



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, November 4, 2019
Council Chambers, City Hall, 6:30 PM**

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

Page

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Declarations of Interest**
- 4. Adoption of the Minutes (Council and General Committee)**
 - 4.1 Regular Meeting of Council, Minutes of [October 21, 2019](#)
 - 4.2 General Meeting of Council, Minutes of [October 21, 2019](#)
 - 4.3 Special Meeting of Council, Minutes of [October 16, 2019](#)
- 5. Resolve into General Committee**

Council will proceed to General Committee Agenda Item 1 - Motion to Move Reports on Consent
- 6. Public Meetings Pursuant to Planning Act and Public Notice By-Law**
 - 6.1 Planning and Building Services, Planning Services
Planning Act Public Meeting – Recommendation Report
Application for Zoning By-law Amendment
Subject Lands: 17 Welland Avenue
Owner: AAM Welland Inc.
Agent: Walker Nott Dragicevic Associates Limited
- 7. Special Presentations**
- 8. Resolve into General Committee**

Council will proceed to General Committee Agenda Item 3 - Discussion Reports
- 9. Motion Arising from In-Camera Session**

5 - 58

10. Motion to Ratify Forthwith Recommendations

11. Motions

11.1 Reconsideration of the previously decided motion regarding the 2015 BTIF application

- The following delegations will precede discussion of the Item:
 - Sheldon Rosen (Port Dalhousie Harbour Club Ltd.)
 - Tony Alfieri (President, Niagara Home Builders Association)
 - Colin Peters
 - Mike Watt (Walker Environmental Group)
 - Mishka Balsom (President & CEO, Greater Niagara Chamber of Commerce)
 - Rob Gill
 - Lou Falco and Kyle Bittman

Councillor Porter will present the following motion:

That Council reconsider the previously decided motion regarding the 2015 BTIF application for 57A / 61 / 63 Lakeport Road (October 7, 2019, General Committee Minutes, Item 3.6).

11.2 Plastic Bag Ban

Councillor Townsend will present the following motion:

WHEREAS the City of Woodstock has recently endorsed a motion to ban single use plastic shopping bags; and

WHEREAS the City of St Catharines' strategic plan highlights that we will "Embrace innovation, ensure sustainability and improve livability for all residents"; and

WHEREAS the City of St Catharines has banned single use plastic straws in City facilities; and

WHEREAS other Canadian cities (Montreal and Victoria) have made progress on single use plastic bag bans, and Provinces (Newfoundland Labrador, P.E.I, Nova Scotia) have banned single use plastic shopping bags; and

WHEREAS World Economic Forum has published alternatives to plastic bags by suggesting the use of plant based degradable and compostable bags;

THEREFORE BE IT RESOLVED that the City of St. Catharines take a stand with other Canadian Cities and Provinces and implement a single use plastic bag ban to be implemented by December 2020; and

BE IT FURTHER RESOLVED that the City of St. Catharines work with the business community and provide direction for alternatives to single use plastic bags; and

BE IT FURTHER RESOLVED that a letter be send to the Niagara Region, Province of Ontario, and Federal counterparts encouraging a ban across the Niagara Region, Province of Ontario, and Country.

11.3 Musical Swings Exhibit Tour

Councillor Townsend will present the following motion:

WHEREAS the City of St Catharines' strategic plan highlights "building and supporting, strong inclusive neighbourhoods that provide high quality of life for residents of all ages"; and

WHEREAS the City of St. Catharines has a number of incredible artists; and

WHEREAS the updated strategic plan includes "support of the creative cluster and promotion of cultural talent, festivals, events and venues"; and

WHEREAS the swings exhibit has made a stops in Montreal since 2011; THEREFORE BE IT RESOLVED that the City of St. Catharines extend a letter of invite to the "Musical Swings Exhibit Tour" to be on display in our City; and

BE IT FURTHER RESOLVED that the Arts and Culture committee assist with the invitation by providing feedback on the initiative.

11.4 Council Meetings on the Days of Provincial or Federal General Elections

Councillor Williamson will present the following motion:

WHEREAS the Democratic Rights Section (3) of the Canadian Charter of Rights and Freedoms states "Every citizen has the right to vote in an election of members of the House of Commons or of a Legislative Assembly..."; and

WHEREAS all orders of government ought to respect each other's ability to hold fully accessible elections; and

WHEREAS provincial legislatures regularly do not sit on the day of federal elections; and

WHEREAS we need to strive to achieve maximum voter turnout and citizen participation in elections; and

WHEREAS we need to give municipal staff, Council members, and all citizens every opportunity to exercise their democratic franchise; and

WHEREAS we need to be mindful of the media's ability to provide effective coverage of local, provincial and federal politics,

THEREFORE BE IT RESOLVED that the City Council of the City of St. Catharines no longer hold Council meetings on the days of provincial or federal general elections.

