

Agenda

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
5. Adoption of the Minutes held August 28, 2019
6. Application:
 1. 25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533
 2. 31 Victoria Street, Consent, B-33/19SC – 60.84.2260
 - 33 Victoria Street, Consent, B-39/19SC – 60.84.2266
 - 31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
 - 33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
 - 31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
 3. 16 Keele Street, Minor Variance, A-127/19 – 60.81.5561
 4. 15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552
 5. 329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553
 6. 44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554
 7. 255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556
 8. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557
 9. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558
 10. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559
 11. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560
7. New Business:
8. Date of next Hearing: October 30, 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-116/19 (60.81.5550)

25 Lanark Crescent

DATE OF HEARING:
September 25, 2019

POST	STATUS	INFO	P.D.S
			REFERRED TO
			INT.
DATE	TIME	SEP 11 2019	SCAN <input type="checkbox"/>
FILE NO			

22 Lanark Cr.

St. Catharines, ON.

L2M 6C9

September 5th, 2019

Elaine Munro,
Secretary Treasurer,
Committee of Adjustment, City Hall

Dear Ms. Munro;

I am contacting you in regards of the revised application for Minor Variance from Barbara Flood and Daniel Flood, File no. 60.81.5550, Submission no. A-116/19 25 Lanark Crescent, Lot 153, Plan 626.

1. a reduction of the minimum rear yard from 7.5 mpx to 6.41 meters.

2. Permission to permit the garage to extend 2.15 meters beyond the front of the house

These changes to the revised application will make a beautiful house and garage.

I am in favor of the revised amended Variances for the proposed construction.

Thank you.

Sincerely,

[Redacted Signature]



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 20, 2019

Date of Meeting: September 25, 2019

Report Number: A-116/19

File: 60.81.5550

Subject: 25 Lanark Crescent

Recommendation

That Application **A-116/19**, by Barbara Flood and Daniel Flood, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Applicant submit a Grading and Drainage Plan, prepared by an Ontario Land Surveyor or Professional Engineer, for review and approval by City staff.

Report

The Proposal

Application **A-116/19** seeks relief from the St. Catharines Zoning By-law 2013-283 through the following requested variances to facilitate a proposed addition at the rear and a rebuilt and enlarged garage at the side of an existing detached dwelling:

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Rear Yard	7.5m	6.41m
2.	Minimum Front Yard	The garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling unit	The garage may project 2.15m in front of the corresponding wall of the dwelling unit

Location and Site Description

The subject property is located on the northwest side of Lanark Crescent, south of Rendale Avenue. The surrounding area primarily consists of 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 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.

Zoning By-law (2013-283)

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

Planning Analysis

Zoning By-law 2013-283 requires a setback of 7.5 metres from a rear lot line to a dwelling. The intent of the rear yard setback is to ensure adequate amenity space is provided on a property, to maintain adequate separation distance and buffering between neighbouring properties, to minimize overlook and privacy impacts, and to provide sufficient space for property maintenance and stormwater management. Variance 1 requests a reduction of the rear yard setback from 7.5m to 6.41m to facilitate the construction of an addition to the rear of the existing detached dwelling. The neighbouring property to the west, 21 Lanark Crescent, currently has a detached garage directly adjacent to the proposed addition, and therefore staff have no concern about privacy or overlook. The existing shed on the subject property is to be removed, providing more setback from built form for the neighbours sharing the rear lot line. Adequate amenity space is maintained through the large side yard setback on the east of the property. 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 recommend approval of Variance 1.

Zoning By-law 2013-283 requires that garages be recessed or flush with the corresponding wall of the dwelling unit, with a minimum setback from the front lot line of 7 metres. The intent of the provision is to ensure the built form of a garage does not overwhelm the dwelling or streetscape, adequate landscaping is maintained, stormwater management is accommodated and a consistent streetscape is maintained. Variance 2 requests relief from the provision of the by-law to facilitate construction of a new attached garage that is larger than the existing garage and would project 2.15 metres in front of the dwelling. While the proposal is not consistent with adjacent homes the applicant has mitigated the appearance of the garage by proposing an extension of the dwelling thru construction of a proposed covered front porch. The proposed garage will be recessed 1.2 metres from the façade of the proposed front porch, giving the effect that the built form is compatible with surrounding properties. The original application did not include an extension of the front porch, which is why staff was initially opposed to the variance being requested. Staff is now satisfied that the requested variance will not result in a garage that overwhelms the dwelling or streetscape. 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 recommend approval of Variance 2.

Conclusion

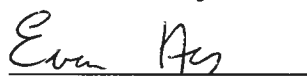
Staff are satisfied that the variances requested through submission **A-116/19** are in keeping with the general intent of the Official Plan and Zoning By-Law, are minor in nature, and are desirable for the appropriate the use of the land. It is staff's recommendation that the requested variances be approved.

Prepared by:



Sydney DiTomasso
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

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

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomasso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

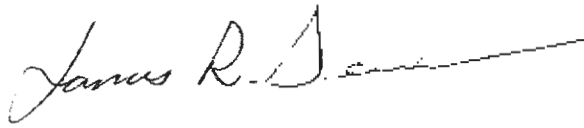
The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-33/19SC (60.84.2260), B-39/19SC
(60.84.2266), A-95/19 (60.81.5529), A-
96/19 (A-96/19) & A-121/19 (60.81.5555)**

**31 & 33 Victoria Street
& 31 Ridley Street**

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 20, 2019

Date of Meeting: September 25, 2019

Report Number: B-33/19SC

File: 60.84.2260

B-39/19SC

60.84.2266

A-95/19

60.81.5529

A-96/19

60.81.2230

A-121/19

60.81.5555

Subject: 31 & 33 Victoria Street and 31 Ridley Road

Recommendation

Consent B-33/19SC

That amended submission **B-33/19SC** by Rodney Reimer and Rowan Reimer, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. The Owner shall dedicate to the City, free and clear of any encumbrances, a road allowance widening of 0.86 metres along the Victoria Street frontage of Parts 1 & 2 (31 & 33 Victoria Street). The owner shall provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
2. The Owner/Applicant shall pay to the City the estimated cost to construct a future sidewalk along the Victoria Street frontage of Parts 1 & 2 (31 & 33 Victoria Street), the fee for which shall be in accordance with the City's current construction tender pricing average.
3. The Owner/Applicant shall pay the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing dwellings.
4. The Owner/Applicant shall complete, on private property, any relocation of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
5. The Owner/Applicant shall pay the City to complete, on public property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
6. Final approval of the concurrent minor variance applications be received by the Committee of Adjustment.
7. The Owner/Applicant shall provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of Part 1, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.

8. The Owner/Applicant shall submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$210.80 payable to the Treasurer, City of St. Catharines.
9. All conditions of consent shall be fulfilled by September 25, 2020.

Consent B-39/19SC

That submission **B-39/19SC** by Rodney Reimer and Rowan Reimer, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. The Owner shall dedicate to the City, free and clear of any encumbrances, a road allowance widening of 0.86 metres along the Ambrose Street frontage of Part 3 (31 Ridley Road). The owner shall provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
2. The Owner/Applicant shall pay to the City the estimated cost to construct a future sidewalk along the Ambrose Street frontage of Parts 3 (31 Ridley Road), the fee for which shall be in accordance with the City's current construction tender pricing average.
3. The Owner/Applicant shall pay the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing dwellings.
4. The Owner/Applicant shall complete, on private property, any relocation of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
5. The Owner/Applicant shall pay the City to complete, on public property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
6. Final approval of the concurrent minor variance applications be received by the Committee of Adjustment.
7. The Owner/Applicant shall provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of Part 2, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. The Owner/Applicant shall submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$210.80 payable to the Treasurer, City of St. Catharines.
9. All conditions of consent shall be fulfilled by September 25, 2020.

Variances A-95/19, A-96/19, and A-121/19

That Applications **A-95/19, A-96/19 and A-121/19** by Rodney Reimer and Rowan Reimer, as outlined in the revised Notices of Hearing, be approved.

Report

Background

The dwellings at 31 & 33 Victoria Street and the vacant lot at 31 Ridley Road were previously separate and distinct parcels. The three separate parcels were merged in title by a series of transfers which culminated in 1982 when all three parcels were transferred

into the common ownership of Ridley College. The property was subsequently transferred by Ridley College to Rodney Reimer and Rowan Reimer in 2002. The Applicants are now seeking to return the property to its previous composition of three lots, two with dwellings and one vacant. As part of the process, the Applicants also need to discharge the mortgage for the property to recognize that it will be three parcels once the severances are complete.

The Proposal

The following Applications are made to facilitate the re-creation of three lots to be known as 31 Victoria Street (Part 1), 33 Victoria Street (Part 2), and 31 Ridley Road (Part 3). No change in land use or new development is proposed. Part 3, the vacant lot, will be retained for future residential development.

