



Committee of Adjustment Public Hearing
August 28, 2019
Council Chambers, City Hall - 5:00 p.m.

Revised Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
Item #6 - 25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5550
The Agent has requested a deferral of the application to the September 25, 2019 Hearing as suggested by staff to discuss the plan further.
5. Adoption of the Minutes held July 31, 2019
6. Application:
 1. 24 Royal Henley Drive, Minor Variance, A-99/19 – 60.81.5533
 2. 56 Hazel Street, Minor Variance, A-102/19 – 60.81.5536
 3. 19 Little Forks Square, Minor Variance, A-104/19 – 60.81.5538
 4. 17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
 - 16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
 - 18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540
 5. 51 Mary Street, Minor Variance, A-107/19 – 60.81.5541
 7. 2 Ellis Avenue, Minor Variance, A-117/19 – 60.81.5551
 8. 167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
 - 167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
 - 169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543
 9. 10 Lloyd Street, Consent, B-37/19SC – 60.84.2264
 - 10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544
 - 10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545
 10. 12 Lloyd Street, Consent, B-38/19SC – 60.84.2265
 - 12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546
 - 12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547
 11. 250 Grantham Avenue, Minor Variance, A-114/19 – 60.81.5548
 12. 27 Turner Crescent, Minor Variance, A-115/19 – 60.81.5549
7. New Business:
8. Date of next Hearing: September 25, 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-99/19 (60.81.5553)

24 Royal Henley Blvd

DATE OF HEARING:
August 28, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 6, 2019

Date of Meeting: August 28, 2019

Report Number: A-99/19

File: 60.81.5533

Subject: 24 Royal Henley Boulevard

Recommendation

That Submission **A-99/19**, by Georgia Korosis, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

Application **A-99/19** seeks relief from City of St. Catharines Zoning By-law 2013-283 for a reduction in the minimum exterior side yard from 4.0 metres to 1.3 metres to facilitate the construction of a proposed in-ground pool.

Location and Site Description

The subject property is located at the northwest corner of Royal Henley Boulevard and Village Green Drive, backing onto Martindale Pond. The surrounding area consists primarily of detached dwellings.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The majority of the subject property, including that portion where the in-ground pool is proposed, is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan. The northwest corner of the property is designated Natural Area. Schedule E1 of the Garden City Plan provides additional direction for the North Planning District, refining the land use designations to Low Density Residential and Natural Areas.

The Low Density Residential designation permits various forms of low-rise housing at a density generally between 20 and 32 units per hectare. The Natural Areas designation on the other hand is intended to promote the long term sustainability of Natural Hazard Lands and Natural Heritage (in this case the fish habitat and significant valley and woodland associated with Martindale Pond); development is restricted to picnic areas, trails, and essential operations for service infrastructure and utilities.

Zoning By-law (2013-283)

The majority of the subject property is zoned Low Density Residential – Suburban Neighbourhood (R1), while the northwest corner of the property is zoned Conservation / Natural Area (G1). The proposed in-ground pool is permitted by the zoning by-law, subject to the accessory structure provisions outlined in Section 2.1.

Planning Analysis

Section 2.1 of Zoning By-law 2013-283 provides that accessory structures, including in-ground swimming pools, shall not be located in a required front or exterior side yard. In the case of 24 Royal Henley Boulevard, the required exterior side yard is 4 metres, as measured from the exterior lot line (along Village Green Drive), and extending from the front yard to the rear yard. The Applicant requests relief from the zoning by-law through a reduction in the required exterior side yard so that the proposed in-ground pool may be located 1.3 metres from the exterior lot line.

The intent of the minimum exterior side yard is to ensure:

- structures on site do not overwhelm the property or neighbouring street (scale);
- overdevelopment of the lands is avoided;
- sufficient space for landscaping, amenity areas, and stormwater management is maintained.

The subject property and siting of the proposed pool are constrained by the location of a municipal storm sewer easement and the slope associated with the valleyland feature. An existing masonry garden wall is located along the exterior side lot line, adjacent to Village Green Drive, which will provide adequate screening of the proposed pool; the streetscape will be maintained. There is sufficient space on the property and the adjacent municipal boulevard to accommodate stormwater runoff.

Staff are of the opinion the requested variance is minor in nature, desirable for the appropriate use of the lands, and is in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend that Application **A-99/19** be approved.


Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-99/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend approval of the variance.

Prepared by:


Mallory Smith
Student Planner

Submitted by:


Amanda Knutson
Planner II

Approved by:


Judy Pihach
Manager of Planning Services

August 23, 2019

Our File No.: PLMV201900668

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-99/19)
PLAN 641 LOT 11
24 Royal Henley Boulevard St. Catharines ON L2N4S1

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application and offers the following for your information.

This application has been made to propose a reduction in the required exterior side yard setback from 4m to 1.3m to accommodate a proposed swimming pool.

NPCA mapping indicates that the subject property is impacted by a steep slope associated with Twelve Mile Creek. As such, development and site alterations of this property would be subject to the NPCA's current policies and regulations. Authority objectives when reviewing proposals on lots adjacent to slopes or valleys pertain to minimizing soil erosion and sedimentation, protecting life and property from the potential for slope stability problems and ensuring that the natural integrity of the valley slope is maintained over the long term.

Current NPCA policies require a 7.5m setback from the stable top of slope for all new development and site alterations. A reduction in this setback may be considered in urban infill situations provided a Geotechnical Investigation is completed by a qualified Engineer that demonstrates (to the satisfaction of the NPCA) that the proposed activities will not create any adverse impacts to the stability of the slope over the long term.

NPCA staff have reviewed the 'Slope Stability Assessment, Proposed Pool - 24 Royal Henley Boulevard, St. Catharines' by Soil-Mat (dated July 11, 2019). Based on our review, staff offer the following:

1. NPCA staff offer no objection to the conclusion that the location of the Stable Top of Slope is located 8.60m northwest from the Village Green Drive property line.
2. NPCA staff offer no objection to the conclusion that construction of an inground pool landward of the Stable Top of Slope will not negatively impact the adjacent slope.

3. NPCA staff offer no objection to the recommended geotechnical pool setback of 2.0m from the Stable Top of Slope.

In light of the above, the Conservation Authority can support the approval of this proposal to reduce the exterior side yard setback to accommodate the swimming pool as per the above noted Geotechnical Report. Given that the proposed works will fall within the NPCA regulated area, a Work Permit from this office is required prior to the commencement of any works on site and prior to the issuance of a Building Permit from the Town.

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

Yours truly,

A handwritten signature in dark ink, reading "S. Mastroianni". The signature is written in a cursive, flowing style.

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 1

24 Royal Henley
56 Hazel Street
19 Little Forks Square
51 Mary Street

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:08 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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

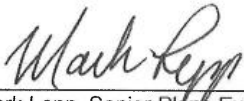
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

PRCS offers no comments of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

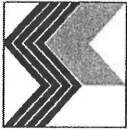
Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-102/19 (60.81.5536)

56 Hazel Street

DATE OF HEARING:
August 28, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 6, 2019

Date of Meeting: August 28, 2019

Report Number: A-102/19

File: 60.81.5536

Subject: 56 Hazel Street

Recommendation

That Variance 1 in Submission **A-102/19**, by Bonnie Rochon and David Rochon, as outlined in the Notice of Hearing be approved, and that Variance 2 be denied.

Report

The Proposal

The Applicant has constructed a covered front porch within the exterior side yard abutting Hazel Street (the perceived front yard) and a covered deck in the interior side yard, behind the existing detached dwelling. The Platform Structure provisions of the zoning by-law apply to both the porch and deck. Application **A-102/19** seeks relief from the Zoning By-law through the following variances:

1. A reduction in the minimum setback from the exterior side lot line for a covered front porch that is less than 1.2 metres in height from grade from 3 metres to 0.41 metres.
2. A reduction in the minimum setback from the interior side lot line for a covered deck from 1.2 metres to 0.0 metres.

Location and Site Description

The subject property is located at the intersection of Hazel and Hayes Streets, north of Merritt Street. The surrounding area consists primarily of detached homes, with green space to the immediate north.

Circulation of Application

This Application was circulated to all appropriate departments and agencies: no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E9 thereof. 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), permitting detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments.

Planning Analysis

Variance 1

Zoning By-law 2013-283 requires that platform structures (in this case the covered porch) that are less than 1.2 metres in height above grade be setback a minimum of 3.0 metres from an exterior side lot line. The intent of the provision is to maintain a consistent streetscape; ensure that platform structures do not overwhelm the street; and to maintain sufficient space for landscaping and storm water management. Minimum exterior side yards also ensure that adequate sight lines are maintained for drivers approaching an intersection.

Variance 1 is requested to permit the existing covered front porch to remain in its current location. The roof of the covered porch does not encroach beyond the existing fence located just within the exterior side lot line, maintaining the consistency of the streetscape. Being of open-construction, the covered porch does not appear to impede driver sightlines. It is therefore staff's opinion that Variance 1 is minor in nature, desirable for the appropriate use of the land, and is in keeping with the official plan and zoning by-law. Staff recommend that Variance 1 be approved.

Variance 2

Zoning By-law 2013-283 also requires that platform structures (in this case the raised deck) that exceed 1.2 metres in height above grade be setback a minimum of 1.2 metres from the interior side lot line. The intent of the provision is to ensure adequate separation distance and buffering between neighbouring properties; to mitigate overlook and privacy impacts; and to ensure sufficient space is provided for property maintenance and storm water management.

Variance 2 is requested to permit the existing raised deck, which spans from the rear wall of the 56 Hazel Street to the common lot line between the adjacent dwelling at 18 Hayes Street, to remain in its current location. It is staff's opinion that the proximity of the raised deck to the interior side lot line results in privacy impacts on this neighbouring home. It is staff's opinion that the requested variance is not minor in nature, is not appropriate and desirable for the use of the land, and does not uphold the general intent and purpose of the Zoning By-law and Official Plan. Staff recommend that Variance 2 be denied.

Conclusion

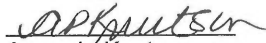
Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Variance 1 of Application **A-102/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land, but that Variance 2 is not. Staff recommend that Variance 1 be approved and that Variance 2 be denied.

Prepared by:



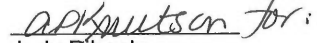
Mallory Smith
Student Planner

Submitted by:



Amanda Knutson
Planner II

Approved by:



Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject:

RE: application A 102/19 file #60.81.5536

From: Rigoberto Sanchez [mailto]

Sent: Wednesday, August 21, 2019 12:21 AM

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

Subject: application A 102/19 file #60.81.5536

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.