12. Call for Notices of Motion

13. Report Requests

- 13.1 Pool Water Discharge onto Neighboring Properties
Councillor Kushner advised the Office of the City Clerk that he will request the following report:
That staff be directed to report back on a bylaw such as Niagara Falls, regarding pool water discharge onto neighboring properties.

14. By-laws

- 14.1 Reading of By-Laws

15. Agencies, Boards, Committee Reports

- 15.1 Minutes to Receive:
Arts and Culture Advisory Committee, minutes of [August 19, 2019](#) and [September 16, 2019](#)
Green Advisory Committee, minutes of [September 18, 2019](#)
Accessibility Advisory Committee, minutes of [September 25, 2019](#) (draft)
Heritage Permit Advisory Committee, minutes of [September 25, 2019](#) (draft)
Anti-Racism Advisory Committee, minutes of [October 3, 2019](#) (draft)
Social Sustainability Committee, minutes of [October 9, 2019](#) (draft)
Economic Sustainability Committee, minutes of [October 17, 2019](#) (draft)

16. Adjournment



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: October 10, 2019

Meeting Date: November 4, 2019

Report Number: PBS-221-2019

File: 19 100066 ZA

Subject: *Planning Act Public Meeting – Recommendation Report*
 Application for Zoning By-law Amendment
 Subject Lands: 17 Welland Avenue
 Owner: AAM Welland Inc.
 Agent: Walker Nott Dragicevic Associates Limited

Strategic Pillar:



Recommendation

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283 for the lands described as Part of Lots 2 and 4, City Plan 73A, Grantham, and Part of Lot 19, Concession 5, Grantham, municipally known as 17 Welland Avenue, as outlined in Appendix 14 of this report; and

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff, and that it include a statement that public input has been received, considered and has informed the decision of Council; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeal Tribunal (LPAT) for consideration and final approval; and

That, in the event of an appeal to the Local Planning Appeal Tribunal (LPAT), Council authorize the City Solicitor or her designate and City staff, as appropriate, to attend any LPAT hearing in support of Council's decision; and

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

Summary

The Applicant proposes to redevelop the site of the former Memorial Public School located at 17 Welland Avenue for a mix of residential uses at a density of 84 units per hectare. The proposal includes a six-storey, 103-unit apartment building and 40 townhouse dwellings situated along a private road. The existing school is located within the Queen Street Heritage Conservation District; a portion of the building will be retained and incorporated into the front of the proposed mid-rise apartment building. The City's Official Plan and Zoning By-law both permit the uses and density proposed. The site is located within an Intensification Area, as identified by the City's Official Plan, and on the fringes of the Urban Growth Centre.

In order to facilitate the development, the Applicant has requested that the zoning of the subject lands be modified to recognize certain site-specific building and site design matters. These include a modest increase in building height for the apartment building, a reduction in the parking requirement for apartment dwelling units, a reduction in building setbacks at certain pinch-points for townhouse dwellings, and a reduction in landscape buffer widths along sections of the private road network, among other matters.

Staff are recommending approval of the application on the basis that the proposal has regard for matters of provincial interest, is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, and conforms to and does not conflict with the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Background

Revised Application

The Applicant has submitted three iterations of its development proposal since the date of the original application for zoning by-law amendment. The initial submission, received on December 21, 2018, was circulated to staff and outside agencies, presented to the St. Catharines Heritage Advisory and Heritage Permit Advisory Committees on February 28, 2019, and subsequently presented to the public at an open house on March 4, 2019.

After considering comments received from staff, the public, and the Heritage Committees, the Applicant submitted a revised proposal on July 22, 2019. The revised materials were circulated for comment, presented to the Heritage Committees, and made available to the public on the City's website.

The development proposal was then further refined and submitted to staff for consideration on October 2, 2019. It is this third submission that constitutes the subject of this report.

Reporting Structure for Planning Applications

On February 11, 2019, Council approved a new reporting structure for planning applications, which provides that, in most cases, planning staff are to submit one Recommendation Report to Council. As such, in addition to information concerning the subject application, this Recommendation Report contains a planning analysis and provides a staff recommendation for consideration by Council at its meeting of November 4, 2019.