Application Type	Proposal
Consent	<ol style="list-style-type: none"> Amended Application B-33/19SC is made for consent (alongside concurrent application A-95/19) to: <ol style="list-style-type: none"> partial discharge of mortgage. sever 522 square metres of land re-creating the lot known as 31 Victoria Street (Part 1) with the existing detached dwelling and detached garage. A 1,234.7 square metre remnant parcel (Parts 2 & 3) known as 33 Victoria Street (Part 2) and 31 Ridley Road (Part 3) would be retained.
	<ol style="list-style-type: none"> Application B-39/19SC is made for consent (alongside concurrent applications A-96/19 and A-121/19) to: <ol style="list-style-type: none"> partial discharge of mortgage. sever 642.3 square metres of land re-creating the lot known as 33 Victoria Street (Part 2) with the existing detached dwelling and detached garage. A 592.3 square metre vacant remnant parcel known as 31 Ridley Road (Part 3) is to be retained for future residential use.
Minor Variance	<ol style="list-style-type: none"> Application A-95/19 seeks relief from the Zoning By-law through an increase in the maximum lot area for a detached dwelling for Part 1 (31 Victoria Street) from 465 square metres to 522 square metres.
	<ol style="list-style-type: none"> Application A-96/19 seeks relief from the Zoning By-law through an increase in the maximum lot area for a detached dwelling for Part 2 (33 Victoria Street) from 465 square metres to 642.3 square metres.
	<ol style="list-style-type: none"> Application A-121/19 seeks relief from the Zoning By-law through an increase in the maximum lot area for a detached dwelling for Part 3 (31 Ridley Road) from 465 square metres to 592.3 square metres.

Location and Site Description

The subject property is located on the south side of Ridley Road between Victoria and Ambrose streets. The property is primarily surrounded by detached dwellings and Ridley College to the 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)

Part 1 of the subject property (31 Victoria Street) is 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 meters.

Parts 2 and 3 of the subject property (33 Victoria Street and 31 Ridley Road) are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E6/7 thereof. The Medium Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse, and apartment dwellings at a density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 meters.

Zoning By-law (2013-283)

All of the subject properties are zoned Low Density Residential – Traditional Neighbourhood (R2) pursuant to Zoning By-law 2013-283. The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings, as well as private road developments.

Planning Analysis

Consent

Part F, Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed and the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area. Provincial land use plans, as well as the City's Official Plan, promote opportunities for intensification and redevelopment where it can be appropriately accommodated. If done well, infill and intensification can improve existing neighbourhoods by bringing with it new life and vibrancy. The Garden City Plan supports a balanced approach to infill and intensification to ensure appropriate building site and streetscape design.

The proposed lot sizes are in keeping with the general character of the surrounding neighbourhood, which vary in size and shape. Staff is satisfied that the proposed

severances are appropriate for the continued use of the existing residential buildings on 31 & 33 Victoria Street. The vacant lot at 31 Ridley Road also represents an opportunity for development in an area that is already substantially developed. The use and function of the lands will not change and there will be no impact on the established neighbourhood. Staff are supportive of the proposed consents, subject to the conditions outlined in the recommendation.

Minor Variance

Zoning By-law 2013-283 restricts lot area to a maximum of 465 square metres per detached dwelling in the R2 zone. Since each of the three proposed lots will be greater in size than the permitted maximum, the following variances are requested:

- an increase from 465 square metres to 522 square metres for Part 1 (31 Victoria Street);
- an increase from 465 square metres to 642.3 square metres for Part 2 (33 Victoria Street);
- an increase from 465 square metres to 592.3 square metres for Part 3 (31 Ridley Road)

As demonstrated through the submitted sketch, each of the proposed lots are of appropriate size to support a detached dwelling. Parts 1 and 2 each have an existing detached dwelling, while Part 3 is vacant and intended for future residential development. Although the proposed lots are larger than what is permitted by the zoning by-law, they allow for the existing dwellings to remain on site with appropriately sized yards to support compatibility. Staff note that there are a number of lots in the area that are of similar size. Lot area for each of Parts 1, 2 and 3 will further align with the requirements of the zoning by-law once the necessary road allowance widenings are taken. Staff are satisfied that creation of the new lots will not result in adverse impacts on surrounding properties. Staff recommend that the requested variances be approved.

Conclusion

Having regard for the matters under Section 53 of *The Planning Act*, Staff are of the opinion that Applications **B-33/19SC** and **B-39/19SC** are compatible with the neighbourhood, consistent with the provisions of the Zoning By-law, and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents to sever be approved, subject to the conditions outlined in the recommendation.

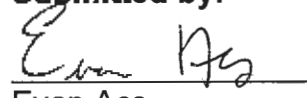
Having regard for the matters under Section 45 of *The Planning Act*, Staff are of the opinion that the variances requested through Applications **A-95/19**, **A-96/19** and **A-121/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the land.

Prepared by:



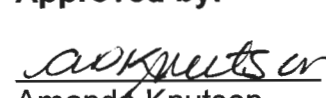
Sydney DiTomasso
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

31 & 33 Victoria & 31 Ridley

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, September 04, 2019 11:04 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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

Munro, Elaine

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

31 & 33 Victoria & 31 Ridley

From: Vasko, Dennis
Sent: Tuesday, September 10, 2019 12:54 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 CofA Hearing - Email 1

Hi Elaine, no concerns from our end in respect to closed landfills.

Dennis

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

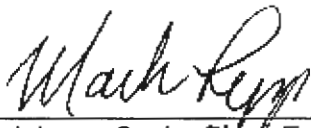
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

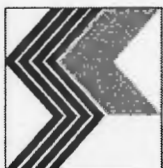
NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- No Comment
A-116/19	25 Lanark Crescent	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards
A-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

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

Date: September 9, 2019.

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

B-33/19SC – 31 Victoria Street

Comment:

- No Comment

Condition:

- No Comment

B-39/19SC – 33 Victoria Street

Comment:

- Be advised that a building permit is required for the proposed residential development on Part 3.

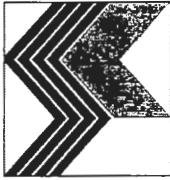
Condition:

- No Comment

Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-036

g:\pbs-building & development\committee of adjustment\bldg memo 2019\18bcoa memo-sev-September25,2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 2019

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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

**REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-33&39/19SC**



September 12, 2019

ENGINEERING FILE 300-36

Hearing Date: September 25, 2019

Applicant: Rodney and Rowan Reimer

Location: 31 Victoria Street - REVISED

MUNICIPAL SERVICES

	Victoria Street	Ridley Road	Ambrose Street
Water:	150mm C.I.	150mm C.I. 300mm C.I.	150mm C.I.
Sanitary Sewer:	375mm Clay	500mm Clay	250mm
Storm Sewer:	525mm Concrete	600mm Concrete	525mm Concrete
Sidewalks:	No (ends @ #27)	No	No (ends @ #34)
Curbs:	Yes	Yes	Yes
Road Allowance Width:	18.28m±	18.12m±	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 1 on the submitted sketch, recreating the lot known as 31 Victoria Street with the existing single detached dwelling and detached garage. Remnant parcels, Parts 2&3 known as 33 Victoria Street and 31 Ridley Road, would be retained for continued residential use.

Roads

Victoria Street, Ridley Road and Ambrose Streets are designated Local roads per the City's Official Plan, with desired rights-of-way widths of 20.0m. Victoria Street and Ambrose Street are currently 18.28m wide.

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 for road widenings and 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, bike lanes and meeting the Garden City Plan initiatives driven by Council, it is therefore required that the City obtain a further 0.86m along the Victoria Street frontage of Parts 1 & 2, to be dedicated as Public Highway Victoria Street, and a further 0.86m along the Ambrose Street frontage of Part 3, to be dedicated as Public Highway Ambrose Street.

Ridley Road, currently designated a Local road as noted above, is scheduled for an Environmental Assessment with respect to a full road reconstruction from Henrietta Street west to Louth Street, as part of the anticipated improvements to the area with respect to the proposed GO Station site, to the south-west. It is unknown at this time as to whether Ridley Road will be re-designated from a Local road to a larger designation, since the Environmental Assessment will be required to consider proposed traffic volumes expected from the GO Station. Considering that Ridley Road is currently deficient at 18.12m±, and the City will be obtaining only a maximum of 1.0m road widening along the Ridley College frontage of the road, it is required that the City obtain a 0.72m road widening along the Ridley Road frontage of Part 2 to be dedicated free and clear of any encumbrances to be known as Public Highway Ridley Road, while any further additional widenings along Ridley Road shall be determined through the results of the City's Environmental Assessment process for the Ridley Road reconstruction.