My name is Rigoberto Sanchez, I am the owner of the lot 69 registered plan of subdivision # 207
I had reported to the Niagara Regional Police Services 68 Church Street St Catharines that David Ronchon owner of the lot 68 took 17 inches of my parcel of land #69
to made his new wooden deck when I was away working and after 9 years neighbouring
He had the support of the Land Registry Office # 30 in St Catharines that also vandalise the Registered plan 207, I send a letter to Walter Sendzik mayor of St Catharines
about this the 30 April 2019 and to others peoples
I am a Canadian Marine Engineer , I paid off my mortgage , and repair the house that was in a very poor condition when I bought it and was vandalized later, I am 74 years old and
until now I have a job and paying all my taxes to the city
I am disagreed with the application A-102/19
The wooden deck of the 56 Hazel Street is not in the side yard, it is behind the house and 17 inches inside of my parcel of land
The boundaries of a lot of the registered plan 207 can not be changed
Regards Rigoberto Sanchez

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notice and Application, City of St. Catharines, for the August 28/19 CofA Hearing

From: Laven, Amaraine (MNR) [mailto:Amaraine.Laven@ontario.ca]
Sent: Thursday, August 15, 2019 3:57 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: FW: Committee of Adjustment Notice and Application, City of St. Catharines, for the August 28/19 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.

Hello Elaine,

The subject property at 56 Hazel Street in St. Catharines, is outside of the Niagara Escarpment area of Development Control and therefore a Development Permit is not required from the NEC prior to development on the property.

The property is however within the Niagara Escarpment Plan area and is designated as Urban Area. Niagara Escarpment Commission staff understand that the Minor Variance Application A-102/19 is to recognize an existing deck that has an exterior side lot line setback of 0.41 m whereas 3 m is required and an interior side lot line setback of 0 m whereas 1.2 m is required.

NEC staff have no objection to the Minor Variance Application based on the objectives of the Urban Area designation.

Sincerely,

Amaraine Laven, MES(PI)
Senior Planner



Niagara Escarpment Commission
An agency of the Government of Ontario

232 Guelph Street | Georgetown, ON | L7G 4B1

Tel: 905-877-1763

Website: www.escarpment.org

Please let me know if you require communication supports or alternate formats.

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 1

24 Royal Henley
56 Hazel Street
19 Little Forks Square
51 Mary Street

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:08 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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

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

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

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PRCS offers **no comments** of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-104/19 (60.81.5538)

19 Little Forks Square

DATE OF HEARING:
August 28, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 12, 2019

Date of Meeting: August 28, 2019

Report Number: A-104/19

File: 60.81.5538

Subject: 19 Little Forks Square

Recommendation

That Submission **A-104/19**, by Jessica Cousineau and Nicholas Koopman, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the accessory structure be setback a minimum of:
 - a. 3.5 metres from the rear lot line;
 - b. 2.5 metres from the southerly interior lot line;
 - c. 3.0 metres from the northerly interior lot line.
2. That the accessory structure not exceed an area of 81 square metres.

Report

The Proposal

The Applicant is proposing to construct a 5.02-metre-high garage with a covered porch in the rear yard of the existing detached dwelling. Application **A-104/19** seeks relief from the Zoning By-law through an increase in accessory structure height from 4.5 metres to 5.02 metres.

Location and Site Description

The subject property is located on the western end of Little Forks Square, west of Sherman Drive. The surrounding area consists primarily of detached dwellings.

Circulation of Application

The Application was circulated to all appropriate departments and agencies, no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1 thereof. 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 and semi-detached dwellings, quadruplex, townhomes, and private road developments. Accessory structures, such as the detached garage proposed, are permitted, subject to certain restrictions.

Planning Analysis

Zoning By-law 2013-283 restricts the height of accessory structures to 4.5 metres. The intent of the provision is to minimize the impacts of massing (i.e. so that structures do not overwhelm neighbouring properties and amenity areas).

The Applicant requests a 0.52 metre increase in height in order to construct a 5.02 metre-high detached garage in the rear yard. The garage would be located on an oversized lot, with generous setbacks from the rear lot line and interior side lot lines, far exceeding the minimum 0.6 metre setback required by the zoning by-law. Any impact associated with the detached garage in terms of its scale and massing would be minimized in this scenario. It is staff's opinion that the requested variance is minor in nature, is appropriate and desirable for the use of the land, and maintains the general intent and purpose of the Zoning By-law and Official Plan.

Staff recommend that the variance be approved, subject to conditions imposing increased setbacks and limiting the overall size of the accessory structure.

Conclusion

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-104/19** is minor in nature, is desirable for the appropriate use of the land, and is in keeping with the intent and purpose of the Official Plan and Zoning By-law. Staff recommend that Application **A-104/19** be approved.

Prepared by:



Mallory Smith
Student Planner

Submitted by:

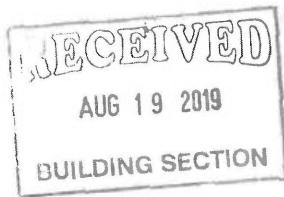


Amanda Knutson
Planner II

Approved by:



Judy Pihach
Manager of Planning Services



28 Bendingroad Cres.,
St. Catharines, Ont.
Tel: [REDACTED]

August 16, 2019

Attention Committee of Adjustment:

We are the back fence neighbours on Bendingroad Cres. of the residents of 19 Little Forks Square. We have concerns about the structure to be built on the Little Forks property. Because properties on Little Forks and Bendingroad have irregular shapes the proposed structure impacts our properties more than usual. We therefore do oppose the application to raise the height of the structure from 4.5 metres to 5.02 metres.

We also have some concerns about the structure in general. We have been told that the structure is to be a garage for the purpose of repairing vehicles. Our concerns are:

1. Will this be a business?
2. Will there be excessive noise?
(vehicle motors, machines etc. - at night weekends)

3. Will there be strong odors? (oil, gas, exhaust fumes)
4. Will this large property be used as a parking lot for vehicles waiting to be repaired?
5. Will a sewer line be put in to take care of any run-off or will the contaminated water be washed into the soil? (There is an underground stream running along the western fence line which could cause contamination in our properties)
6. Will the structure itself cause the underground water to be re-routed on to our properties?
7. We worry about the effect on the value of our properties.

We hope that the committee, along with appropriate city personnel will visit the area to make certain that our concerns are addressed.

Anja Jokela

Darren Marten

Sincerely,

H. Friesen

E. Friesen

26 Bending Road CRES
S. Ramburn

24 Bending Road CRES

Knollen Road 22 Bending Road CRES.

18 BENDING ROAD CR
ST. CATHARINES, ONT.
L2A1 5R5

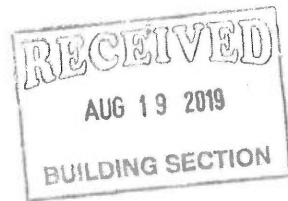
 Michelle Zheng

32 Bendingroad Cres.
L2N 5R5

 Joseph DeMeo

36 Bendingroad Cres.
L2N-5R5

John Koethler
30 Bendingroad Cres.
L2N 5R5



We are residents living across the street from 28, 26, 30 Bendingroad Cres. We are concerned that this structure will effect the value of our property.

Other concerns are:

Ex - noise, smells

Maria Luisa Crisanti



35 Bendingroad Cr
D. Gironi



Maurice Bodnar

33 Bendingroad Cres.
St. Catharines

Halina Bodnar
33 Bendingroad Cres.
St. Cath. Ont.
L2R5R4



Larissa Grosain
29 Bendingroad Cresce.
St. Catharines, ON



23 Bendingroad Cres.
St. Catharines



Terry Cassilo
23 Bendingroad Cres
St. Catharines, ON



Margaret Pittui
31 Bendingroad
St. Catharines

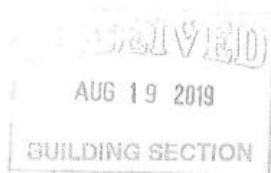
We are concerned about the garage
being built on the Little Forks property.
It's height will cause ~~of~~ us concern.

We are concerned about noise and odor
which may come from the structure.

We are worried that it will bring down
the value of our property.

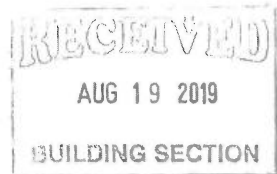
[REDACTED] 53 Bendingwood Cres. Richard Jadwiszczak

Miroslaw Serkiz 34 Bendingwood Cres.



I live across the street from #28 Bendungwood cres.
I would like an explanation with respect to the
~~residential~~ usage of this building. If regular car repairs
are to be done in this building, how is this not
to be considered a business. This area cannot
nor should not be rezoned to commercial a

M. Sadlon



Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 1

24 Royal Henley
56 Hazel Street
19 Little Forks Square
51 Mary Street

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

Sent: Wednesday, August 07, 2019 2:08 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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

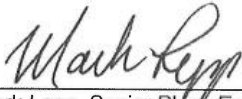
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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PRCS offers no comments of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-35/19SC (60.84.2262), A-105/19
(60.81.5539) & A-106/19 (60.81.5540)**

17 East Hampton Road

**DATE OF HEARING:
August 28, 2019**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 12, 2019

Date of Meeting: August 28, 2019

Report Number: B-35/19SC
A-105/19
A-106/19

File: 60.84.2262
60.81.5539
60.81.5540

Subject: 17 East Hampton Road (18 Glenbarr Road)

Recommendation

That Submission **B-35/19SC**, by Alexandra Slootsky and Maxim Avtonomov, 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, to be registered on title to the lands, addressing the following conditions:
 - a. That building permit plans, including elevation plans, for 17 East Hampton Road be generally in accordance with the plans submitted to the Design Review Panel at the July 2nd, 2019 meeting, and that these plans be submitted to satisfy the City's Urban Design Planner of the following:
 - i. That the new construction includes an enlarged covered front porch; and
 - ii. That upper and lower floor windows on the new construction be generally aligned.
 - b. That the Development Agreement include a grading and drainage plan that is acceptable to staff.
2. 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.
3. That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of parkland dedication. The appraisal shall be completed by a qualified appraiser, in accordance with Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, which 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'.
4. That a building permit be obtained for the alterations required to remove the existing attached garage associated with the dwelling located on Part 1, such works to be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
5. That the existing shed on Part 2 be removed and, if greater than 10 square metres in building area, a demolition permit be obtain and works completed to the satisfaction of the Chief Building Official of the City of St. Catharines.

6. That the Applicant pays to the City the estimated cost of a future sidewalk along the East Hampton Road and Glenbarr Road frontages, the fee for which shall be in accordance with the City's current construction tender pricing average.
7. That the Applicant submit an individual lot grading and drainage plan, prepared by a qualified Engineer or Ontario Land Surveyor, to the satisfaction of City staff.
8. That the Applicant pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals for the existing dwellings.
9. That the Applicant complete any relocations of the existing sanitary lateral and/or water service on private property, which may be necessary to rectify conflicts between services and the future lot lines, as determined through the inspection referenced in Condition 8 above.
10. That the Applicant pays the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property, which may be necessary to rectify conflicts between services and the future lot lines, as determined through the inspection referenced in Condition 8 above.

That related Applications **A-105/19** and **A-106/19**, by Alexandra Slootsky and Maxim Avtonomov, as outlined in the respective Notices of Hearing, be approved.