In accordance with the one-report structure for planning applications, after the closing of the Public Meeting, one of the following motions will be required of Council:

That Council approve the Staff Recommendation herein, since Council is satisfied that the Recommendation Report adequately addresses the submissions made prior to or at the Public Meeting.

OR

That Council defer consideration of the Recommendation Report to (a defined date or a date to be determined based on the issues to be further considered) since public input prior to and/or at the Public Meeting warrants further consideration of the application, and/or Council requests staff to report back on the following issues: (Council to provide specific direction on issues warranting additional information and direction from staff).

Report

Location and Site Description

The subject lands are located on the north side of Welland Avenue (Regional Road No. 77), between Ontario Street and Lake Street, in the City's Central Planning District. The lands are serviced by several public transit routes, with bus stops located immediately adjacent to the property. A location map is attached as Appendix 1.

The lands are irregular in shape and have a total lot area of 1.7 hectares, with approximately 54 metres of frontage along Welland Avenue. The parcel is connected to Thomas Street to the west by way of a private pedestrian walkway with 4.8 metres of street frontage. The existing building, open space and parking areas are currently used by a private Montessori school. The lands are relatively flat and include several mature trees around the perimeter.

A portion of the subject lands is located within the Queen Street Heritage Conservation District; the front façade of the existing school building constitutes the northerly view terminus along Queen Street.

Surrounding land uses (Appendix 2) include:

North: Mix of low rise housing forms along Louisa Street; two 2.5 storey apartment buildings

East:	Mix of low rise housing forms along York Street; one 3- and one 3.5-storey apartment building
South:	Mix of low rise housing forms along Queen Street; mix of commercial and residential uses along Welland Avenue
West:	Mix of low rise housing forms along Thomas Street

Proposal

The Applicant is seeking approval of a zoning by-law amendment to facilitate the redevelopment of the former Memorial Public School lands at 17 Welland Avenue for residential uses at a density of 84 units per hectare. The City's Official Plan and Zoning By-law permit the use and density proposed at a maximum building height of 20.0 metres (six storeys). The zoning by-law amendment would apply a Special Provision to the existing zoning to deal with certain building and site design matters. The Applicant has provided perspective views from Welland Avenue (Appendix 3) and from the northeast (Appendix 4), as well as a concept site plan (Appendix 5) in support of the application.

The proposal involves the demolition of the majority of the existing one-storey school building, with the remaining portion being retained and incorporated into a six-storey approximately 20.085 metre-high), 103-unit apartment building. The second thru fifth floors of the proposed apartment building are set behind that portion of the existing building to be retained. An additional step-back is provided beyond the fifth floor. The Applicant has submitted a preliminary elevation plan showing the proposed southerly façade and its relationship to neighbouring buildings along Welland Avenue (Appendix 6). All 103 parking spaces associated with the apartment building are located below the building in a two-level structure accessed by way of a ramp at the rear of the building.

To the rear of the apartment building, 40 three-storey townhouse dwellings are proposed along a private road network; a single car garage and private driveway are provided for each of the units. Preliminary plans, elevations, and sections have been provided (Appendix 7). A total of 13 visitor parking spaces are provided at grade along the north-east and north-west legs of the private road. A parkette and playground are centrally located to the interior of the site.

For Council's consideration, the development proposal described above and illustrated in the attached Appendices constitutes the second revision to the Applicant's original submission. Changes to the development proposal following the public open house on March 4, 2019 include:

- A revised private road layout, which eliminates vehicular travel and visitor parking adjacent to the rear yards of existing homes along Louisa Street; provides greater opportunity for tree preservation; and results in greater compliance with the performance standards of the Zoning By-law (such as building setbacks and landscape buffer strips);
- A reorganization of the underground parking garage access, servicing areas, and loading space associated with the apartment building to minimize impacts on existing homes along York Street;

- Introduction of a parkette and playground for use by residents of the development;
- Elimination of the back-to-back townhouse dwelling form previously proposed for the interior of the site;
- A reduction in the number of townhouse dwelling units from 53 to 40;
- An increase in the number of apartment dwelling units from 93 to 103 accommodated by an increase in building depth (building height remains unchanged);
- A reduction in the total number of dwelling units from 146 to 143 and overall density from 86 units per hectare to 84 units per hectare;
- An increase in at-grade visitor parking from 11 spaces to 13;
- An increase in the overall parking provision from 182 spaces to 183, which, when combined with the decrease in dwelling units, results in an increase in the overall parking ratio from 1.25 spaces per unit to 1.37 spaces per unit.