Sidewalks and curbs exist along the frontage of the Ridley Road parcel, however not sidewalks along Victoria Street nor Ambrose Street. As a condition of Consent, since an existing link at #27 Victoria Street connects to the Rebecca Street sidewalk currently, and an existing link at 34 Ambrose Street also connects to the Rebecca Street sidewalk, the City requires the Owner to make a cash contribution for the construction of a future sidewalk along the frontage of Victoria Street and Ambrose Street frontages of Parts 1, 2 and 3 respectively, completing the block connections to Ridley Road. The cash contribution will be based on the current construction average City tender pricing, at the time of payment. The current rate is \$194.45/m² (2019). The required total amount shall be based on a 1.5m wide sidewalk along the total frontage length along Victoria Street of 61.93m, and Ambrose Street of 34.38m. Therefore, the total estimated cost of the Owner's share if paid in 2019 is **\$18,727.48**. May it be known that both of these streets are currently not on a priority sidewalk list for construction in the near future.

Municipal Services

The Owner shall pay to have City forces confirm that both the locations of the existing water and sewer service laterals to the existing dwellings do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit, as well as pay to the City the fee for City crews to install any new water and/or sewer lateral service from the City owned main line sewer and watermain to the front property line. Each property must be serviced individually. Fees to complete this work, if determined to be necessary, are to be paid as a condition of the severance application.

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

- Provide the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City free and clear of any encumbrances, 0.86m along the Victoria Street frontages of Parts 1 & 2, to be known as Public Highway Victoria Street; and
- Dedicate to the City free and clear of any encumbrances, 0.86m along the Ambrose Street frontage of Part 3, to be known as Public Highway Ambrose Street; and
- Pay to the City the estimated cost of a future sidewalk along the

Victoria Street and Ambrose Street frontages, the fee in accordance with the City's current construction tender pricing average; 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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

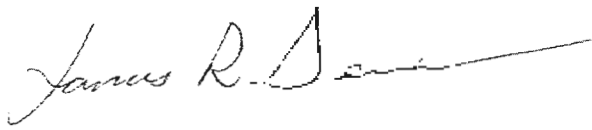
The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-127/19 (60.81.5561)

16 Keele Street

DATE OF HEARING:
September 25, 2019



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 23, 2019

Date of Meeting: September 25, 2019

Report Number: A-127/19

File: 60.81.5561

Subject: 16 Keele Street

Recommendation

That submission **A-127/19** by William Cutler, as outlined in the Notice of Hearing, be denied. Staff recommend that in lieu of the requested reduction of the exterior side yard setback from 1.2 metres to 0.0 metres, a reduction from 1.2 metres to 0.6 metres be approved.

Report

The Proposal

The Applicant proposes to construct an addition to a detached dwelling (construction began without a building permit). Application **A-127/19** seeks relief from the City of St. Catharines By-law 2013-283 for a reduction of the minimum exterior side yard setback from 1.2m to 0m to allow the addition to remain in its location.

Location and Site Description

This subject property is located at the northeast corner of Keele Street and Hazel Street. The property is primarily surrounded by 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 property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per 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 as Low Density Residential – Traditional Neighbourhood (R2). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, and townhouse dwellings, as well as private road developments.

Background

The Applicant has begun to construct an addition to the rear of the existing home without a building permit. This Application follows previous Application **A-34/19** where the Committee of Adjustment approved a reduction of the exterior side yard setback from 3.0 metres to 1.2 metres.

Planning Analysis

Zoning By-law 2013-283 requires a minimum 1.2 metre exterior side yard setback to the wall of a detached dwelling. The intent of the exterior side yard setback is to ensure that adequate space is provided between a structure and the municipal road allowance, as well as to ensure that adequate sight lines are maintained for drivers approaching an intersection, to maintain a degree of separation from the road for the safety of dwelling occupants, and to ensure sufficient space for landscaping, amenity areas, and stormwater management is maintained. The variance requests a reduction of the exterior side yard setback from 1.2m to 0m to allow for potential alterations of the recently constructed addition. A building permit has been applied for, but has not yet been obtained. An exterior setback of 0m may pose potential issues for future maintenance in the municipal boulevard as it would permit construction right to the property line. Staff are of the opinion that the proposed 0m setback is not minor and is not in keeping with the general intent of the zoning requirement.

Staff note that while they are not supportive of the reduction as outlined in the Notice of Hearing, staff would be supportive of a reduction of the exterior side yard setback from the proposed addition from 3.0 metres to 0.6 metres (as shown on the submitted sketch). Staff are satisfied that a setback of 0.6 metres will allow for sufficient space for maintenance on both private and public property.

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-127/19**, as outlined in the Notice of Hearing, is not in keeping with the general intent of the official plan and zoning by-law, is not minor in nature, and is not desirable for the appropriate use of the land. However, staff are satisfied that a reduction of the minimum exterior side yard from 1.2 metres (as previously varied) to 0.6 metres would meet the four tests. Staff suggest that this alternative reduction of the exterior side yard be approved.

Prepared by:



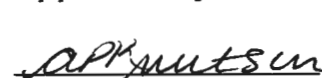
Sydney DiTomasso
Student Planner

Submitted by:



Tanya Crooks
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

16 Keele, 15 Turnova, 329 Pelham, 44 Henrietta

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

Sent: Wednesday, September 04, 2019 11:05 AM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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

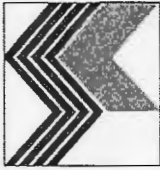
Cogeco has no issues or
concerns with these
applications
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

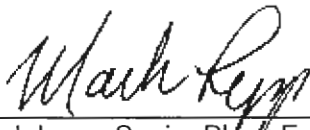
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- No Comment
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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\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
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33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
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No comment.
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No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC


The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-118/19 (60.81.5552)

15 Turnova Street

DATE OF HEARING:
September 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 23, 2019

Date of Meeting: September 25, 2019

Report Number: A-118/19

File: 60.81.5552

Subject: 15 Turnova Street

Recommendation

That submission **A-118/19** by Matthew Warnholz, as outlined in the Notice of Hearing be approved.

Report

The Proposal

The Applicant proposes to convert a portion of the basement of the existing detached dwelling to an interior accessory dwelling unit. To facilitate the proposal, Application **A-118/19** 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 north side of Turnova Street, west of Stoyanoff Drive. The surrounding area consists primarily of detached dwellings with some apartment buildings to the west, and an institutional use (church) to the south.

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 as per 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, 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). The R1 zone permits detached, semi-detached, quadruplex, townhouse dwellings, and private road developments. Accessory dwelling units are also permitted, subject to certain parameters.

Planning Analysis

Zoning By-law 2013-283 permits one interior accessory dwelling unit 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 unit, whichever is less. The 10 m² increase in floor area that the Applicant has requested will have no measurable impact on the subject property nor the surrounding neighbourhood. The proposed alterations to the detached dwelling are entirely internal; there is no addition proposed nor an increase in building mass. The interior accessory unit, although marginally 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 the required two parking spaces. Staff notes that if the Applicant should decide to expand the existing parking area (driveway), they cannot:

- a) exceed a maximum driveway width of 7.5 metres or 50% of the front lot line whichever is less;
- b) a maximum driveway area of 50% of the front yard.

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-118/19** 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:



Sydney DiTomasso
Student Planner

Submitted by:



Taze Crooks
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

16 Keele, 15 Turnova, 329 Pelham, 44 Henrietta

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

Sent: Wednesday, September 04, 2019 11:05 AM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

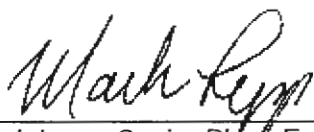
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 2019

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomasso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-119/19 (60.81.5553)

329 Pelham Road

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



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 23, 2019

Date of Meeting: September 25, 2019

Report Number: A-119/19

File: 60.81.5553

Subject: 329 Pelham Road

Recommendation

That submission **A-119/19** by Alessandro Arghittu, Joanne Arghittu, and Mario Arghittu, as outlined in the amended Notice of Hearing be approved.

Report

The Proposal

The Applicant is seeking relief from the City of St. Catharines Zoning By-law 2013-283 to bring an existing lot of record and the existing detached dwelling thereon into compliance. No new development is proposed. Application **A-119/19** requests the following variances:

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Interior Side Yard	1.2m	1.12m
2.	Maximum Lot Area	538m ²	2,530.65m ²

Location and Site Description

The subject property is located on the south side of Pelham Road, southwest of Elk Street. The property is surrounded by detached dwellings to the north, east, and west, with conservation and natural area to the south.

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 E7 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, semi-detached, quadruplex, townhouse dwellings, and private road developments.