Report

The Proposal

Application **B-35/19SC** is made for consent to sever 364.6 m² of land (Part 2 on the submitted sketch) for the proposed construction of a two-storey detached dwelling to be known as 18 Glenbarr Road. A 470.5 m² remnant parcel (Part 1) with the existing detached dwelling will be retained for continued residential use.

There are concurrent Applications **A-105/19** and **A-106/19**, which seek relief from Zoning By-law 2013-283 for both the new and remnant parcels, as follows:

| Variance No. | Zoning Provision | Required | Proposed |
|--------------|--|------------------------|--|
| 1. | Minimum Rear Yard | 7.5 metres | 3.89 metres (Part 1, remnant) |
| 2. | Minimum Rear Yard | 7.5 metres | 5.51 metres (Part 2, new lot) |
| 3. | Minimum Lot Area for a Detached Dwelling | 400 m ² | 364.6 m ² (Part 2, new lot) |
| 4. | Minimum Front Yard | 7 metres to the garage | 6.3 metres to the garage (Part 2, new lot) |

Location and Site Description

The subject lands are located at the southeast corner of Glenbarr Road and East Hampton Road. The subject lands are surrounded by detached and semi-detached dwellings.

Circulation of Application

This Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E8 thereof. 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 11.0 metres.

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential – Suburban Neighbourhood (R1). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings, as well as private road developments. Height of buildings is restricted to 10.0 metres.

Planning Analysis

Consent

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

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. On July 2, 2019 the subject proposal considered by the DRP, who were generally supportive of the Application with certain suggested revisions to ensure consistency with respect to built form.

The requested consent to sever will result in the creation of a new lot that is marginally smaller than what is permitted by the zoning by-law for a detached dwelling. The scale of the proposed building and overall lot area are in keeping with the character of the neighbourhood. The proposal demonstrates that there is sufficient space on each of the lots to accommodate parking, landscaping, and amenity areas. There are no anticipated impacts as a result of the severance. Staff recommend that the consent be approved, subject to the conditions outlined in the recommendation. These conditions are reflective of comments received from the Design Review Panel as well as City departments, including Parks, Recreation & Culture Services and the Building and Development Sections of Planning and Building Services.

Variance 1 (Part 1, A-105/19)

Zoning By-law 2013-283 requires a minimum rear yard setback of 7.5 metres for a detached dwelling in the R1 zone. The intent of the rear yard setback is to ensure adequate space for amenity and storm water management; ensure a compatible built form that does not overwhelm the street, the subject property and the adjacent properties (i.e. scale and massing); and to mitigate impacts on privacy, such as overlook.

The Applicant has requested a reduction in the rear yard setback for the retained parcel from 7.5 metres to 3.89 metres. The remnant parcel will enjoy expansive front and flanking yards, providing adequate space for an amenity area that is traditionally located in the rear yard. Staff are of the opinion that the requested variance is minor in nature, is desirable for the appropriate use of the lands and is in keeping with the intent of the official plan and zoning by-law. Staff recommend approval of Variance 1.

Variance 2 (Part 2, A-106/19)

The Applicant has also requested a reduction in the minimum rear yard for the new lot from 7.5 metres to 5.51 metres. Staff are satisfied that the proposed 2.0 metre reduction will not result in any adverse impact on the neighbouring property to the south; a wood board fence exists on the common lot line between the two rear yards. Staff are of the opinion that the requested variance is minor in nature, is desirable for the appropriate use of the lands and is in keeping with the intent of the official plan and zoning by-law. Staff recommend approval of Variance 2.

Variance 3 (Part 2, A-106/19)

Zoning By-law 2013-283 requires a minimum lot area of 400 m² for a detached dwelling in the R1 zone. The intent of the minimum lot area provision is to ensure that a building envelope can comfortably fit within the boundaries of the property, while ensuring that adequate space is maintained for outdoor amenity areas, landscaping, and parking. The minimum lot area provisions also ensure that the lot fabric of a neighbourhood remains generally consistent.

The Applicant has requested a reduction in the minimum lot area for the new lot from 400 m² to 364.4 m². Staff is satisfied that the proposed lot size will accommodate the proposed building footprint, outdoor amenity areas and parking. The lot is similar in size to newer lots recently created in the immediate vicinity. Staff are of the opinion that the requested variance is minor in nature, is desirable for the appropriate use of the lands and is in keeping with the intent of the official plan and zoning by-law. Staff recommend approval of Variance 3.

Variance 4 (Part 2, A-106/19)


Zoning By-law 2013-283 requires a minimum front yard of 6 metres to the dwelling and 7 metres to the garage. The intent of the provision is to ensure that garages are read as subordinate to the dwelling itself. The provision also ensures that a sufficient parking area can be provided between the dwelling and the front lot line.

The Applicant has requested a reduction in the minimum front yard from 7 metres to the garage to 6.3 metres. The Applicant's proposal provides for an attached garage that is setback from the dwelling. The proposed 6.3 metre setback provides sufficient depth for a parking space. It is staff's opinion that the variance is minor in nature, is in keeping with the general intent of the Zoning By-law and Official plan, and is desirable for the appropriate use of the land. Staff recommend approval of Variance 4.

Conclusion

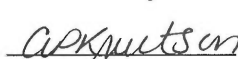
Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that Application **B-35/19SC** is compatible with the surrounding area and will not result in adverse impacts. Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the variances requested through each of Applications **A-105/19** and **A-106/19** 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 approval of both the consent and variance applications, subject to the conditions outlined herein.

Prepared by:



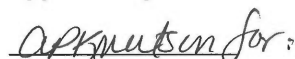
Mallory Smith
Student Planner

Submitted by:



Amanda Knutson
Planner II

Approved by:



Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 2

17 East Hampton Road
25 Lanark Crescent

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:09 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 2 - 905-19-324

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

Sent: Wednesday, August 14, 2019 8:08 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 2 - 905-19-324

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-35/19SC - 17 East Hampton Road

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

Bell

External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600

August 14, 2019

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

Attention: Elaine Munro

File# 60.84.2262, 60.81.5539 & 60.81.5540

Re: 17 East Hampyon Rd and 16 & 18 Glenbarr Rd

In response to your correspondence dated August 7, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

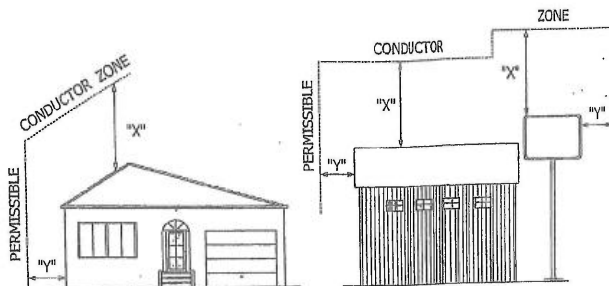
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

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

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS NOT TO SCALE

SHEET #

1

REVISION #

0



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 28, 2019 hearing - File No.: 300-036

B-35/19SC – 17 East Hampton Road

Comment:

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

Condition:

- A building permit is required to be applied for and obtained for the alterations to remove the existing attached garage of the dwelling on Part 1 and the work shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B-36/19SC – 167 Woodside Drive

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

- A building permit shall be applied for, obtained and work completed to the satisfaction of the Chief Building Official of the City of St. Catharines for the removal of the covered porch on the west side of the structure at 30 West Hampton Road.

B-37/19SC – 10 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).

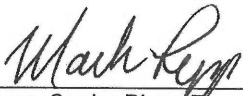
B38/19SC – 12 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 1 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).



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

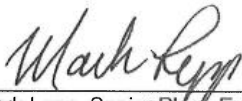
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262

16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539

18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263

167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542

169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

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-35/19SC



August 20, 2019

ENGINEERING FILE 300-36

Hearing Date: August 28, 2019

Applicant: Alexander Slootsky & Maxim Avtonomov

Location: 17 East Hampton Road

MUNICIPAL SERVICES

| | East Hampton Road | Glenbarr Road |
|------------------------------|--------------------------|----------------------|
| Water: | 150mm P.V.C | 150mm P.V.C. |
| Sanitary Sewer: | 250mm Concrete | 250mm Concrete |
| Storm Sewer: | 300mm | None |
| Sidewalks: | None | None |
| Curbs: | Yes | Yes |
| Road Allowance Width: | 21.30m± | 21.30m± |

**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 construction of a single detached dwelling to be known as 18 Glenbarr Road. A remnant parcel, Part 1 with the existing single detached dwelling will be retained for continued residential use.

Roads

East Hampton Road and Glenbarr Road are designated Local roads as the City's Official Plan with required rights-of-way widths of 20.0m. Their current widths exceed this requirement (21.30m±) therefore the City shall not be requiring road widening dedications from the subject lands at this time.

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

Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bikelanes and meeting the Garden City Plan initiatives driven by Council, it is therefore required that the City require the Owner to make a cash contribution for the construction of future sidewalks along the frontages of both East Hampton Road and Glenbarr Road. The cash contribution will be based on the current construction average City tender pricing, at the time of payment (\$194.45/m² - 2019). The required total amount shall be based on a 1.5m wide sidewalk along the total frontage length along East Hampton Road and Glenbarr Road of 63.92m (64.0m).

Therefore, the total estimated cost of the Owner's share if paid in 2019 is **\$12,444.80**. May it be noted that both of these streets are currently not on a priority sidewalk list for construction in the near future.

Engineering Services

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

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

The Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the locations of the water and sewer service laterals for the existing dwelling, to confirm they do not conflict with any existing abutting and/or future lot lines. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit so as not to allow conflicts to exist. The Owner shall pay the City the fees to install new water and sanitary sewer services for the new lot from the City sewer main and water main to the front property line through the building permit process.

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

- Pay to the City the estimated cost of a future sidewalk along the East Hampton Road and Glenbarr Road frontages, the fee in accordance with the City's current construction tender pricing average; and
- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals for the existing dwellings; 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
Wilrik Banda, Planning Technician
Mallory Smith, Planning Co-op Student

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-107/19 (60.81.5541)

51 Mary Street

DATE OF HEARING:
August 28, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 12, 2019

Date of Meeting: August 28, 2019

Report Number: A-107/19

File: 60.81.5541

Subject: 51 Mary Street

Recommendation

That Submission A-107/19, by Linda Van Dyk, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes to construct a new front porch (a platform structure) along the north and west facades of the existing detached dwelling at 51 Mary Street. Application A-107/19 seeks relief from zoning by-law by way of a reduction in the minimum exterior side yard setback for a platform structure that is greater than 1.2 metres in height above grade from 4.0 metres to 2.58 metres.

Since the date of submission of this Application, the Applicant has clarified that the height of the porch will not, in fact, exceed 1.2 metres from grade. The variance, therefore, is to permit a reduction in the minimum exterior side yard setback for a platform structure that is more than 0.6 metres above grade and less than 1.2 metres above grade from 3.0 metres to 2.58 metres.

Location and Site Description

The subject property is located at the intersection of Courtleigh Road and Mary Street, west of Belair Drive. The surrounding area consists primarily of detached dwellings, with agricultural uses located to the west.