Circulation of Application

This application was circulated to all relevant departments and agencies in accordance with the requirements of the Planning Act; there were no objections received. Comments received on the application are summarized below.

Region of Niagara

The Applicant has submitted a Traffic Impact Study in support of this application, which concludes that the development proposal can adequately be accommodated by the existing transportation network with manageable traffic impact to the adjacent public roadways. The proposed development is anticipated to generate 75 two-way auto trips (20 inbound and 55 outbound) during the AM peak hours and 96 two-way auto trips (60 inbound and 36 outbound) during the PM peak hours. The analysis indicates that the study area intersections and proposed vehicular access are expected to operate with acceptable levels of service. Regional staff have reviewed the Traffic Impact Study and are satisfied with its analysis and conclusions.

Region of Niagara staff have reviewed the Functional Servicing and Stormwater Management Report submitted in support of this application and have no objection to the proposed servicing and stormwater management schemes. Regional staff advise that Welland Avenue must not be impacted by stormwater flows. Detailed engineered drawings will be reviewed by the Region through the future application for site plan approval.

Welland Avenue is designated as part of the Regional Niagara Bicycling Network. As such, it is the intent of the Region to make provisions for bicycle network upgrades in the future along Welland Avenue. This could include the provision of additional pavement width, etc.

Community, Recreation & Culture Services

The Parks Policy Plan notes that while school closures and the resulting loss of open space impacts adjacent residents, there is sufficient municipally-owned open space to

meet the needs of the community. The Parks Policy Plan does not identify any parkland gaps in this neighbourhood - Alex Mackenzie Park, which has playground equipment, basketball and tennis courts, and a baseball diamond is located less than 350 metres to the north of the subject lands and Montebello Park is located less than 300 metres to the south.

Driveway widths for the townhouse dwellings should be minimized in order to maximize opportunities for interior landscaping. A maximum width of 3.0 metres per unit is recommended.

The Applicant has submitted a Tree Protection Plan that includes specific recommendations; tree protection will be secured through the future site plan agreement, in addition to the requirement for a 1.8 metre-high wood board fence around the perimeter of the site.

Development Section of Planning & Building Services

Development staff have reviewed the Functional Servicing and Stormwater Management Report submitted in support of this application and are satisfied with its conclusions that there is sufficient capacity in the City's sewers to accommodate the proposed development. The existing water, sanitary and storm sewer connections that service this site will need to be upgraded at the owner's expense. Detailed engineering drawings and studies will be reviewed through the future site plan approval process, including site servicing, grading and drainage plans, and geotechnical and stormwater management reports. Further, a site lighting plan will be required to ensure that no light trespass onto adjacent properties will occur.

The Development Section recommends that the Applicant obtain a pre-construction survey prior to the commencement of construction activities. The survey provides independent documented evidence of the condition of existing dwellings, structures, and other features. While it is not expected that construction will cause damage to neighboring homes and structures, a survey is undertaken as a precautionary measure and assists building owners, contractors and developers in the event of a claim for damages.

Fire Services

Any townhouse dwelling located 150 metres beyond the intersection of the private road and Welland Avenue will need to include provisions for sprinklering.

St. Catharines Heritage Advisory and Heritage Permit Advisory Committees

The Applicant's initial development proposal was presented at a joint meeting of the St. Catharines Heritage Advisory and Heritage Permit Advisory Committees on February 28, 2019. The Committees were generally supportive of a redevelopment of the site, however, expressed concern regarding the loss of historic building materials and the unique design and layout of the former school. The Committees moved the following motion at the meeting:

“The St. Catharines Heritage Advisory Committee and the St. Catharines Heritage Permit Advisory Committee support the redevelopment of the former Memorial Public School at 17 Welland Avenue and the related application for zoning by-law amendment. The Committees request alternative mitigation measures be explored that incorporate more of the original building, given the unique design and layout of the floor plan, including the central auditorium and direct access to the exterior from each of the eight classrooms. The Committees also request that should a scroll still exist, it be incorporated into the design of the building and/or site as a commemorative element. The Committees suggest that the design of the new building should include architectural features that tie into the Arts and Crafts style of the school building.”