Planning Analysis

From a zoning implementation perspective, planning staff are not requiring the Applicant to seek approval of the variances requested; the lot size and setbacks would otherwise be recognized as legal non-complying. Nevertheless, the Applicant wishes to proceed with seeking formal recognition from the Committee of Adjustment.

Variance 1

Zoning By-law 2013-283 establishes a minimum 1.2 metre side yard setback to the wall of a detached dwelling from the interior property line. The intent of this minimum setback is to ensure that a buffer is maintained between structures on adjacent properties for safety and privacy concerns, and to support on-site drainage and access to rear yards.

The applicant is requesting a reduction of the interior side yard setback from 1.2 metres to 1.12 metres to recognize the location of the existing dwelling. City records show the dwelling was constructed in its location in 1966. Staff are satisfied that the requested variance is minor in nature; no new impacts will result from recognition of this existing situation.

Variance 2

Zoning By-law 2013-283 establishes a maximum lot area of 538m² for a detached dwelling unit, which is intended to implement the City's residential intensification and density targets, while also respecting the character of the established neighbourhood.

The Applicant is requesting an increase in the maximum lot area from 538m² to 2,530.65m² to recognize the size of an existing lot of record. Staff are satisfied that the requested variance is minor in nature; no new impacts will result from recognition of this existing situation. The size of the subject lot is consistent with others in the neighbourhood.

Conclusion

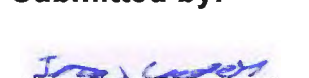
Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-119/19** is in keeping with the general intent of the official plan and zoning by-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved.

Prepared by:



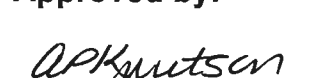
Sydney DiTomasso
Student Planner

Submitted by:



Tage Crooks
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

16 Keele, 15 Turnova, 329 Pelham, 44 Henrietta

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

Sent: Wednesday, September 04, 2019 11:05 AM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

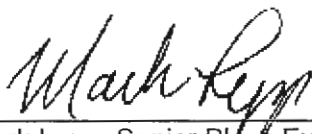
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
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No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician
Cc:
From: Steve Bittner
Transportation Technologist
Date: August 30, 2019
Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-120/19 (60.81.5554)

44 Henrietta Street

DATE OF HEARING:
September 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 24, 2019

Date of Meeting: September 25, 2019

Report Number: A-120/19

File: 60.81.5554

Subject: 44 Henrietta Street

Recommendation

That Variance 1 of submission **A-120/19** by Fei Su be approved for an increase in the required front yard to the dwelling from 8.05 metres to 11.56 metres; and

That Variance 2 of submission **A-120/19** by Fei Su, as outlined in the Notice of Hearing, be approved; and

That approval of Variances 1 and 2 be subject to the following condition:

1. The Owner/Applicant shall submit a payment for removal and replacement of the existing boulevard tree on Henrietta Street, in accordance with the City's current Schedule of Rates and Fees.

Report

The Proposal

The Applicant proposes to construct a detached dwelling on the lands known as 44 Henrietta Street. Application **A-120/19** seeks relief from the City of St. Catharines Zoning By-Law 2013-283 for the following variances:

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Front Yard	8.05m to dwelling (the average of adjacent properties)	11.56m to dwelling
2.	Minimum Front Yard (Garage)	Garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling unit	Garage may project 3.81m in front of the corresponding wall of dwelling unit

Location and Site Description

The subject property is located on the east side of Henrietta Street, south of Ridley Road. The property is surrounded by detached dwellings to the south, east, west. Ridley College is located further west, and Twelve Mile Creek is located to the 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 and Natural Areas on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential and Natural Areas 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 metres. The Natural Areas designation is intended to protect, preserve, restore, maintain, and where possible, improve natural heritage features; development is not permitted. The proposed detached dwelling is completely within the Low Density Residential designation and does not encroach into the Natural Areas designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2) and Conservation/Natural Area (G1). The R2 zone permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse and private road development. The G1 zone permits boat ramps, picnic and area shelter, trails, and essential operations for service infrastructure and utilities; dwellings are not permitted. The proposed detached dwelling is completely within the R2 zone and does not encroach into the G1 zone.

Planning Analysis

Variance 1

Zoning By-law 2013-283 establishes a minimum front yard setback to the front wall of a detached dwelling, which is intended to: prevent built form from overwhelming the streetscape; maintain the character of the neighbourhood and streetscape; and to ensure that adequate front yard amenity and parking areas can be provided between the garage and the front lot line.

The Applicant requests an increase in the required front yard setback to the dwelling from 8.05 metres (being the average front yard setback of the two adjacent dwellings) to 11.56 metres. Although larger than what is permitted by the Zoning By-Law, staff is satisfied that the proposed setback is consistent with the setback of a number of adjacent homes on Henrietta Street. The 8.05 metre setback will allow for sufficient space for amenity and parking areas. No adverse impacts are anticipated and staff are recommending approval of the variance accordingly.

Staff notes that the information for Variance 1 pertaining to the increase of the front yard setback was incorrectly documented in the 'Notice of Hearing'. In the 'Notice of Hearing' the requested variance read "an increase of the average front yard setback to the dwelling from 9.37 metres to 11.56 metres", when it should have read, "an increase in the required front yard setback to the dwelling from 8.05 metres to 11.56 metres".

Variance 2

Zoning By-law 2013-283 provides that a garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling unit. The intent of the provision is to ensure that the garage remains the subordinate component of the dwelling, resulting in a more pleasant interface between private and public realms.

The Applicant is requesting that the attached garage be permitted to project 3.81 metres in front of the corresponding wall of the dwelling unit. Several of the adjacent detached dwellings have been constructed in a similar manner. Staff are satisfied that a consistent streetscape and built form will be achieved through a combination of the two variances sought and that the overall character of the established neighbourhood and streetscape will be maintained. No adverse impacts are anticipated and staff are recommending approval of the variance accordingly.

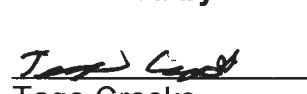
Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff are of the opinion that Application **A-120/19** 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, subject to the condition outlined herein.

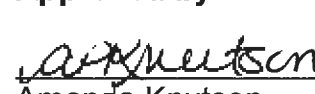
Prepared by:


Sydney DiTomasso
Student Planner

Submitted by:


Tage Crooks
Planner I

Approved by:


Amanda Knutson
Planner II

September 24, 2019

Our File No.: PLMV201900711

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Minor Variance, (A-120/19)
CP 2 PT LOT 1290 RP 30R4121;PART 3
44 Henrietta Street St. Catharines ON L2S2M6

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 permit an attached garage to the front of the dwelling as well as to increase the front yard setback to the dwelling from 9.37m to 11.56m.

NPCA mapping suggests that the subject property is impacted by a slope associated with the Twelve Mile Creek Valley. Authority objectives when reviewing proposals on lots adjacent to stopes 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.

NPCA staff conducted a site inspection to the property and would note that while the property is impacted by a significant slope, the area has been highly developed and disturbed over the years by residential development and other infrastructure which separates the subject lot from the Twelve Mile Creek. Further, a Slope Stability Report was completed which confirms the angle of the slope at this property is less than 3 (horizontal) to 1 (vertical) and is considered stable in both the short and long term. Current NPCA policies define a regulated valley where the angle of the slope is steeper than 3 (h) to 1 (v).

Given the highly disturbed and developed nature of this area, and the confirmation from a qualified Geotechnical Engineer that the slope is less than 3:1, this area would be classified as more of a Hazard land versus a natural riverine valleyland within NPCA policies. As such, in accordance with Policy 7.2.2 of our Policy Document, development and site alterations can be entertained on this property provided staff are satisfied that all hazards have been mitigated; that no new hazards will be created or existing hazards aggravated; and that no adverse environmental impacts will result.

The NPCA Hazard Land Policies are consistent with Section 3.1, *Natural Hazards* of the Provincial Policy Statement of which the NPCA also has a responsibility to provide comments on with respect to the review of Planning Applications. Specifically, Section 3.1.7 permits development on a hazardous site where it is demonstrated that the effects and risk to public safety are minor and could be mitigated.

The Slope Stability report (Soil-Mat Engineers and Consultants Ltd. August 8, 2019) confirms that the slope is considered stable in the short and long term and that the proposed construction of a new dwelling would have no negative impact on the stability of the slope.

As the proposed dwelling location appears roughly be in line with other dwellings along the street and will be located outside of the heavier treed portion of the property, and the fact that this is an infill situation with dwellings and amenity spaces on either side of the property, NPCA staff are satisfied that there are no adverse environmental impacts anticipated as a result of this development. A Permit from the NPCA will be required prior to the issuance of a building permit. All site specific mitigation measures required to ensure protection to the natural environment and slope stability will be looked at in further detail at that stage.