Circulation of Application

This Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1 thereof. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadplex, fourplex and townhouse dwellings at a density range

Report Page 1 of 2

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), permitting detached, semi-detached, quadruplex, and townhouse dwellings, as well as private road developments.

Background

Application A-107/19 follows previous Application A-29/19 submitted for consideration earlier this year. In February the Committee of Adjustment approved variances to facilitate construction of a porch with second floor balcony and an extension of the attached garage. Relief from the zoning by-law was granted for:

- 1) a reduction in the minimum rear yard setback (to the garage) from 7.5 metres to 2.3 metres.
- 2) a reduction in the minimum setback from the front lot line for a platform structure over 1.2 metres above grade from 6.0 metres to 4.0 metres.

Planning Analysis

Zoning By-law 2013-283 requires that platform structures (including porches) greater than 0.6 metres above grade and less than 1.2 metres above grade be setback a minimum of 3.0 metres from the exterior side lot line. The intent of the provision is to maintain a consistent streetscape; ensure that platform structures do not overwhelm the street; and to maintain sufficient space between structures and the street for landscaping and storm water management. Minimum exterior side yards also ensure that adequate sight lines are maintained for drivers approaching an intersection.

Due to the orientation of the dwelling on the lot the perceived front yard along Mary Street is technically the exterior side yard, as defined by the zoning by-law. This configuration minimizes impacts on driver sightlines and the streetscape. No impacts on the neighbouring property to the east are anticipated – an existing mature tree and a hedgerow provide buffering. It is staff's opinion that the requested variance is minor in nature, is appropriate and desirable for the use of the land, and upholds the general intent and purpose of the Zoning By-law and Official Plan. Staff recommends approval of the requested variance.

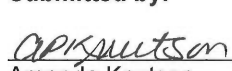
Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-107/19** is in keeping with the general intent of the official plan and zoning by-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved.

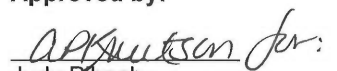
Prepared by:


Mallory Smith
Student Planner

Submitted by:


Amanda Knutson
Planner II

Approved by:


Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 1

24 Royal Henley
56 Hazel Street
19 Little Forks Square
51 Mary Street

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:08 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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


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

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

PRCS offers **no comments** of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

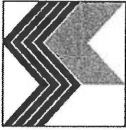
Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-117/19 (60.81.5551)

2 Ellis Avenue

DATE OF HEARING:
August 28, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 19, 2019

Date of Meeting: August 28, 2019

Report Number: A-117/19

File: 60.81.5551

Subject: 2 Ellis Avenue

Recommendation

That Submission **A-117/19**, by Phelps Home Ltd., as outlined in the Notice of Hearing, be approved.

Background

Application A-117/19 follows Application A-43/19 submitted to the Committee of Adjustment earlier this year. At the March 28, 2019 meeting the Committee approved 13 minor variances to facilitate the construction of a private road development comprising 30 townhouse dwelling units. Future applications for condominium draft plan approval and lifting of part lot control are anticipated to create the internal private road and each of the lots ("parcels of tied land") within the development.

Report

The Proposal

Section 2.6 of Zoning By-law 2013-283 provides that "No person shall develop or construct a building or structure or otherwise use any lot unless the lot fronts on a **public road**". The Applicant seeks relief from the by-law in order to create 30 lots (known as "parcels of tied land") which will have frontage on an internal **private road**.

Location and Site Description

The subject property is located on the north side of Ellis Avenue, north of Oakdale Avenue and west of Merritt Street. The surrounding area consists of a mix of detached, semi-detached and townhouse dwellings, with commercial uses along Merritt Street. St. Catharines Fire and Emergency Services abuts the property to the east.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E9 thereof. The Medium Density Residential designation permits the proposed townhouse dwellings at a density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3); the private road development comprised of 30 townhouse dwellings is permitted.

Planning Analysis

Section 2.6 of Zoning By-law 2013-283 provides that no person shall develop or construct a building or structure or otherwise use any lot unless the lot fronts on a public road. Unlike a vacant land condominium, where all of the units and common elements are covered by a plan of condominium having frontage on a public road, a common elements condominium creates the private road only. Each of the units within the development is then created as a lot through lifting of part lot control. The resulting lots, also called "parcels of tied land", do not technically enjoy frontage on a public road.

The variance requested is considered administrative in nature. The proposed internal private road will provide access to Ellis Avenue and will be maintained in perpetuity by the Condominium Corporation; the intent of the zoning provision is therefore maintained. The requested variance is minor in nature, with no impact on the surrounding neighbourhood. Staff recommend approval of Application **A-117/19**.

Conclusion

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-117/19** is minor in nature, is desirable for the appropriate use of the land, and is in keeping with the intent and purpose of the Official Plan and Zoning By-law. Staff recommend that Application **A-117/19** be approved.

Prepared by:



Mallory Smith
Student Planner

Submitted by:



Amanda Knutson
Planner II

Approved by:



Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 3

2 Ellis Avenue
167 Woodside Drive

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:10 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

August 14, 2019

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

Attention: Elaine Munro

File# 60.81.5551

Re: 2 Ellis Ave

In response to your correspondence dated August 7, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 905-521-4907.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

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

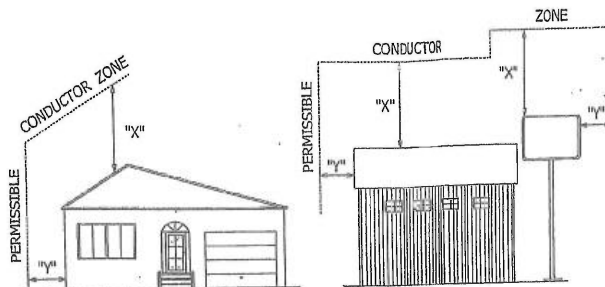
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal,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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

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

REFERENCE DRAWINGS:

DRAWING #
3-105

DRAWINGS NOT TO SCALE

SHEET #
1

REVISION #
0



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

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| A-114/19 | 250 Grantham Ave. | -No Comment |
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| A-116/19 | 25 Lanark Crescent | -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 those yards |
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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

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16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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

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

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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.

PRCS offers no comments of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



St. Catharines

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-36/19SC (60.84.2263), A-108/19
(60.81.5542) & A-109/19 (60.81.5543)**

167 Woodside Drive

**DATE OF HEARING:
August 28, 2019**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 15, 2019

Date of Meeting: August 28, 2019

Report Number: B-36/19SC
A-108/19
A-109/19

File: 60.84.2263
60.81.5542
60.81.5543

Subject: 167 Woodside Drive (169 Woodside Drive)

Recommendation

That Submission **B-36/19SC**, by 2494551 Ontario Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That encroachments of any wall, eave projection, and the like from the new lot onto the remnant parcel, and vice versa, be addressed on the final reference plan;
2. That the existing shed on Part 3 be removed and, if greater than 10 square metres in building area, a demolition permit be obtained and works completed to the satisfaction of the Chief Building Official of the City of St. Catharines;
3. 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.
4. That the Applicant submit for review and approval by staff a revised lot grading and drainage plan, prepared by a qualified Engineer or Ontario Land Surveyor and identifying the proposed basement stairwells; and
5. That the Applicant pay to the City the estimated cost of a future sidewalk along the Woodside Drive frontage, the fee for which will be in accordance with the City's current construction tender pricing average.

That Submissions **A-108/19** and **A-109/19**, as outlined in the respective Notices of Hearing, be approved, subject to the following condition:

1. That driveways on both the new and remnant parcels be limited to 3 metres in width, consistent with the plans submitted with this Application.

Background

In 2009, the Committee of Adjustment denied Application B-19/09SC for consent to sever 454.5 m² of land from 30 Westhampton Road to create the lot now known as 167 Woodside Drive for the construction of a detached dwelling. That decision was appealed to the Ontario Municipal Board (OMB), which ultimately approved the Application, subject to certain conditions, including minimum lot frontage, lot area, setbacks, etc.

In 2013, the OMB decision was carried forward into the City's comprehensive zoning by-law as Special Provision 128. SP-128 does not, however, restrict the use of the property to only a detached dwelling; a semi-detached dwelling is also permitted. Further, SP-128 reads such that the conditions previously imposed by the OMB relate only to a detached dwelling.

In 2018, a building permit was issued for the semi-detached dwelling currently under construction. Special Provision 128 could not be applied to the proposal for a semi-detached dwelling. Additionally, the Existing Lots provision that was in place at the time allowed for the construction of a semi-detached dwelling on an undersized lot. Previously, the Existing Lots provision permitted the construction of a detached, semi-detached, or townhouse dwelling on any existing undersized lot of record, providing the dwelling complied with the zoning by-law in all other respects.

For the Committee's information, staff recognized that the Existing Lots provision has resulted in the overdevelopment of certain lots in the City. The provision has since been amended to permit only a detached dwelling on existing lots of record that are undersized.

Report

The Proposal

A semi-detached dwelling is currently under construction on the lands known as 167 Woodside Drive. The Applicant proposes to sever the lot along the common wall separating the two dwelling units so that each of the units can be held in separate ownership. Further, the Applicant proposes to construct an interior accessory dwelling unit within each of the two dwellings.

Application **B-36/19SC** is made for consent to sever 231.1 m² of land (Parts 3 and 4 on the submitted sketch), creating a new lot to be known as 169 Woodside Drive. A 233.2 m² remnant parcel (Parts 1 and 2), to be known as 167 Woodside Drive, will be retained. As part of the proposal, the lands at 167 Woodside Drive will be subject to an easement, in perpetuity, for maintenance over Part 4 to the benefit of Parts 1 and 2. Similarly, the remnant parcel at 169 Woodside Drive will be subject to an easement, in perpetuity, for maintenance over Part 2 to the benefit of Parts 3 and 4.

There are concurrent Applications **A-108/19** and **A-109/19**, which seek relief from Zoning By-law 2013-283 for both the new and remnant parcels, as follows:

| Provision | Required | Proposed |
|---|--------------------|--|
| Minimum lot frontage for a semi-detached dwelling | 12 m (per unit) | 10.69 m (Pts 1 & 2) 10.68 m (Pts 3 & 4) |
| Minimum lot area per dwelling unit for a semi-detached dwelling | 370 m ² | 233.2 m ² (Pts 1 & 2) 231.1 m ² (Pts 3 & 4) |
| Parking requirement for an interior accessory dwelling unit | 1 space | 0 spaces |

| | | |
|---|-------------------------------------|--|
| Maximum encroachment into the required yard for eaves and gutters | to be within 0.15 m of the lot line | may encroach to within 0.0 m of the lot line |
|---|-------------------------------------|--|

Location and Site Description

The subject lands are located on the south side of Woodside Drive, just west of Westhampton Road. The subject lands are surrounded by detached dwellings, and directly north of greenspace and the Bruce trail.

Circulation of Application

This Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E8 thereof. 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 11.0 metres.