A revised proposal submitted by the Applicant on July 22, 2019 returned to a joint meeting of the Committees on August 22, 2019. The Committees continued to be supportive of the redevelopment of the site, and expressed concerns regarding compatibility of new construction materials and design of the front and side facades. The Committees requested additional information on the potential salvage and reuse of historic construction materials. The following motion was moved at the meeting:

“That the St. Catharines Heritage Advisory Committee and the St. Catharines Heritage Permit Advisory Committee support the redevelopment of the former Memorial Public School at 17 Welland Avenue and the related application for zoning by-law amendment. The Committees also request that should a scroll still exist, it be incorporated into the design of the building and/or site as a commemorative element. The Committees suggest that the design of the new building should include architectural features that tie into the Arts and Crafts style of the school building. High quality new construction materials that are compatible with the historic building materials (e.g., in colour) should be incorporated as part of the new design, along with architectural features such as horizontal banding, articulating the façade and vegetative screening on top of the school. The Committees request that the salvaged bricks from the former school structure be reused throughout the site where possible. The Committees request the following cultural heritage reports be completed as part of the heritage permitting process: Urban Design Brief, Commemoration Brief, Documentation and Salvage Report and Conservation Plan.”

Public Consultation

Planning Services staff held an open house on March 4, 2019 to provide information to the public on the Applicant’s original development proposal. The Applicant and their consulting planner were in attendance. Approximately 50 members of the public completed the open house sign-in sheet. Written comments received on the application are attached to this report as Appendix 8. Appendix 9 attached provides a summary of, and response to, public comments received to-date.

In addition to concerns heard regarding the development proposal, staff also heard from members of the public in support of the application. In those cases, residents were appreciative of the Applicant’s transparent approach in consulting with the public, recognizing the proposed use and density are already permitted by the existing policy

regime. Other residents were pleased with the design of the site and mid-rise building, the location of the mid-rise building sited to the front of the property, the provision of underground parking and minimized asphalt areas, and the range of housing options and sizes proposed. Further, some residents were supportive of higher density residential uses within walking distance of the downtown, City parks, and other services.

Planning Analysis

Provincial Policy Statement

The Provincial Policy Statement, 2014 (the PPS), provides direction on matters of Provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that decisions of Council “shall be consistent” with the PPS.

The subject lands are located within a settlement area under the PPS, which are to be the focus of growth and development, with land use patterns based on densities and a mix of land uses that efficiently use land, resources, and infrastructure, and which are transit and active transportation supportive. A range of uses and opportunities for intensification and redevelopment are to be provided, with planning authorities having the ability to identify suitable locations for growth through official plans and zoning by-laws, subject to appropriate development standards. Minimum intensification targets and redevelopment within settlement areas are to be established.

The policies of the PPS provide that significant built heritage resources and significant cultural heritage landscapes are to be conserved. Planning authorities shall not permit development on lands adjacent to protected heritage property unless it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

At a residential density of 84 units per hectare, this transit-supportive proposal on an underutilized parcel of land will efficiently use existing infrastructure and public service facilities. The development will contribute to the mix of residential densities, housing forms, and tenures within the neighbourhood with a built form that is already permitted on the subject lands by the existing applicable Official Plan and Zoning By-law designations. The subject lands are located along existing transit routes and the Regional Niagara Bicycling Network, within close proximity to the downtown, and with access to municipal services, schools, parkland, and community services. Through the site plan approval process the development will be required to achieve urban design and development standards that contribute to a compatible and aesthetically pleasing built form. Through the heritage permit process, the Applicant will be required to demonstrate how impacts on cultural heritage resulting from partial demolition of the existing building can be mitigated through preservation, commemoration, display and interpretation of salvaged building materials, and compatibility of new construction. Staff are of the opinion that the proposed zoning by-law amendment is consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe

A Place to Grow - The Growth Plan for the Greater Golden Horseshoe (the Growth Plan), came into effect in May of this year. The Growth Plan reiterates many of the policies of the PPS; it stresses compact, well-designed, transit-supportive development and prioritizes intensification in built-up areas. Section 3(5) of the Planning Act stipulates that decisions of Council “shall conform with” the Growth Plan, or “shall not conflict with” the Growth Plan, as the case may be.

The subject lands are located within a built-up area and within a settlement area, as delineated by the Growth Plan. The vast majority of growth is to be directed to settlement areas that have a delineated built boundary, have existing or planned water and wastewater systems, and have existing or planned transit. Municipalities are required to establish a hierarchy of growth within settlement areas, intended to achieve complete communities that provide a range and mix of land uses and housing, optimize infrastructure, including public transit, and have a high quality and attractive private and public realm.

The Growth Plan specifically sets out that by the time the next municipal comprehensive review is approved and in effect (currently underway), a minimum of 50% of all residential development occurring in Niagara will be within delineated built-up areas. Further, the Growth Plan requires that each municipality will have an intensification strategy, which identifies the appropriate type and scale of development and transition of built form to adjacent areas, and will ensure lands are zoned and development is designed in such a manner as to support complete communities. Intensification strategies are to be implemented through Official Plan policies and designations, zoning, and other documents.