Conclusion:

Based on the above, the NPCA is supportive of the approval of this application. It should be noted that as the proposed works fall within the NPCA's regulated area, a Work Permit from this agency will be required prior to the issuance of any building permits from the Municipality.

Lastly, please be advised that any tree cutting/clearing at this property must comply with the Niagara Region's Tree and Forest Conservation By-Law (administered through the NPCA). The clearing of trees at this property is only permitted once a Municipality has approved a building envelope on site and only within that envelope unless other permissions have been granted through the above noted by-Law.

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

Yours truly,

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 September 25/19 CofA Hearing - Email 2

16 Keele, 15 Turnova, 329 Pelham, 44 Henrietta

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

Sent: Wednesday, September 04, 2019 11:05 AM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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

September 12, 2019

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

Attention: Elaine Munro

File# 60.81.5554

Re: 44 Henrietta St

In response to your correspondence dated September 3, 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 ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

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.

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

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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

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

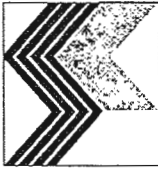
44 Henrietta

From: Vasko, Dennis
Sent: Tuesday, September 10, 2019 12:53 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 CofA Hearing - Email 2

Hi Elaine, no concerns from our end in respect to closed landfills.

Dennis

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

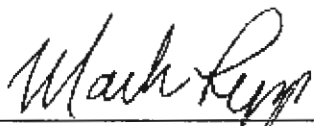
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

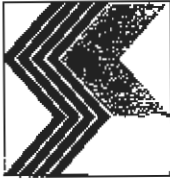
NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- No Comment
A-116/19	25 Lanark Crescent	-Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards
A-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 2019

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-122/19 (60.81.5556)

255 Ridley Road West

DATE OF HEARING:
September 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 20, 2019

Date of Meeting: September 25, 2019

Report Number: A-122/19

File: 60.81.5556

Subject: 255 Ridley Road West

Recommendation

That submission **A-122/19** by Rinaldi Holdings Inc., as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Applicant obtain a Plumbing Only Permit for the underground drainage system that has been installed.
2. That the Applicant submit a Site Servicing and Grading Plan prepared by a qualified Professional Engineer for review and approval by City Staff.
3. That the Applicant provide certification from the design engineer that all servicing and grading works have been constructed in accordance with the "Approved" Site Servicing and Grading Plan.
4. That the Applicant submit a Storm Water Management Brief prepared by a qualified Professional Engineer to the satisfaction of City Staff.
5. That the Applicant submit a payment for the placement of three boulevard trees along Ridley Road West, in accordance with the City's current Schedule of Rates and Fees.

Report

The Proposal

Application **A-122/19** is made pertaining to the City of St. Catharines By-law 2013-283, for an increase of the total gross leasable floor area (GLFA) for an accessory use (office area) from fifteen percent (15%) of the principal use on the lot to thirty-four percent (34%).

Location and Site Description

The subject property is located on the southwest corner of Ridley Road West and Commerce Place. The property is surrounded by a utilities operation facility to the north, a shipping facility to the east, and general employment to the south and 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 Employment on Schedule D1 of the Garden City Plan (GCP) and further designated General Employment on Schedule E6/7 thereof. The General Employment designation permits a variety of industrial and employment uses in addition to small scale subordinate retail, service commercial, and office uses.

Zoning By-law (2013-283)

The subject property is zoned General Employment (E2). The E2 zone permits a variety of industrial uses in addition to certain accessory uses, including office uses, provided the gross leasable floor area (GLFA) of those accessory uses does not exceed 15 percent of the principal use on the lot.

Planning Analysis

This application seeks relief from the zoning by-law to allow an increase in the maximum GLFA for an accessory use (in this case office uses) from fifteen percent (15%) of the principal use to thirty-four percent (34%). The General Employment designation of the Garden City Plan (GCP) is intended to provide for a full range of industrial operations and other employment uses, together with a limited range of accessory uses (such as offices). Accessory uses are primarily intended to service and support the businesses and employees within the immediate employment area. Further, the GCP provides that accessory uses shall *generally* occupy not more than fifteen percent (15%) of the total floor area of the principal use.

Staff notes that both existing tenants, Service Master and Red Cross, maintain a mix of office space, warehousing, and storage space in the building. This application proposes to convert existing warehouse space to additional office space. Staff is satisfied that approval of the variance would not preclude the future reversion of the office space to warehousing.

A parking lot on the subject property was recently expanded to, in part, provide parking for the expanded office space that will result from this variance. Catch basins were installed in the parking lot without the required studies and permits. Development Engineering staff is requesting a number of conditions to remedy the lack of approvals. Parks, Recreation and Cultural Services staff is requesting payment for three trees to be planted in the boulevard along Ridley Road West. These trees will provide some buffering between the street and the expanded parking lot and complement the existing streetscaping already established on Ridley Road West. Planning staff supports the conditions as presented in the recommendation.

The proposed office expansion would create employment opportunities for the community at large, which is in keeping with the general intent of the Official Plan and Zoning By-law. Further, staff is satisfied that the subject lands are of sufficient size to accommodate the additional parking generated by the expanded office use. No impacts on the surrounding area are anticipated. Staff is supportive of the proposed variance, subject to the conditions outlined in the recommendation.

Conclusion

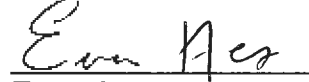
Staff is satisfied that the variance requested through submission **A-122/19** is in keeping with the general intent of the Official Plan and Zoning By-Law, is minor in nature, and is desirable for the appropriate use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



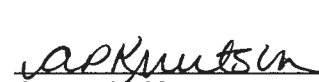
Sydney DiTomaso
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

255 Ridley, 204 Martindale, 1099 Vansickle Rd N

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

Sent: Wednesday, September 04, 2019 12:44 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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 2

Cogeco has no issues or
concerns with these
applications
Thanks

Have a great day

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

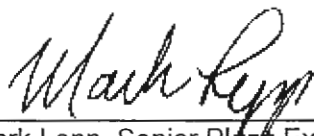
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 2019

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting final approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage.

255 Ridley Road, A-122/19SC

This minor variance is related to some site works that were constructed without a Plumbing Only Permit. Prior to granting final approval of the minor variance all City approvals and Permits for the Site Works should be processed.

Conditions of Minor Variance:

- Prior to granting final approval of this Minor Variance, the Applicant/Owner be required to submit a Site Servicing and Grading Plan prepared by a qualified Professional Engineer for review and approval by City Staff;
- Prior to granting final approval of this Minor Variance, the Applicant/Owner be required to submit a Storm Water Management Brief prepared by a qualified Professional Engineer. The brief shall confirm the existing City Storm sewer can handle the increased run-off from the site. The report must also outline how the quality of the storm run-off from the increased impervious areas will be treated to at least a "Normal Level", as defined by the MOECC.
- Prior to granting final approval of this Minor Variance the Owner/ Applicant shall apply for and pay for a Plumbing Only Permit for the underground drainage system that has been installed.
- Prior to granting final approval of this Minor Variance the Owner/ Applicant shall provide certification from the design engineer that all servicing and grading works have been constructed in accordance with the "Approved" Site Servicing and Grading Plan.

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new

sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting final approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;



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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-124/19 (60.81.5557)

204 Martindale Road

DATE OF HEARING:
September 25, 2019

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 20, 2019 **Date of Meeting:** September 25, 2019

Report Number: A-123/19 **File:** 60.81.5557

Subject: 204 Martindale Road

Recommendation

That Variance 1 of submission **A-123/19** by Rinaldi Holdings Inc., as outlined in the Notice of Hearing, be denied. Staff recommend that in lieu of the requested reduction of the minimum width of a landscape buffer along the street frontage from 6 metres to 0.3 metres, a reduction from 6 metres to 0.8 metres be approved north of the entranceway and a reduction from 6 metres to 0.6 metres be approved south of the entranceway; and

That Variance 2 of submission **A-123/19** by Rinaldi Holdings Inc., as outlined in the Notice of Hearing, be approved; and

That Variance 3 of submission **A-123/19** by Rinaldi Holdings Inc., as outlined in the Notice of Hearing, be approved for the existing building;

That Variance 4 of submission **A-123/19** by Rinaldi Holdings Inc., as outlined in the Notice of Hearing, be approved, *in part*, for a reduction in the minimum width of a landscape buffer abutting a residential, institutional, green space, or mixed use zone, as follows:

- from 7.5 metres to 0 metres between the existing building and southerly interior side lot line and the rear (easterly) lot line;
- from 7.5 metres to 3.6 metres between the proposed parking area expansion and the rear lot line; and

That approval of the variances be subject to the following conditions:

1. That the Applicant enter into a site plan amendment agreement with the City to address:
 - a. enhanced landscaping on the north and east sides of the parking area;
 - b. the provision of landscaping between the parking lot and the municipal sidewalk;
 - c. tree protection measures for City-owned trees along the eastern property line;
 - d. new or repaired chain-link fencing along the eastern property line.
2. That the Applicant obtain a demolition permit for removal of the existing northerly commercial building, which demolition shall be completed to the satisfaction of the Chief Building Official.