Zoning By-law (2013-283)

The subject lands are zoned Low Density Residential – Suburban Neighbourhood with Special Provision 128 (R1-128). The R1 zone permits detached, semi-detached, quadruplex, and townhouse dwellings, as well as private road developments. Height of buildings is restricted to 10.0 metres. Special Provision 128 sets out yard requirements and other provisions that are applicable only to a detached dwelling.

Planning Analysis

Consent

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

The proposed severance will allow each of the two units within the semi-detached dwelling to be sold individually and held in separate ownership. Staff initiated and Council has approved changes to the zoning by-law to prohibit this dwelling type on existing undersized lots in the future. In the circumstances that prevail on this application, being a building permit has been issued in accordance with the zoning that was in place at that time, and recognizing the dwelling is under construction or possibly completed, there is nothing to be gained by withholding the severance to recognize each half of the semi-detached dwelling on its own lot. There are no new or additional impacts anticipated as a

result of the severance. Staff recommend that the consent be approved, subject to the conditions outlined in the recommendation.

The Garden City Plan stresses the achievement of "Complete Streets and Walkable Communities" which, in addition to accommodating vehicles, are to provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 provides that sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to current standards, recognizing that this may take many years. To that end, the Owner will be required to make a cash contribution for a future sidewalk along Woodside Drive. This cash contribution will be based on the current construction average City tender pricing, at the time of payment (\$194.45/m² - 2019) for a 1.5m wide sidewalk along the length of the total frontage of Woodside Drive (21.0m). If paid in 2019, the contribution would be \$4,083.45.

The Development Section of Planning and Building Services advises that as part of the building permit review process for this semi-detached dwelling, servicing provisions and lot grading plans were reviewed and accepted to the City's satisfaction. However, revised foundation plans were submitted after the building permit was issued to include stair-well entrances to the proposed interior accessory dwelling units. Development staff have requested that, as a condition of the approval of the severance, a revised grading plan be submitted for review and approval.

Variances 1 and 2

Pursuant to the former Existing Lots provisions of Zoning By-law 2013-283, which were in place at the time of issuance of a building permit for this semi-detached dwelling, the proposal was exempted from the minimum lot area and minimum lot frontage requirements of the R1 zone. However, as a result of the severance contemplated through the concurrent Application for Consent, the lot at 167 Woodside Drive will lose its status as an existing lot of record. It must, therefore, comply with the minimum lot area and minimum lot frontage requirements for semi-detached dwellings in the R1 zone.

The Applicant has requested relief from the provisions in question through Applications **A-108/19** and **A-109/19**. Similar to the above comments on the consent application, there is nothing to be gained by denying Variances 1 and 2. A building permit has been issued and the building has been constructed. These variances simply facilitate the individual sale of each half of the semi-detached dwelling.

Variance 3

Zoning By-law 2013-283 requires that 1 parking space be provided for an interior accessory dwelling unit. While there appears to be sufficient space to provide two side-by-side parking spaces in the front yard of each of the semi-detached units, this scenario would result in an expansive hard-surface area, which, in staff's opinion, will have a negative impact on the streetscape. On-street parking is available on Woodside Drive to support the requested parking reduction. Given the requested parking reduction will result in less impacts than if the parking requirement were met, and given the requested variances are minor in nature, desirable for the appropriate use of the lands, and maintain

the intent of the official plan and zoning by-law, staff recommend that Variance 3 requested through each of Applications **A-108/19** and **A-109/19** be approved. Further, staff recommend that a condition be imposed to restrict the width of each driveway to a maximum of 3.0 metres.

Variance 4

The zoning by-law permits the encroachment of eaves into a required yard to a maximum of 0.15 m from a lot line. The provision exists to ensure that storm water runoff from buildings and structures is contained within the respective lot.

The design of this semi-detached dwelling is such that the units are staggered (i.e. one unit sits further away from the street than the other). This staggered design results in the eaves of the units extending beyond what is permitted by the zoning by-law and into the adjacent yards. Applications A-108/19 and A-109/19 request to vary the zoning by-law so that eaves and gutters may encroach to within 0.0 metres of the lot line. With the construction of staggered semi-detached and townhouse dwellings becoming more prevalent in the City, this type of eave encroachment variance is likely to be requested more frequently. It is staff's opinion that the requested variances are minor in nature, are desirable for the appropriate use of the lands, and maintain the intent of the official plan and zoning by-law. Staff recommend that Variance 4 requested through each of Applications **A-108/19** and **A-109/19** be approved.

Conclusion

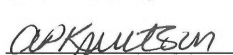
The proposed severance requested will allow each of the semi-detached units to be held in separate ownership with no increase in impact on the neighbourhood. While staff do not support the overdevelopment of undersized lots, the semi-detached dwelling in question complied with the zoning that was in effect at the time the building permit was issued. The requested consent and variances are not necessary to permit new development, rather they are necessary to facilitate the sale of each half of the semi-detached dwelling. Staff recommend that the Applications **B-36/19SC**, **A-108/19** and **A-109/19** be approved.

Prepared by:



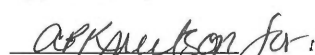
Mallory Smith
Student Planner

Submitted by:



Amarida Knutson
Planner II

Approved by:



Judy Pinach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 3

2 Ellis Avenue
167 Woodside Drive

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

Sent: Wednesday, August 07, 2019 2:10 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 3 - 905-19-325

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

Sent: Wednesday, August 14, 2019 8:09 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 3 - 905-19-325

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-36/19SC - 167 Woodside Drive

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 :705-726-4600

August 14, 2019

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

Attention: Elaine Munro

File# 60.84.2263, 60.81.5542 & 60.81.5543

Re: 167 & 169 Woodside Dr

In response to your correspondence dated August 7, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

Alectra Utilities Corporation

PO Box 2249 Station LCD 1, Hamilton, ON L8N 3E4

Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

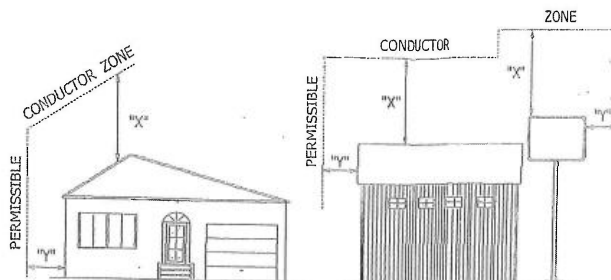
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

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

| REFERENCE DRAWINGS: | DRAWINGS NOT TO SCALE |
|---------------------|-----------------------|
| DRAWING # | SHEET # |
| 3-105 | 1 |
| | REVISION # |
| | 0 |



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 28, 2019 hearing - File No.: 300-036

B-35/19SC – 17 East Hampton Road

Comment:

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

Condition:

- A building permit is required to be applied for and obtained for the alterations to remove the existing attached garage of the dwelling on Part 1 and the work shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B-36/19SC – 167 Woodside Drive

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

- A building permit shall be applied for, obtained and work completed to the satisfaction of the Chief Building Official of the City of St. Catharines for the removal of the covered porch on the west side of the structure at 30 West Hampton Road.

B-37/19SC – 10 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).

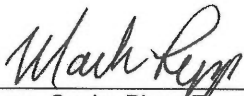
B38/19SC – 12 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 1 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2019\16bcoa memo-sev-August28,2019.docx



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

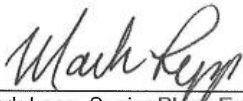
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

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-36/19SC



August 20, 2019

ENGINEERING FILE 300-36

Hearing Date: August 28, 2019

Applicant: 2494551 Ontario Inc.

Location: 167 Woodside Drive

MUNICIPAL SERVICES

Water: 200mm PVC

Sanitary: 200mm

Storm: None

Sidewalks: None

R.O.W Width: 21.30m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 167 Woodside Drive for the purpose of severing one-half of a semi-detached dwelling currently under construction. A remnant parcel with the other half of the semi-detached dwelling (Part 1) would be retained for residential use. The application would allow each of the semi-detached dwellings to be owned and/or sold separately.

Roads

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

Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bikelanes and meeting the Garden City Plan initiatives driven by Council, it is therefore required that the City require the Owner to make a cash contribution for the construction of a future sidewalk along Woodside Drive. The cash contribution will be based on the current construction average City tender pricing, at the time of payment (\$194.45/m² - 2019). The required total amount shall be based on a 1.5m wide sidewalk along the total frontage length of Woodside Drive of 21.37m (21.0m). Therefore, the total estimated cost of the Owner's share if paid in 2019 is **\$4,083.45**. May it be noted that Woodside Drive is currently not on a priority sidewalk list for construction in the near future.

These dwellings are currently in the building permit process, where individual servicing provisions and lot grading plans have been reviewed and accepted to the City's satisfaction. It must be noted however that after the building permit was issued, revised

foundation plans were submitted to include stair-well entrances to the lower proposed units. This revision was not circulated to Development Engineering for review regarding potential grading impacts. A revised Grading Plan shall be submitted for review and approval prior to the severance application being granted.

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

- Arrange to have a revised lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor identifying the proposed stairwells for review, and approval by City staff, prior to the finalization of the Consent; and
- Pay to the City the estimated cost of a future sidewalk along the Woodside Drive frontage, the fee in accordance with the City's current construction tender pricing average;

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
Wilrik Banda, Planning Technician
Mallory Smith, Planning Co-op Student

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-37/19SC (60.84.2263), A-110/19
(60.81.5544) & A-111/19 (60.81.5545)**

10 Lloyd Street

**DATE OF HEARING:
August 28, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 13, 2019

Date of Meeting: August 28, 2019

Report Number: B-37/19SC
A-110/19
A-111/19

File: 60.84.2264
60.81.5544
60.81.5545

Subject: 10 Lloyd Street (10B Lloyd Street)

Recommendation

That Submission **B-37/19SC**, by REAM Professional Investment Corporation, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. The applicant shall 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; and
2. Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey, by way of an easement; and
3. The applicant shall dedicate to the City, free and clear of any encumbrances, 0.86 metres along the frontage of the subject lands to be known as Public Highway Lloyd Street; and
4. The applicant shall provide the City a draft reference plan indicating the proposed 0.86m widening for review and approval, prior to registration of the plan in the Land Registry Office.

That Submissions **A-110/19** and **A-111/19** as outlined in the respective Notices of Hearing, be approved.

Summary

Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that Application **B-37/19SC** is compatible with the surrounding area and will not result in adverse impacts. Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that the requested variances through Applications **A-110/19** and **A-111/19** 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.

Report

The Proposal

A semi-detached dwelling is currently under construction on the lands known as 10 Lloyd Street. The Applicant proposes to sever the lot along the common wall separating the two dwellings so that each of the units can be held in separate ownership.

Application **B-37/19SC** is made for consent to sever 336 m² of land (Parts 3 and 4 on the submitted sketch), creating a new lot to be known as 10B Lloyd Street. A 335 m² remnant parcel (Parts 1 and 2), to be known as 10 Lloyd Street, will be retained. The lands on 10B Lloyd Street are subject to an easement, in perpetuity, for maintenance over Part 4 to benefit Parts 1 and 2. The lands on 10 Lloyd Street are subject to an easement, in perpetuity, for maintenance over Part 2 to benefit Parts 3 and 4.