The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, sensitive to adjacent areas. Applying the policies of the Growth plan will achieve complete communities that expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation. The City’s Official Plan and Zoning By-law set out the policies and standards to achieve the level of intensification and growth intended to occur within the City’s built-up area. These policies support the development of complete communities that are transit-supportive and help guide what is considered appropriate development given the context of the area.

These underutilized lands are located within an Intensification Area and designated Medium Density Residential pursuant to City’s Official Plan. The Official Plan envisions residential intensification on this site at a density generally between 25 and 99 units per hectare. Further, the lands are already zoned to permit townhouses and a six-storey apartment building. Notwithstanding the 50% intensification target set out in the Growth Plan, the Regional Official Plan (ROP) provides that 95% of all residential development occurring annually in St. Catharines be within the built-up area. Future development on the site will count toward this intensification target, will be transit-supportive, and will

contribute to the housing opportunities in the neighbourhood. Staff are satisfied that the proposal conforms to and does not conflict with the policies of the Growth Plan.

Regional Official Plan

As with the Growth Plan, the Regional Official Plan (ROP) directs that intensification in the form of compact, mixed-use, transit supportive development is to take place in built-up urban areas where appropriate servicing and infrastructure exist. The ROP establishes a framework for developing complete communities that include a diverse mix of land uses, a range of housing types, high quality public open spaces, and access to commercial uses by bike, car, and transit.

The subject lands are located within the St. Catharines Urban Area, as defined by the ROP. The ROP requires that municipalities develop intensification strategies, including the identification of specific Intensification Areas and general intensification to support the achievement of targets. The ROP establishes a residential intensification target of 95% for the City of St. Catharines, together with policies to establish Intensification Areas and to support general intensification throughout the built-up area.

Regional planning staff have confirmed their support for the application and are satisfied that the proposal aligns with its Official Plan policies. The proposed development is located within an identified Intensification Area, will count toward the City's 95% residential intensification target, and will contribute to the range of housing forms and tenures in the neighbourhood. Planning staff agree with Regional staff that the proposal is consistent with the policies of the Regional Official Plan.

Local Official Plan (Garden City Plan)

The City's Official Plan, the Garden City Plan, sets out land use designations, policies, and principles to direct and manage the orderly and efficient growth of the City. The GCP reflects the City's individual community interests within the context of Provincial and Regional planning regimes. Section 1.1 b) i) of the GCP states that "no By-law may be passed... that does not conform to this Plan".

The Garden City Plan (GCP) was approved by the Region of Niagara in 2012. Since then, the Province has updated the Provincial Policy Statement in 2014, the Greenbelt Plan, Niagara Escarpment Plan in 2017, and recently the Growth Plan in 2019. The City's Official Plan will need to be updated to reflect provincial land use policy. Notwithstanding, the City's current Official Plan is consistent with, conforms with, and does not conflict with the PPS, Provincial Plans and the Regional Official Plan.

Growth Management

A framework for managing growth in the City is set out in Section 2.3 of the Official Plan. The Plan provides a balanced approach that reflects and respects the character, function, scale and context of each area of the City, and which is consistent with and supports the growth and intensification strategies as set out in the Growth Plan.

The City's Urban Area boundary is finite and cannot be expanded and there is only a small amount of Designated Greenfield Area remaining. Section 2.3.3.2 of the Official Plan provides that growth and development in the City will occur by using land and infrastructure efficiently, building compact forms, having a mix of uses and housing forms, achieved through compatible design. New housing will be provided in a manner not to compromise, but to accentuate and enhance the character, structure, function, and accessibility of established residential neighbourhoods. The primary areas for intensification within the built boundary are the Urban Growth Centre, Intensification Areas and other vacant lands dispersed throughout the City.

Summary Opinion of Official Plan Growth Management Policies

The proposed zoning by-law amendment aligns with the growth management policies of the Official Plan in that the proposal provides for apartment dwellings and townhouse dwellings on an underutilized site that is located within an identified Intensification Area. Further, the subject lands are located on the fringes of the City's Urban Growth Centre – the only one of its kind in the Niagara Region. At a density of 84 units per hectare, the development will efficiently use existing municipal services, is transit supportive, and provides for a mix of dwelling unit types and sizes. Through the site plan approval process, the design of the apartment building and townhouses will be refined to ensure that development is compatible and context sensitive. Approval of the zoning by-law amendment will contribute towards intensification targets and a diversity of housing opportunities in the City.