Report

The Proposal

Application **A-123/19** seeks relief from the City of St. Catharines By-law 2013-283 through the following variances in order to: a) expand and reconfigure a commercial parking lot following demolition of an existing commercial building on site; and b) to recognize the location of the existing building and parking area.

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Width of Landscape Buffer Along Street Frontage	6m	0.3m
2.	Minimum Lot Area	2000m ²	1650m ² (existing)
3.	Minimum Yard Abutting a Residential, Institutional, Green Space, or Mixed Use Zone	15m	2m for rear and south side of office building (existing)
4.	Minimum Width of Landscape Buffer Abutting a Residential, Institutional, Green Space, or Mixed Use Zone	7.5m	0m (existing)

Location and Site Description

The subject property is located on the east side of Martindale Road southwest of the Merritt Trail. The property is surrounded by commercial development to the north and west, the Merritt Trail and Twelve Mile Creek to the east, and a residential condominium to the south.

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 Employment and Natural Areas on Schedule D1 of the Garden City Plan (GCP) and further designated Business Commercial Employment and Natural Areas on Schedule E6 thereof. The Business Commercial Employment designation permits a variety of commercial uses, including offices. The Natural Areas designation permits passive recreation and conservation uses. None of the proposed development on the site will occur within the Natural Areas designation.

Zoning By-law (2013-283)

The majority of the subject property is zoned Business Commercial Employment (E1). The E1 zone permits a variety of commercial uses, including offices. Part of the subject

property is zoned Conservation/Natural Area (G1). The G1 zone permits passive recreation uses. None of the proposed development on the site will occur within the G1 zone.

Planning Analysis

Variance 1

Zoning By-law 2013-283 requires a minimum 6-metre-wide landscape buffer along the street frontage. The intent of this provision is to ensure industrial uses and large parking areas and are screened from the street. Variance 1 requests a reduction in this requirement from 6 metres to 0.3 metres.

Much of this reduction is a result of the Regional Municipality of Niagara's acquisition of property for the widening of Martindale Road. It is not feasible for the subject property to have a functioning parking lot and meet the required landscape buffer requirements. That said, staff notes that the submitted drawings show landscape buffers that are a minimum of 0.6 metres on the south side of the entrance from Martindale Road and 0.8 metres on the north side of the entrance. Staff recommends that variances for those illustrated widths be granted to ensure that there is space to provide at least some landscaping between the parking area and the street. Parks, Recreation and Cultural Services staff has requested a condition for enhanced landscaping and tree protection measures elsewhere on the subject property through the site plan approval process to offset the loss of landscaping that would otherwise normally be provided along the street frontage; planning staff are supportive of this condition.

Variance 2

Zoning By-law 2013-283 requires a minimum lot area of 2000 square metres for the E1 zone. The minimum lot area provisions are meant to ensure that a lot has adequate space to accommodate a building footprint, provide sufficient outdoor amenity space, meet respective yard setbacks, adequately accommodate vehicular access, and to ensure appropriate drainage on the lot. Variance 2 requests a reduction in the minimum lot area from 2000 square metres to 1650 square metres. The lot area was reduced through public acquisition for the recent widening of Martindale Road. This variance is being sought to recognize an existing zoning deficiency.

Variance 3

Zoning By-law 2013-283 requires a minimum yard (building setback) abutting a residential, institutional, green space, or mixed use zone of 15 metres. The intent of the provision is to ensure sufficient separation between employment uses and more sensitive neighbouring land uses. Variance 3 requests a reduction from 15 metres to 2 metres for two areas on the subject property.

The first is the yard between the rear wall of the existing southerly office building and the rear lot line. The Merritt Trail runs immediately behind the subject lands. A stand of trees provides a buffer between the subject property and the more sensitive valley lands.

The second area on the subject property that will be addressed by variance 3 is the southern interior side lot line. The south wall of the existing office building is located 2.19

metres from the southerly interior lot line – the common boundary with the adjacent residential property. Staff are satisfied that there is adequate fencing and landscaping on the residential property to mitigate the proximity of the office building. This variance is being sought to recognize existing zoning deficiencies. Staff are satisfied that no new impacts will result from recognizing this long-standing, established situation.

Variance 4

Zoning By-law 2013-283 requires a minimum 7.5-metre-wide landscape buffer abutting a residential, institutional, green space, or mixed use zone. Similar to the zoning provision outlined in Variance 3, the intent of the landscape buffer provision is to provide adequate space for buffering between an employment use and more sensitive neighbouring uses. Variance 4 requests a reduction from 7.5 metres to 0 metres.

This variance will apply to three areas on the subject property. The rear wall of the existing office building is located along the G1 zone boundary, adjacent to the Merritt Trail. Further, the south wall of the existing office building and the south end of the parking lot are in close proximity to a residential zone. For the same reasons that staff support variance 3, staff also supports these two variances to recognize a long-standing situation.

The third area where the Applicant requests a reduction in the 7.5-metre-wide landscape buffer is between the rear (eastern) lot line and the new parking area. The submitted drawing shows a setback of 3.6 metres from the corner of parking stall 13 to the eastern lot line. Staff recommend that this variance be recognized separately from the 0 metre setbacks discussed above. While a 3.6 metre setback for the parking lot is not ideal, the site plan amendment agreement will see enhanced landscaping added to this area, satisfying the intent of the zoning by-law. Staff are also requesting tree protection measures to ensure the City's trees along the Merritt Trail are not impacted through the parking lot expansion.

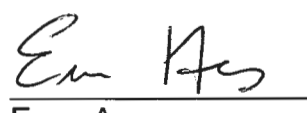
Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-123/19**, if approved as recommended, 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, in part, subject to the conditions outlined herein.

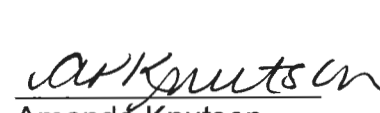
Prepared by:


Sydney DiTomasso
Student Planner

Submitted by:


Evan Acs
Planner I

Approved by:


Amanda Knutson
Planner II

Munro, Elaine

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

255 Ridley, 204 Martindale, 1099 Vansickle Rd N

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Sent: Wednesday, September 04, 2019 12:44 PM

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

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

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Hi Elaine

Email 2

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Thanks

Have a great day

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

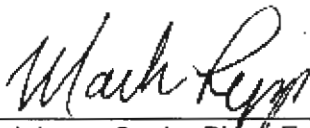
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

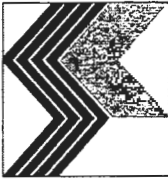
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Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bdg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 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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No comment.
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No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. **204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557**

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. **1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558**

No comment.

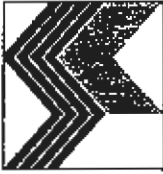
9. **4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559**

No comment.

10. **5 Ann Street, Minor Variance, A-126/19 – 60.81.5560**

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomasso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

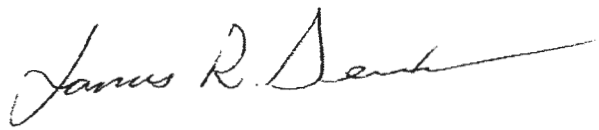
The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-124/19 (60.81.5558)

1099 Vansickle Road North

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 23, 2019

Date of Meeting: September 25, 2019

Report Number: A-124/19

File: 60.81.5558

Subject: 1099 Vansickle Road N

Recommendation

That Variance 1 of submission **A-124/19** by Aram Ghewondian, Renee Ghewondian, Kirby Warkentin, and Linda Warkentin, as outlined in the Notice of Hearing, be approved, *in part*, for a reduction in the minimum interior side yard from 2.0 metres to 1.2 metres for the northerly yard only; and

That Variance 2 for a reduction in the required front yard setback from 11.24 metres to 6.0 metres be approved.

Report

The Proposal

The Applicant proposes to construct a two-storey detached dwelling. To facilitate the proposal, Application **A-124/19** seeks relief from the City of St. Catharines Zoning By-law 2013-283 for the following variances:

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Interior Side Yard	2.0m	1.2m
2.	Minimum Front Yard	11.24m (average of adjacent properties)	6m

Location and Site Description

The subject property is located on the eastside of Vansickle Road North, between by Grapeview Drive and Barton Street. The property is primarily surrounded by detached dwellings; a church is 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 as per Schedule E6 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, semi-detached, quadruplex, and townhouse dwellings, as well as private road developments.