There are concurrent Applications **A-110/19** and **A-111/19**, which seek relief from Zoning By-law 2013-283 for both the new and remnant parcels, as follows:

1. A reduction in the minimum lot frontage for a semi-detached dwelling from 7.5 metres to 7.01 metres.
2. A reduction in the minimum interior side yard setback from the common lot line of the front porch from 1.2 metres to 0 metres.
3. A reduction of the maximum encroachment into the required yard for eaves and gutters from 0.15 metres to 0 metres.

Location and Site Description

The subject lands are located on the west side of Lloyd Street, north of Chestwood Street. The subject lands are surrounded by detached and semi-detached dwellings, with commercial buildings and green space in the immediate vicinity.

Circulation of Application

The Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6-7 thereof. 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 11.0 metres.

Zoning By-law (2013-283)

The subject lands are 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. Height of buildings is restricted to 10.0 metres.

Planning Analysis

Consent

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

The proposed severance will allow each of the two units within the semi-detached dwelling to be sold individually and held in separate ownership. The consent will result in the creation of lots with a lot area in compliance with the zoning by-law, and only marginally smaller lot frontages than what is permitted. The scale of the building under construction and overall lot area are in keeping with the character of the neighbourhood. The proposal demonstrates that there is sufficient space on each of the lots to accommodate parking, landscaping, and amenity areas. There are no anticipated impacts as a result of the severance. Staff recommend that the consent be approved, subject to the conditions outlined in the recommendation.

Lloyd Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width is deficient at 18.28m. As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (hydro, gas, etc.).

Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities, boulevard trees and sidewalks, bikelanes and meeting the Garden City Plan initiatives driven by Council, it is required that the Owner dedicate a 0.86m widening along the frontage of the subject lands, to the City free and clear of any encumbrances to be known as Public Highway Lloyd Street. The required dedication for widening is not shown on the sketch submitted with the application.

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. At its September 4th, 2018 meeting, the Design Review Panel reviewed a proposal for a semi-detached dwelling on the subject lands; its position on the matter was favourable, provided that the setbacks of the two units be staggered to provide for additional privacy and articulation.

Variance 1

Zoning By-law 2013-283 requires a minimum lot frontage of 7.5 metres for a semi-detached dwelling, the request is for a reduction to 7.01 metres. The intent of the minimum lot frontage provision is to ensure a property provides enough width to properly accommodate a building footprint with sufficient outdoor amenity space, while also conforming to various setback requirements. The submitted plans demonstrate sufficient amenity space and is appropriate within the neighbourhood. Given the relief requested is desirable for the appropriate use of the lands, is minor in nature, and maintains the purpose and intent of the Official Plan and Zoning By-law, staff recommend that Variance 1 for Applications **A-110/19** and **A-111/19** be approved.

Variance 2

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 sufficient distance from property lines is maintained to support on-site drainage and access to rear yards. The applicant is requesting a reduction for the minimum interior side yard from the dwelling and the platform structure to the lot line, from 1.2 metres to 0 metres. The requested Variance 2 is a result of the staggered design of the semi-detached dwelling due to the protrusion of portions of the unit walls and the platform structure beyond the common wall, which results in a portion of the building being 0 metres from the common lot line. It is physically impossible for the property to have a semi-detached dwelling unit and attached platform structure and meet the required interior side yard setback at the common lot line. Staff recommends approval of Variance 2 of Applications **A-110/19** and **A-111/19**.

Variance 3

The Zoning By-law permits the encroachment of eaves into a required yard to a maximum of 0.15 m from the lot line. This provision exists to avoid conflicts regarding storm water runoff and to ensure that drainage is directed onto the respective lot. Applications A-110/19, and A-111/19 request to vary the zoning by-law for an increase of the maximum encroachment for eaves and gutters into a required yard from 0.15m to 0m. Because the subject property is currently being developed into a staggered townhouse, the resultant design is that the eaves of the units extend past what is permitted in the zoning and into the adjacent yards. With the construction of staggered townhouses becoming more prevalent in the City, the eaves encroachment variance is likely to be requested more frequently. Staff do not have concerns with these requested variances. Staff recommend approval of Variance 3.

Conclusion

The proposed severance requested through Application **B-37/19SC** will allow each of the semi-detached units to be held in separate ownership with little to no impact on the neighbourhood. Staff are recommending approval of the Application accordingly, subject to certain conditions. Similarly, the variances requested through each of Applications **A-**

110/19 and A-111/19 are minor in nature, desirable for the appropriate use of the land and maintain the intent and purpose of the Official Plan and Zoning By-law.

Prepared by:



Mallory Smith
Student Planner

Submitted by:



Bruce Bellows
Senior Planner

Approved by:

 for

Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4

10 Lloyd Street
250 Grantham Avenue

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

Sent: Wednesday, August 07, 2019 2:11 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4

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 4

Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4 - 905-19-326

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

Sent: Wednesday, August 14, 2019 8:12 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4 - 905-19-326

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-37/19SC - 10 Lloyd Street

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

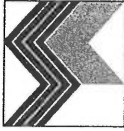
Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you

Carrie Gordon

Bell

External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 28, 2019 hearing - File No.: 300-036

B-35/19SC – 17 East Hampton Road

Comment:

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

Condition:

- A building permit is required to be applied for and obtained for the alterations to remove the existing attached garage of the dwelling on Part 1 and the work shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B-36/19SC – 167 Woodside Drive

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

- A building permit shall be applied for, obtained and work completed to the satisfaction of the Chief Building Official of the City of St. Catharines for the removal of the covered porch on the west side of the structure at 30 West Hampton Road.

B-37/19SC – 10 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).

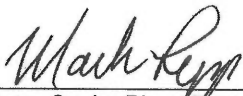
B38/19SC – 12 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 1 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).



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

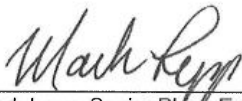
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

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

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12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

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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.

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-37/19SC**



August 20, 2019

ENGINEERING FILE 300-36

Hearing Date: August 28, 2019

Applicant: REAM Professional Investment Corporation

Location: 10 Lloyd Street

MUNICIPAL SERVICES

Water: 150mm C.I.
Sanitary: 375mm Clay
Storm: 525mm
Sidewalks: Yes
R.O.W Width: 18.28m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 10B Lloyd Street for the purpose of severing one-half of a semi-detached dwelling currently under construction. A remnant parcel with the other half of the semi-detached dwelling (Part 1) would be retained for residential use. The application would allow each of the semi-detached dwellings to be owned and/or sold separately.

Roads

Lloyd Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width is deficient at 18.28m. As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

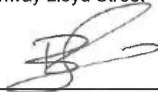
Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bikelanes and meeting the Garden City Plan initiatives driven by Council, it is therefore required that the City require the Owner dedicate a 0.86m widening along the frontage of the subject lands, to the City free and clear of any encumbrances to be known as Public Highway Lloyd Street.

These dwellings are currently in the building permit process, where individual servicing provisions and lot grading plans have been reviewed and accepted to the City's satisfaction.

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

- Provide the City a draft reference plan indicating the proposed 0.86m widening for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City, free and clear of any encumbrances, 0.86m along the frontage of the subject lands to be known as Public Highway Lloyd Street

Prepared by:



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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-38/19SC (60.84.2265), A-112/19
(60.81.5546) & A-113/19 (60.81.5547)**

12 Lloyd Street

**DATE OF HEARING:
August 28, 2019**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 13, 2019

Date of Meeting: August 28, 2019

Report Number: B-38/19SC
A-112/19
A-113/19

File: 60.84.2265
60.81.5546
60.81.5547

Subject: 12 Lloyd Street (12B Lloyd Street)

Recommendation

That Submission **B-38/19SC**, by REAM Professional Investment Corporation, 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, to be registered on title to the lands, addressing the following conditions:
 - a. That building permit plans, including elevation plans, for 12 and 12 B Lloyd Street be generally in accordance with the plans submitted to the Design Review Panel at the August 27, 2019 meeting, and that these plans be submitted to satisfy the City's Urban Design Planner of the following:
 - i. That the setback of the units be staggered;
 - ii. That the upper floor cladding material differ from the upper floor cladding used at 10 Lloyd Street; and
 - iii. That the ground floor of the front façade be clad in brick, wrapping around the sides of the dwellings by at least 3 feet.
 - b. That the Development Agreement include a grading and drainage plan that is acceptable to staff.
2. 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.
3. That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of parkland dedication. The appraisal shall be completed by a qualified appraiser, in accordance with Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, which 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'.
4. That encroachments of any wall, eave projection, and the like from the new lot onto the remnant parcel, and vice versa, be addressed on the final reference plan.

5. That a building permit be obtained for demolition of the existing detached dwelling, such works to be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
6. That the existing shed on Part 1 be removed and, if greater than 10 square metres in building area, a demolition permit be obtain and works completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
7. That the final reference plan be revised to reflect the correct lot numbers on adjacent lots.
8. That the Applicant shall provide the City a draft reference plan illustrating the proposed 0.86 metre widening for review and approval, prior to registration of the plan in the Land Registry Office.
9. That the Applicant dedicate to the City, free of any encumbrances, 0.86 metres of land along the frontage of the subject property to be known as Public Highway - Lloyd Street.

That Variances, 1, 2, 3, 4, and 5 of Submissions **A-112/19** and **A-113/19** as outlined in the respective Notices of Hearing, be approved.

Report

The Proposal

The Applicant proposes to construct a semi-detached dwelling on the lands known as 12 Lloyd Street, with each semi-detached dwelling containing one interior accessory dwelling unit. The Applicant proposes to sever the existing lot along the proposed common wall that will separate the two principal dwelling units. The severance will facilitate the individual sale of each of the units.

Application **B-38/19SC** is made for consent to sever 336 m² of land (Parts 3 and 4 on the submitted sketch), creating a new lot to be known as 12B Lloyd Street. A 335.7m² remnant parcel (Parts 1 and 2), to be known as 12 Lloyd Street, will be retained for residential use. As part of the proposal, the lands at 12B Lloyd Street will be subject to an easement, in perpetuity, for maintenance over Part 4 to the benefit of Parts 1 and 2. Similarly, the remnant parcel at 12 Lloyd Street will be subject to an easement, in perpetuity, for maintenance over Part 2 to the benefit of Parts 3 and 4.