Land Use

The GCP (Schedule D1, Appendix 10 attached hereto) designates the lands at 17 Welland Avenue as Neighbourhood Residential, providing for a full range of housing opportunities to help accommodate projected growth. The Central Planning District of the GCP (Schedule E4, Appendix 11 attached hereto) further designates the lands as Medium Density Residential, permitting detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse, and apartment dwellings at a density generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres (six storeys). The use of the lands for townhouse dwellings and a six-storey (21.15 metre-high) apartment building at a density of 84 units per hectare is permitted by the GCP.

The subject lands also form part of a Mixed Use Intensification 'Special Study Area' which is intended to "establish an appropriate range of transit supportive medium and higher density housing opportunities, with a mix of commercial, employment, institutional and recreational uses" (15.2.1.b). While the special study has not yet been undertaken, the GCP does acknowledge that this corridor is anticipated to transition into more of a higher density mixed use corridor.

The Official Plan emphasizes more compact, innovative and alternative design to manage growth and development. Section 7.1 stipulates that any proposal for development or redevelopment within the Urban Area must be evaluated having regard for certain matters. Each of these criteria is outlined in the table below, together with a corresponding analysis of the development proposal.

GCP Policy	Analysis
Provide opportunities to support and improve connectivity and accessibility to public transit and active transportation.	The subject lands front onto Welland Avenue, with direct access to transit services and the Regional Niagara Bicycling Network. While bicycle lanes do not yet exist along Welland Avenue, it is the intent of the Region of Niagara to make provisions for them in the future. The apartment building will be required to provide bicycle parking and storage, pursuant to the Zoning By-law. Sidewalks will be provided along the proposed private roads with connections to the municipal sidewalks along Welland Avenue and Thomas Street.
Ensure the integration of compatible built form, scale, massing, height, setbacks, spacing, siting, orientation, facades, and architectural materials with adjacent uses and the surrounding neighbourhood.	The mid-rise apartment building is appropriately sited towards Welland Avenue, away from the majority of surrounding low-rise homes, with townhouses located to the rear of the site along the more sensitive boundaries. Building setbacks substantially comply with the requirements of the Zoning By-law. The mid-rise building is stepped back from that portion of the one-storey heritage building to be preserved, with an additional step-back provided beyond the fifth storey; this achieves an appropriate transition in height from the apartment building to the townhouses and neighbouring lower-rise uses. The façade of the building incorporates substantial glazing, vertical and horizontal relief, and a variety of finish colours to provide articulation.
Minimize adverse impacts on adjacent properties as they relate to grading, drainage, location and design of service areas, access and circulation, parking, transition in height, privacy, vistas, etc.	Access to the proposed development is provided by way of the existing driveway connection off of Welland Avenue; no new access is proposed. All parking associated with the apartment building is provided underground, with access to the underground garage and service areas located behind the proposed building and away from adjacent homes. The majority of the proposed private road is separated

	from adjacent properties by the periphery townhomes. Where this separation does not exist, and in the case of at-grade visitor parking spaces, adjacent properties will be buffered by landscape strips. These landscape strips will be planted with appropriate tree species to ensure impacts from overlook are minimized. Through the site plan approval process, the Applicant will be required to demonstrate that the development will not cause drainage impacts on adjacent properties.
Possible negative impacts, such as noise, odour, and emissions, will not be excessive.	It is expected that the proposed development will not result in these negative impacts.
Adequate and appropriate lot size, shape and configuration are to be considered, as well as on-site facilities and outdoor amenity areas.	The subject lands are 1.7 hectares in size; sufficiently large to support the proposed residential use, with adequate separation from adjacent lower-rise residential uses. The frontage along Welland Avenue provides sufficient space for vehicular access, sidewalks, and buffering. On-site parking facilities are provided, as well as loading and servicing areas, a parkette and playground.
Minimize surface parking areas and promote shared parking areas, standards, and access, where appropriate and compatible. Ensure that parking areas do not dominate the site physically or visually.	All parking associated with the apartment building development is provided underground. At-grade visitor parking is located behind the apartment building; there are no large parking areas visible from Welland Avenue.
Consideration for the treatment of existing topographic features, and greening and landscaping opportunities.	The preliminary landscape plan submitted with the application provides for 45% landscape coverage throughout the site, including boulevard trees along the private streets, landscape buffer strips, and a central parkette and playground. Through the site plan approval process, the Applicant will be required to preserve all boundary trees.
Promote the best use of existing resources, infrastructure and service capacity.	At a density of 84 units per hectare, the development proposal makes efficient use of existing services, resources and infrastructure capacity. The Applicant has submitted a functional servicing report

	that confirms there is sufficient capacity in the municipal sewage system to accommodate the development.
--	-----------------------------------------------------------------------------------------------------------