Planning Analysis

Variance 1

Zoning By-law 2013-283 establishes a minimum 2.0 metre interior side yard setback to the wall of a detached dwelling for any portion of the proposed dwelling that exceeds 7.0 metres in height. The intent of the minimum interior side yard setback is to ensure that a buffer is maintained between structures on adjacent properties for safety and privacy concerns; that sufficient space is maintained to support on-site drainage and access to rear yards; and to ensure that the massing of a dwelling does not overwhelm adjacent properties. Generally speaking, the taller the building proposed, the larger the interior side yard should be.

The Applicant is requesting a reduction of the interior side yard setback to the dwelling from 2.0m to 1.2m. While the proposed setback is smaller than what is permitted by the zoning by-law, the abutting residential building to the north has a similar interior side yard setback and similar massing. Further, there are no windows on the southern façade of that neighbouring dwelling. Staff is satisfied that a 1.2 metre interior side yard will have no measurable impact on the neighbouring property to the north. Conversely, staff do believe there will be an impact on the neighbouring property to the south. That existing detached dwelling is one-storey in height and there are several windows on its northern façade, adjacent to the yard in question. As such, staff are recommending that the variance be approved for the northerly interior side yard, but not the southerly interior side yard.

Variance 2

Zoning By-law 2013-283 establishes minimum front yard setbacks intended to prevent built form from overwhelming the streetscape; maintain the character of the neighbourhood's streetscape; and ensure that adequate front yard amenity and parking areas can be provided between the garage and the front lot line.

The Applicant is requesting a reduction of the required front yard setback to the dwelling from 11.24 metres to 6 metres. The required setback was determined through averaging the front yard setbacks of the two adjacent properties, in accordance with the averaging provisions of the zoning by-law. Although the proposed setback is less than what is permitted by the by-law, a number of adjacent properties have similar setbacks. The

anomaly in this situation is the existing one-storey dwelling located to the immediate south of the proposed dwelling, which has an exceptionally large front yard setback. The proposal is appropriate in terms of compatibility with the surrounding neighbourhood and is consistent with established character and built form. Staff are of the opinion that the impact of the variances will be minimal both for the subject property and the neighbouring properties. Staff are recommending that Variance 2 be approved.

Staff notes that the information for Variance 2 pertaining to the reduction of the front yard setback was incorrectly documented in the 'Notice of Hearing'. In the 'Notice of Hearing' the requested variance read "an increase of the average front yard setback to the dwelling from 10.49 metres to 6 metres", when it should have read, "a reduction in the required front yard setback to the dwelling from 11.24 metres to 6 metres".

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-124/19**, if approved as recommended, 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, in part.

Prepared by:



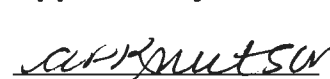
Sydney DiTomaso
Student Planner

Submitted by:



Taze Crooks
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

255 Ridley, 204 Martindale, 1099 Vansickle Rd N

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

Sent: Wednesday, September 04, 2019 12:44 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 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 2

Cogeco has no issues or
concerns with these
applications
Thanks

Have a great day

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

September 12, 2019

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

Attention: Elaine Munro

File# 60.81.5558

Re: 1099 Vansickle Rd N

In response to your correspondence dated September 3, 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 ICI and Layouts Department at 1-877-963-6900 ext: 25713 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.

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.

Alectra Utilities Corporation

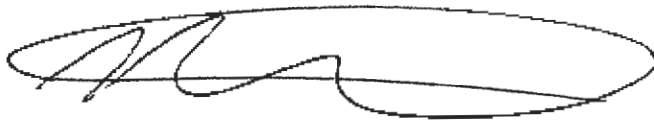
PO Box 2249 Station LCD 1, Hamilton, ON L8N 3E4
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

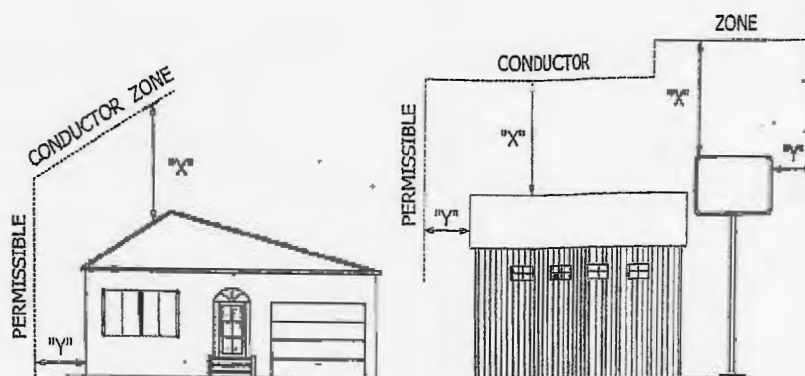
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 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, hand-drawn oval.

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond..

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

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

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



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

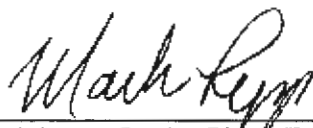
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Parks, Recreation and Culture Services

Date: September 10, 2019

Subject: Committee of Adjustment Hearing – September, 2019

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. **204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557**

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. **1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558**

No comment.

9. **4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559**

No comment.

10. **5 Ann Street, Minor Variance, A-126/19 – 60.81.5560**

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomaso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC


The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-125/19 (60.81.5559)

4 Keswick Street

DATE OF HEARING:
September 25, 2019



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: September 20, 2019

Date of Meeting: September 25, 2019

Report Number: A-125/19

File: 60.81.5559

Subject: 4 Keswick Street

Recommendation

That submission **A-125/19** by Grant McArthur, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Applicant obtain a demolition permit for removal of the existing dwelling unit, which shall be completed to the satisfaction of the Chief Building Official.
2. That the Applicant submit a Grading and Drainage Plan, prepared by an Ontario Land Surveyor or Professional Engineer, for review and approval by City staff.

Report

The Proposal

Application **A-125/19** seeks relief from the City of St. Catharines By-law 2013-283, for a reduction of the minimum lot frontage from 15 meters to 12.478 meters to construct a proposed semi-detached dwelling.

Location and Site Description

The subject property is located on the south side of Keswick Street east of Hartzel Road. The property is surrounded by detached dwellings to the north and south. To the east are four semi-detached dwelling units. To the west is mixed use commercial and multi-unit residential buildings. To the north-west is a commercial plaza.

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

Planning Analysis

Zoning By-law 2013-283 requires that for each unit of a semi-detached dwelling a minimum lot frontage of 7.5 meters be provided. The minimum lot frontage provisions are meant to ensure that a lot has adequate space to accommodate a building footprint, provide sufficient outdoor amenity space, meet respective yard setbacks, adequately accommodate sufficient vehicular access, and to ensure appropriate drainage on the lot. The variance requests a reduction in the minimum lot frontage from 15 metres to 12.478 metres. The lot is irregularly shaped, and is only 12.478 metres in width for the first 11.177 metres of depth. After that point, the lot widens to 20.117 metres. The minimum lot area per dwelling unit of 280 square metres is still achieved for this property. There is also adequate space for parking and landscaping for both units. Therefore, the intent of the by-law will still be met with the reduced frontage. Although the proposed frontage is smaller than what is permitted by the by-law, an adjacent property containing a semi-detached dwelling has a similar frontage. As such, the proposal is appropriate in terms of compatibility with the surrounding neighbourhood and will be in character with the established form.

Staff are of the opinion that the impact of the variance will be minimal both for the subject property and the neighbouring properties. Staff is supportive of the proposed variances, subject to the conditions outlined in the recommendation.

Conclusion

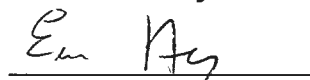
Staff are satisfied that the variance requested through submission **A-125/19** is in keeping with the general intent of the Official Plan and Zoning By-Law, is minor in nature, and is desirable for the appropriate use of the land. It is staff's recommendation that the requested variance be approved.

Prepared by:



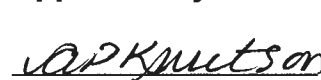
Sydney DiTomaso
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

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

4 Keswick, 5 Ann

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

Sent: Wednesday, September 04, 2019 11:07 AM

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

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

September 12, 2019

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

Attention: Elaine Munro

File# 60.81.5559

Re: 4 Keswick St

In response to your correspondence dated September 3, 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 ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

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.