There are concurrent Applications **A-112/19** and **A-113/19**, which seek relief from Zoning By-law 2013-283 for both the new and remnant parcels, as follows:

| Variance No. | Zoning Provision | Required | Proposed |
|--------------|--|------------|----------------------------------|
| 1. | Minimum Lot Frontage | 7.5 metres | 7.1 metres (new lot and remnant) |
| 2. | Minimum Setback from the Interior Side Lot Line for a Platform Structure | 1.2 metres | 0.0 metres (new lot and remnant) |

| | | | |
|----|---|--|--|
| 3. | Minimum Front Yard – Footnote (e) | Garages shall be flush with or recessed beyond the corresponding wall of the dwelling unit | Garage may extend 0.91 metres beyond the corresponding front wall of the dwelling unit (new lot and remnant) |
| 4. | Minimum Front Yard – Footnote h), Sub-footnote i) (averaging) | 9.97 metres | 11.91 metres (new lot) 12.52 metres (remnant lot) |
| 5. | Maximum encroachment into the required yard for eaves and gutters | to be within 0.15 m of the lot line | may encroach to within 0.0 m of the lot line |

Location and Site Description

The subject lands are located on the south side of Lloyd Street, north of Chetwood Street. The subject lands are surrounded by detached and semi-detached dwellings, commercial buildings and green space to the east.

Circulation of Application

The Applications were circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6-7 thereof. 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 11.0 metres.

Zoning By-law (2013-283)

The subject lands are 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. Height of buildings is restricted to 10.0 metres.

Planning Analysis

Consent

Part F, Section 16.11.3(c) of the GCP provides that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and

the size and shape of the parcel is appropriate for the use proposed in terms of optimum development of the surrounding area.

Design Review Panel (DRP)

Council directed the establishment of the Design Review Panel (DRP) to provide design advice on proposals for new lot creation. On August 27, 2019 the subject proposal considered by the DRP, who were generally supportive of the Application with certain suggested revisions with respect to exterior finishes and materials.

The proposed severance will allow each of the two units within the proposed semi-detached dwelling to be sold individually and held in separate ownership. The consent will result in the creation of lots that are permitted by the zoning by-law in terms of lot area, and marginally smaller in terms of lot frontage. The scale of the proposed building and overall lot area are in keeping with the character of the neighbourhood. The proposal demonstrates that there is sufficient space on each of the lots to accommodate parking, landscaping, and amenity areas.

Staff is satisfied that the severance will not result in negative impacts on adjacent properties. Staff recommend that the consent be approved, subject to the conditions outlined in the recommendation. These conditions are reflective of comments received from the Design Review Panel as well as City departments, including Parks, Recreation & Culture Services and the Building and Development Sections of Planning and Building Services.

Variance 1

Zoning By-law 2013-283 requires a minimum lot frontage of 7.5 metres for a semi-detached dwelling in the R2 zone. The intent of the minimum lot frontage provision is to ensure there is sufficient lot width to accommodate the building footprint, parking area, and setbacks to adjacent homes.

Variance 2 is requested to permit a reduction in the minimum lot frontage to 7.1 metres. Staff is satisfied that the Applicant's proposal provides sufficient space for building, amenity and parking areas. Given the relief requested is desirable for the appropriate use of the land, is minor in nature, and maintains the purpose and intent of the official plan and zoning by-law, staff recommend that Variance 1 of Applications **A-112/19** and **A-113/19** be approved.

Variance 2

Zoning By-law 2013-283 requires that platform structures (in this case the front porches) be setback a minimum of 1.2 metres from the interior side lot line. The intent of the provision is to ensure adequate separation distance and buffering between neighbouring properties; to mitigate overlook and privacy impacts; and to ensure sufficient space is provided for property maintenance and storm water management.

Variance 2 is requested to permit the proposed front porches to be located side-by-side without any separation between the two. The variance is required as a result of the

creation of the new lot line and staff therefore considers the variance to be minor and administrative in nature. Given the relief requested is desirable for the appropriate use of the land, is minor in nature, and maintains the purpose and intent of the official plan and zoning by-law, staff recommend that Variance 2 of Applications **A-112/19** and **A-113/19** be approved.

Variance 3

Zoning By-law 2013-283 requires that garages be recessed beyond or flush with the corresponding wall of the dwelling unit, with a minimum setback from the front lot line of 6 metres. The intent of the provision is to ensure that garages are read as subordinate to the dwelling itself.

Variance 3 is requested to permit the garage of each of the proposed units to be flush with the front porch, and not the front wall of the dwelling, as is required by the zoning by-law. Staff are satisfied that the proposed garages will not overwhelm the dwellings, given the proposed front porches help to achieve the prominence of the dwellings that the zoning provision seeks to achieve. Given the relief requested is desirable for the appropriate use of the land, is minor in nature, and maintains the purpose and intent of the official plan and zoning by-law. Staff recommend that Variance 3 of Applications **A-112/19** and **A-113/19** be approved.

Variance 4

Zoning By-law 2013-283 requires that if the average front yard of existing neighbouring dwellings is in excess of 2.0 metres of the minimum required yard for a proposed dwelling (in this case the required front yard to the dwelling is 3.0 metres), then the average front yard of existing neighbouring dwellings will be the required minimum and maximum yard for the dwelling, plus or minus 0.75 m.

The average front yard setback is 9.97 metres for each of the abutting properties. Variance 4 requests an increase in the required yard from this average to 11.91 metres for Parts 3 and 4, the remnant parcel; and to 12.52 metres for Parts 1 and 2, the new lot. There is an existing semi-detached dwelling to the immediate north that was recently constructed. The front yard setbacks proposed in the subject Applications are nearly identical to those established on the lot to the north. Staff is satisfied that the requested reductions to the front yard setbacks of this semi-detached dwelling are minor in nature, appropriate for the use of the lands, and maintain the intent of the official plan and zoning by-law. Staff recommend that Variance 4 of Applications **A-112/19** and **A-113/19** be approved.

Variance 5

The zoning by-law permits the encroachment of eaves into a required yard to a maximum of 0.15 m from a lot line. The provision exists to ensure that storm water runoff from buildings and structures is contained within the respective lot.

The design of this semi-detached dwelling is such that the units are staggered (i.e. one unit sits further away from the street than the other). This staggered design results in the

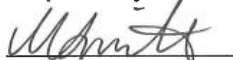
eaves of the units extending beyond what is permitted by the zoning by-law and into the adjacent yards. Applications **A-112/19** and **A-113/19** request to vary the zoning by-law so that eaves and gutters may encroach to within 0.0 metres of the lot line. With the construction of staggered semi-detached and townhouse dwellings becoming more prevalent in the City, this type of eave encroachment variance is likely to be requested more frequently. It is staff's opinion that the requested variances are minor in nature, are desirable for the appropriate use of the lands, and maintain the intent of the official plan and zoning by-law. Staff recommend that Variance 5 requested through each of Applications **A-112/19** and **A-113/19** be approved.

Conclusion

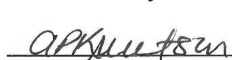
The proposed severance requested through Application **B-38/19SC** will allow each of the semi-detached units to be held in separate ownership with little to no impact on the neighbourhood. Having regard for the matters under Section 51(24) of the Planning Act, staff is satisfied that Application **B-38/19SC** is compatible with the surrounding area and will not result in adverse impacts. Staff are recommending approval of the Application accordingly, subject to certain conditions. Similarly, having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Variances 1 thru 5 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. Accordingly, staff are recommending approval of Applications **A-112/19** and **A-113/19**.

Summary

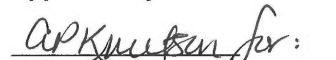
Prepared by:


Mallory Smith
Student Planner

Submitted by:


Amanda Knutson
Planner II

Approved by:


Judy Pihach
Manager of Planning Services

AUGUST 26
2019



TO ELAINE MUNRO
SECRETARY TREASURER
COMMITTEE OF ADJUSTMENT
CITY HALL

I MR HUNTER THE OWNER
OF 19 CHURCHILL ST
ST CATHARINES ONT
DO NOT GIVE MY CONSENT
TO ANY PARTIAL OR DISCHARGE
OF MORTGAGE OR TO SEVER
ANY PART OF LAND OR PROPERTY
IN ANYWAY WHAT SO EVER FOR
ANY REASON OR FOR ANY
NEW CHANGES OR CONSTRUCTION
DUE TO THE APPLICATIONS
OR NEW HOUSING AT THE
LOCATION OF LLOYD STREET
ST CATHARINES ONT.

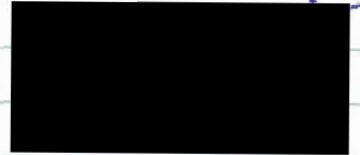
IN MY OPINION I THINK
ITS WRONG TO REPLACE
1 BUILDING AND CONSTRUCT
2 NEW HOUSES ON 1 PLOT
THAT ARE TWICE THE SIZE
AND HEIGHT OF THE SURROUNDING
HOUSES, AND TO HAVE TO
LOOK OUT IN MY BACKYARD
AND NOW SEE 16 WINDOWS
STARING BACK AT ME
INSTEAD OF SOMEWHAT A
DISTANT NEIGHBOUR

Hilroy

P.T.O

LIVING IN A PRIVATE
MORE NATURAL SETTING
OF TREES AND NATURE

YOURS SINCERELY



Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 5 (Last Email)

12 Lloyd Street
27 Turner Crescent

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

Sent: Wednesday, August 07, 2019 2:12 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 5 (Last Email) - 905-19-327

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

Sent: Wednesday, August 14, 2019 8:15 AM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 5 (Last Email) - 905-19-327

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-38/19SC- 12 Lloyd Street

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

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

Thank you

Carrie Gordon



External Liaison – Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 28, 2019 hearing - File No.: 300-036

B-35/19SC – 17 East Hampton Road

Comment:

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

Condition:

- A building permit is required to be applied for and obtained for the alterations to remove the existing attached garage of the dwelling on Part 1 and the work shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

B-36/19SC – 167 Woodside Drive

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing shed on Part 2 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

- A building permit shall be applied for, obtained and work completed to the satisfaction of the Chief Building Official of the City of St. Catharines for the removal of the covered porch on the west side of the structure at 30 West Hampton Road.

B-37/19SC – 10 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).

B38/19SC – 12 Lloyd Street

Comment:

- Be advised that a building permit is required for the construction of the semi-detached dwelling.

Condition:

- Any encroachment of wall, eave projections, and the like from one building on to another property being created shall be addressed on the survey.
- The existing dwelling is to be removed and shall be completed to the satisfaction of the Chief Building Official of the City of St. Catharines.
- The existing shed on Part 1 is to be removed, and if greater than 10 square metres in building area, a demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The survey shall be revised to correct the discrepancy between the sketches for 10 Lloyd and 12 Lloyd in regards to the labelling of the adjacent lots (namely lots 1722, 1723, etc.).



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: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

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-38/19SC**



August 20, 2019

ENGINEERING FILE 300-36

Hearing Date: August 28, 2019

Applicant: REAM Professional Investment Corporation

Location: 12 Lloyd Street

MUNICIPAL SERVICES

Water: 150mm C.I.
Sanitary: 375mm Clay
Storm: 525mm
Sidewalks: Yes
R.O.W Width: 18.28m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot to be known as 12B Lloyd Street for the purpose of severing one-half of a semi-detached dwelling currently under construction. A remnant parcel with the other half of the semi-detached dwelling (Part 1) would be retained for residential use. The application would allow each of the semi-detached dwellings to be owned and/or sold separately.

