qualified Engineer and submitted to the City for review and approval.

Condition of Minor Variance: The Applicant/Owner shall have a Storm Water Management Report prepared submitted to the City for review and approval.

- **140 Glendale Avenue, A-84&85/19SC**

There is a grading plan approved for the dwellings that have been recently constructed on this property. The grading plan indicates a grassed swale along each side property to take drainage from the rear and side yards to the front. If the driveways are approved to extend to the side lot lines the flows must be accommodated. Our preference would be to maintain at least a 1.0m sodded buffer. However, we are open to alternatives.

Condition of Minor Variance: The Owner shall revise the grading plan to show the driveways extending to the property line and indicate how drainage will be accommodated. The revised Grading Plan must be submitted to the City for review and approval.

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

cc Brian Thiessen, PBS
Brad Johnston, PBS