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

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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

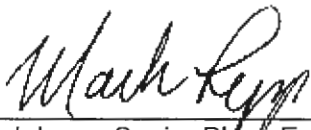
From: Mark Lepp, Senior Plans Examiner / Building Inspector
Planning and Building Services

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	- Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	- Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\bldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
2. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
No comment.
2. **16 Keele Street, Minor Variance, A-127/19 – 60.81.5561**
No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
No comment.
4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomasso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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-126/19 (60.81.5560)

5 Ann Street

DATE OF HEARING:
September 25, 2019

Munro, Elaine

Subject: RE: 5 Ann Street (A-126/19)

From: Sarah Mastroianni [mailto:smastroianni@npca.ca]
Sent: Tuesday, September 10, 2019 11:16 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: 5 Ann Street (A-126/19)

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Good Morning Elaine,

NPCA mapping indicates that the subject property falls within the 30m buffer zone of a Provincially Significant Wetland that is present along the banks of Martindale Pond. The proposed works will fall within the 30m buffer zone.

Given that there is existing development in between the proposed works and wetland/valley areas, the NPCA has no objections to the approval of the variances. The proposed works will require a Permit from the NPCA prior to the issuance of any building permits from the Municipality.

Thank you.

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

NPCA is conducting a Housekeeping Amendment on our Policy Document. Please visit to review and provide comments by October 7, 2019 at <https://getinvolved.npca.ca/Policy-Document-Housekeeping-Amendment>

Munro, Elaine

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

4 Keswick, 5 Ann

From: Doug Crown [mailto:doug.crown@cogeco.com]
Sent: Wednesday, September 04, 2019 11:07 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the September 25/19 CofA Hearing - Email 4 - 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 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](mailto:doug.crown@cogeco.com)

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

September 12, 2019

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

Attention: Elaine Munro

File# 60.81.5560

Re: 5 Ann St

In response to your correspondence dated September 3, 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 ICI and Layouts Department at 1-877-963-6900 ext: 25713 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.
- Existing overhead service is in conflict with proposed additions. Contact Alectra ICI and Layouts Department for options review.

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 Corporation

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

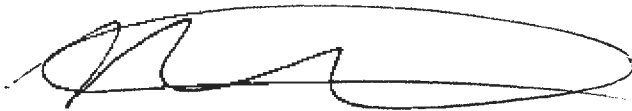
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

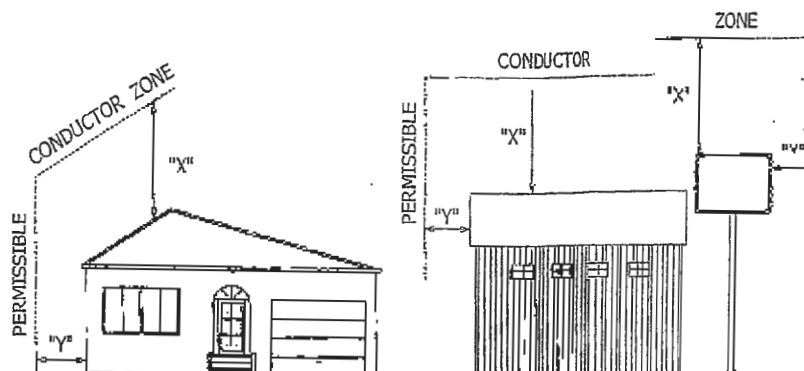
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CAN/CSA-C22.3 No. 1-15, Overhead System
 - C22.3 No. 7-15 Underground Systems

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #
3-105

SHEET #
1
REVISION #
0



Memorandum

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

Cc: Judy Pihach, B. Thiessen, Amanda Knutsen, Sydney Ditomasso, Will Banda
Planning and Building Services

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

Date: September 9, 2019

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

NO.	ADDRESS	COMMENTS
A-95/19	31 Victoria Street	- No Comment
A-96/19	33 Victoria Street	- 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-118/19	15 Turnova Street	- Be advised that a building permit is required for the creation of the proposed accessory dwelling unit.
A-119/19	329 Pelham Road	-No Comment
A-120/19	44 Henrietta Street	- Be advised that a building permit is required for the proposed dwelling with attached garage.
A-121/19	31 Ridley Road	-No Comment
A-122/19	255 Ridley Road	- Be advised that a building permit is required for the adjustment of the suite area.
A-123/19	204 Martindale Road	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.
A-124/19	1099 Vansickle Road	- Be advised that a building permit is required for the construction of the proposed dwelling unit. -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-125/19	4 Keswick Street	- Be advised that a demolition permit is required for the removal of the existing dwelling unit.

NO.	ADDRESS	COMMENTS
A-126/19	5 Ann Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition. -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-127/19	16 Keele Street	<ul style="list-style-type: none"> - Be advised that a building permit is required for the construction of the proposed addition to the existing dwelling unit. -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



Mark Lepp, Senior Plans Examiner / Building Inspector

Cc: Files, 300-010 g:\pbs-building & development\committee of adjustment\ldg memo 2019\17 bcoa memo-mv-Sep25, 2019.docx



Memorandum

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

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

1. **25 Lanark Crescent, Minor Variance, A-116/19 – 60.81.5533**
No comment.
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No comment.
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No comment.
3. **15 Turnova Street, Minor Variance, A-118/19 – 60.81.5552**
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4. **329 Pelham Road, Minor Variance, A-119/19 – 60.81.5553**
No comment.
5. **44 Henrietta Street, Minor Variance, A-120/19 – 60.81.5554**
Removal and replacement of the existing boulevard tree will be at the cost of the applicant at the time of construction.
6. **255 Ridley Road West, Minor Variance, A-122/19 – 60.81.5556**
No objection to the change in use. As additional parking and paving area are required to accommodate the change in use, PRCS recommends that the applicant be responsible for the cost of 3 boulevard plantings to provide an appropriate buffer between the parking area and the Ridley Road West right of way. Payments can be made for the City to plant, install and warranty 3

60mm boulevard trees in accordance with the schedule of rates and fees prior to the issuance of a building permit.

7. 204 Martindale Road, Minor Variance, A-123/19 – 60.81.5557

The reduction in landscaping will allow the retention of a mature tree in the north east corner of the site. The applicant will be required to demonstrate enhanced landscaping and tree protection measures through the Site Plan Agreement.

8. 1099 Vansickle Road North, Minor Variance, A-124/19 – 60.81.5558

No comment.

9. 4 Keswick Street, Minor Variance, A-125/19 – 60.81.5559

No comment.

10. 5 Ann Street, Minor Variance, A-126/19 – 60.81.5560

PRCS is not supportive of further reductions or new development within the setback requirements along Ann Street. This setback is intended to provide an appropriate buffer between the public and private realm. Reductions of this setback for further development will not maintain this intent.

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
Sydney DiTomasso, Planning Co-op Student

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

Date: September 12th, 2019

Hearing Date: September 25th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street, A-95 & 96/19SC
25 Lanark Crescent, A-116/19 REV
15 Turnova Street, A-118/19SC
329 Pelham Road, A-119/19SC
44 Henrietta Street, A-120/19SC
31 Ridley Road, A-121/19SC
255 Ridley Road W, A-122/19SC
204 Martindale Road, A-123/19SC
1099 Vansickle Road N, A-124/19SC
4 Keswick Street, A-125/19SC
5 Ann Street, A-126/19SC
16 Keele Street, A-127/19SC

Development Engineering have no objections to the approval of the above noted applications, subject to the following comments;

25 Lanark Crescent, A-116/19SC

A Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the

Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

31 & 33 Victoria Street and 31 Ridley Road, A-95,96 & 121/19SC

See comments in separate report regarding Consent B33 & B39/19SC

44 Henrietta Street, A-120/19SC

A road widening is not required as significant increases in traffic on this roadway are not anticipated in the near future. A Site Grading and Drainage Plan will be required at the Building Permit stage

1099 Vansickle Road, A-124/19SC

The City has no record of any water service, sanitary lateral, or storm lateral having been installed to this lot. At the Building Permit Application Stage, the Owner will be required to pay the City to install a new water service, a new sanitary lateral, and a new storm lateral for this lot. The sanitary sewer is deep at this point (+/- 5.0m).

4 Keswick Street, A-125/19SC

Due to the unusual lot configuration, a Grading and Drainage Plan must be prepared by a qualified OLS or Professional Engineer. The plan shall be submitted to, and approved by City Staff prior to granting final approval of this minor variance. The plan must show existing topographical information and existing and proposed grades and drainage patterns on the subject lot as well as 3.0m onto adjacent properties with lot lines common to the subject lands. The proposed drainage scheme must not negatively impact adjacent properties. The plan must also show the location and direction of discharge for all roof water leaders (downspouts) and the sump pump discharge pipe.

Condition of Minor Variance:

- Prior to granting approval of the Minor Variance, the Applicant/Owner be required to submit a Grading and Drainage Plan prepared by an Ontario Land Surveyor or Professional Engineer for review and approval by City Staff;

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

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: August 30, 2019

Subject: Committee of Adjustment
Public Hearings – September 25, 2019

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/