Roads

Lloyd Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m. Its current width is deficient at 18.28m. As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

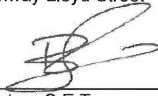
Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bikelanes and meeting the Garden City Plan initiatives driven by Council, it is therefore required that the City require the Owner dedicate a 0.86m widening along the frontage of the subject lands, to the City free and clear of any encumbrances to be known as Public Highway Lloyd Street.

These dwellings are currently in the building permit process, where individual servicing provisions and lot grading plans have been reviewed and accepted to the City's satisfaction.

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

- Provide the City a draft reference plan indicating the proposed 0.86m widening for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City, free and clear of any encumbrances, 0.86m along the frontage of the subject lands to be known as Public Highway Lloyd Street

Prepared by:



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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)
Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-114/19 (60.81.5548)

250 Grantham Avenue

DATE OF HEARING:
August 28, 2019



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 12, 2019

Date of Meeting: August 28, 2019

Report Number: A-114/19

File: 60.81.5548

Subject: 250 Grantham Avenue

Recommendation

That Submission **A-114/19**, by Claudia Sandoval and Christian Kalb, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the existing driveway be expanded to a maximum of 6.0 metres in width to facilitate additional parking for the new unit.

Report

The Proposal

The Applicant proposes to convert the existing detached dwelling at 250 Grantham Avenue to a semi-detached dwelling, and to convert a portion of the basement of one of the semi-detached dwelling units (the front unit) to an interior accessory dwelling unit. To facilitate the proposal, Application **A-114/19** seeks relief from the zoning by-law to allow for an increase in the maximum floor area for an interior accessory dwelling unit from 60 m² (or 40% of the floor area of the dwelling unit, whichever is less) to 70 m².

Location and Site Description

The subject property is located on the east side of Grantham Avenue, south of Sikorski Avenue. The surrounding area primarily consists of detached and semi-detached homes, apartment buildings, and commercial uses.

Circulation of Application

This Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E3 thereof. 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.

The GCP provides that growth in the City will be primarily be accommodated through infill and intensification and other redevelopment that efficiently uses land and existing services. Accessory dwelling units are permitted.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban neighbourhood (R1), permitting detached and semi-detached dwellings, quadruplex, townhomes, and private road developments. Accessory dwelling units are also permitted, subject to certain parameters.

Planning Analysis

Zoning By-law 2013-283 provides that one interior accessory dwelling unit is permitted in any detached, semi-detached or townhouse dwelling unit, provided that it is no greater than 60 m² in size or 40% of the floor area of the dwelling, whichever is less. The ten m² increase in floor area requested by the Applicant will have no measureable impact on the subject property or surrounding neighbourhood. The alterations proposed to the building are entirely internal; there is no addition proposed or increase in building mass. The interior accessory dwelling unit, although slightly larger than the zoning by-law permits, will be smaller than the principal ground floor unit, maintaining the intent and purpose of the accessory dwelling unit provisions of the zoning by-law. The lot is of sufficient size to accommodate amenity space and parking for both units. Staff recommend that a condition be imposed requiring the Applicant to widen the existing driveway in order to accommodate three parking spaces: two tandem spaces (obstructed on one side by an existing fence) and one side-by-side space.

It is staff's opinion that the requested variance is minor in nature, is appropriate and desirable for the use of the land, and upholds the general intent and purpose of the zoning by-law and official plan. Staff are recommending approval of the Application.

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-114/19** is minor in nature, desirable for the appropriate use of the land, and is in keeping with the general intent and purpose of the official plan and zoning by-law. Staff recommend that the Application be approved.

Prepared by:



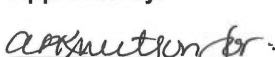
Mallory Smith
Student Planner

Submitted by:



Amanda Knutson
Planner II

Approved by:



Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4

10 Lloyd Street
250 Grantham Avenue

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:11 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 4

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 4
Cogeco has no issues or
concerns with these
applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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

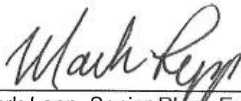
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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

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

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.

PRCS offers no comments of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/



St. Catharines

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-115/19 (60.81.5549)

27 Turner Crescent

DATE OF HEARING:
August 28, 2019



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 12, 2019

Date of Meeting: August 28, 2019

Report Number: A-115/19

File: 60.81.5549

Subject: 27 Turner Crescent

Recommendation

That Submission **A-115/19**, by 1970092 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant wishes to convert the second floor of the existing detached dwelling at 27 Turner Crescent to an interior accessory dwelling unit. To facilitate the proposal, Application **A-115/19** seeks relief from the zoning by-law to allow for an increase in the maximum floor area for an interior accessory dwelling unit from 60 m² (or 40% of the floor area of the dwelling unit, whichever is less) to 68 m² (or 47% of the floor area of the dwelling unit).

Location and Site Description

The subject property is located on the northeast corner of Turner Crescent and Campbell Avenue. The surrounding area primarily consists of detached and semi-detached homes, commercial uses, and recreation space.

Circulation of Application

This Application was circulated to all appropriate departments and agencies; no objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E9 thereof. 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.

The GCP provides that growth in the City will be primarily be accommodated through infill and intensification and other redevelopment that efficiently uses land and existing services. Accessory dwelling units are permitted.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban neighbourhood (R1), permitting detached and semi-detached dwellings, quadruplex, townhomes, and private road developments. Accessory dwelling units are also permitted, subject to certain parameters.

Planning Analysis

Zoning By-law 2013-283 provides that one interior accessory dwelling unit is permitted in any detached, semi-detached or townhouse dwelling unit, provided that it is no greater than 60 m² in size or 40% of the floor area of the dwelling, whichever is less. The eight m² increase in floor area requested by the Applicant will have no measureable impact on the subject property or surrounding neighbourhood. The alterations proposed to the building are entirely internal; there is no addition proposed or increase in building mass. The second floor unit, although slightly larger than the zoning by-law permits, will be smaller than the principal ground floor unit, maintaining the intent and purpose of the accessory dwelling unit provisions of the zoning by-law. The lot is of sufficient size to accommodate amenity space and parking for both units.

It is staff's opinion that the requested variance is minor in nature, is appropriate and desirable for the use of the land, and upholds the general intent and purpose of the zoning by-law and official plan. Staff are recommending approval of the Application.


Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff are of the opinion that Application **A-115/19** is minor in nature, desirable for the appropriate use of the land, and is in keeping with the general intent and purpose of the official plan and zoning by-law. Staff recommend that Application **A-115/19** be approved.

Prepared by:


Mallory Smith
Student Planner

Submitted by:


Amanda Knutson
Planner II

Approved by:


Judy Pihach
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 CofA Hearing - Email 5 (Last Email)

12 Lloyd Street
27 Turner Crescent

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, August 07, 2019 2:12 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 28/19 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 applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

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

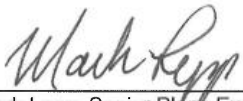
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: August 11, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 28, 2019 hearing- File No.: 300-010

| NO. | ADDRESS | COMMENTS |
|----------|---------------------|--|
| A-99/19 | 24 Royal Henley Dr. | - No Comment |
| A-102/19 | 56 Hazel Street | - No Comment |
| A-104/19 | 19 Little Forks Sq. | - No Comment |
| A-105/19 | 16 Glenbarr 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 those yards -Be advised that the existing garage crossing Parts 1 and 2 is to be removed and a building permit is required for those alterations to the existing building. |
| A-106/19 | 18 Glenbarr 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 those yards. -the shed on part 2 is to be removed. |
| A-107/19 | 51 Mary Street | -No Comment |
| A-108/19 | 167 Woodside Dr. | -No Comment |
| A-109/19 | 169 Woodside Dr. | -No Comment |
| A-110/19 | 10 Lloyd Street | -No Comment |
| A-111/19 | 10B Lloyd Street | -No Comment |
| A-112/19 | 12 Lloyd Street | -No Comment |
| A-113/19 | 12B Lloyd Street | -No Comment |

| NO. | ADDRESS | COMMENTS |
|----------|--------------------|--|
| A-114/19 | 250 Grantham Ave. | -No Comment |
| A-115/19 | 27 Turner Crescent | -No Comment |
| A-116/19 | 25 Lanark Crescent | -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 those yards |
| A-117/19 | 2 Ellis Avenue | -Be advised that building permits are required for any structures to be erected as part of this development. |



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\15 bcoa memo-mv-Aug28, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Parks, Recreation and Culture Services
Date: August 28, 2019
Subject: Committee of Adjustment Hearing – July 31, 2019

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

17 East Hampton Road, Consent, B-35/19SC – 60.84.2262
16 Glenbarr Road, Minor Variance, A-105/19 – 60.81.5539
18 Glenbarr Road, Minor Variance, A-106/19 – 60.81.5540

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.

167 Woodside Drive, Consent, B-36/19SC – 60.84.2263
167 Woodside Drive, Minor Variance, A-108/19 – 60.81.5542
169 Woodside Drive, Minor Variance, A-109/19 – 60.81.5543

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.

10 Lloyd Street, Consent, B-37/19SC – 60.84.2264

10 Lloyd Street, Minor Variance, A-110/19 – 60.81.5544

10B Lloyd Street, Minor Variance, A-111/19 – 60.81.5545

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.

12 Lloyd Street, Consent, B-38/19SC – 60.84.2265

12 Lloyd Street, Minor Variance, A-112/19 – 60.81.5546

12B Lloyd Street, Minor Variance, A-113/19 – 60.81.5547

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.

PRCS offers no comments of the remaining applications.

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



Memorandum

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

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

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

Date: August 22nd, 2019 (Revised)

Hearing Date: August 28th, 2019

Subject: **Development Engineering - Minor Variance Applications**
24 Royal Henley Boulevard, A-99/19SC
56 Hazel Street, A-102/19SC
383 Glendale, A-103/19SC
19 Little Forks Square, A-104/19SC
16&18 Glenbarr Road, A-105&106/19SC
51 Mary Street, A-107/19SC
167&169 Woodside Drive, A-108&109/19SC
10&10B Lloyd, A-110&111/19SC
12&12B Lloyd, A-112&113/19SC
250 Grantham, A-114/19SC
27 Turner Crescent, A-115/19SC
25 Lanark Crescent, A-116/19SC
2 Ellis Avenue, A-117/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comment:

27 Turner Crescent, A-115/19SC

Turner Crescent is designated as a Local Road in the City's Official Plan. Local Roads have a recommended right-of-way width of 20m. The present width of Turner Crescent across the frontage of the subject lands is +/-10m. Therefore a widening of 5.0m would normally be requested. However, this property was the subject of a previous Land Division Application (B-15/12) in 2012 and a widening was not requested then. Therefore, we are not requesting a widening at this time.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 14, 2019

Subject: Committee of Adjustment
Public Hearings – August 28, 2019
File No. 305-17-01

Upon review of the applications, we have no concerns or requirements. If you would like to discuss this matter in greater detail, please do not hesitate to contact me at extension 1663.

Steve Bittner
Transportation Technologist
SB/