Summary Opinion of Official Plan Land Use Policies

Staff are satisfied that the Applicant's development proposal complies with the land use policies of the Garden City Plan. The proposed design of the private road development, comprising a six-storey apartment building and 40 townhouse dwellings (both permitted uses), is compatible with surrounding lower-rise residential uses in terms of built form, scale, massing, height, siting, orientation, among other considerations. Sufficient building setbacks and landscape buffer strips will provide adequate separation from neighbouring lower-rise residential uses. All parking associated with the proposed development is located underground or to the interior of the site, framed by the townhouses. The existing main access to the site will be maintained. An existing pedestrian connection to Thomas Street and new internal sidewalks ensure the continuation of pedestrian connectivity through the neighbourhood. Approval of the zoning by-law amendment will contribute towards intensification targets and a diversity of housing opportunities in the City; the proposal provides for a mix of dwelling unit types and sizes, including townhouses and 1- 2- and 3-bedroom apartments. At a density of 84 units per hectare, redevelopment of this underutilized site within an Intensification Area will efficiently use existing municipal services, is transit supportive, and is in proximity to the downtown and municipal parks.

Cultural Heritage

The GCP supports the continuing use, reuse, care, and conservation of cultural heritage resources and properties. Heritage buildings are to be protected from adverse effects of change. The Plan provides that proposals for the demolition or removal of buildings and structures, or the alteration of existing buildings shall be guided by the applicable heritage conservation district plan. Where possible, original building fabric and architectural features should be retained, repaired or restored, rather than replaced. Redevelopment and site alteration may be permitted where it is demonstrated that the heritage attributes of the protected heritage property will be conserved. This may involve the use of mitigative measures and/or alternative development approaches.

Heritage Planning staff have reviewed the materials submitted in support of this application and provide the following comments. The Queen Street Heritage Conservation District Study – District Plan states that “Building demolition is not prohibited by the Ontario Heritage Act but it will be actively discouraged within the designated district... Property owners are encouraged to work with existing buildings, altering and adding to them in a sympathetic manner rather than demolishing and building anew.” The proposed development would incorporate only the front façade and front portion of the former Memorial Public School, leading to a significant loss of historic materials. The Applicant has submitted a Heritage Impact Assessment in support of the application, which suggests incorporating at a minimum the first 4.5 metres of the original building depth. While retaining the full original portion of the former school structure would constitute a more authentic acknowledgment of the

building and its history in the Queen Street Heritage Conservation District, Heritage Planning staff advise that an alternative development approach may also be appropriate.

As per the Queen Street Heritage Conservation District Study – District Plan, building height “of new infill development should maintain predominant building heights of adjacent properties and the immediate streetscape. In areas of varied building height new development must respect adjacent buildings by being neither excessively higher or lower” (page 6-11). The former Memorial Public School is a single-storey structure. By integrating a six-storey structure to the rear of a limited portion of the former school structure, the new building will be highly visible and will not be subordinate in terms of size. Heritage Planning staff will require that design techniques be incorporated into the new construction to articulate the front façade and to reflect architectural elements of the former school structure. Additional refinement of the building design is suggested to achieve this outcome. Given the significance of the former school structure as an important visual termination to Queen Street, Heritage Planning staff expect that high quality materials which are harmonious with the natural historic building materials of brick and stone be incorporated in the design.

While the use of these lands for a six-storey building is permitted by the City’s Official Plan and Zoning By-law (in terms of land use), Planning staff are recommending that a Holding Provision be applied to the portion of the lands located within the Queen Street Heritage Conservation District to ensure, among other matters, that the design of the mid-rise building is compatible with that portion of the heritage building to be retained. Materials required for staff’s consideration will include the following studies:

- An Urban Design Brief detailing compatibility of design (e.g., materiality, colour, articulation of the new front façade, etc.) and how the proposed design complies with the Queen Street Heritage Conservation District Study – District Plan;
- Documentation and Salvage Report, including an inventory of historic building materials and their potential for salvage and reuse;
- Commemoration Plan elaborating on the reuse of historic construction materials and any educational/commemorative elements such as plaques, historic photographs, display of scrolls, etc.; and
- Conservation Plan that details how a cultural heritage resource can be conserved, including descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures.

Zoning By-law

Zoning By-law 2013-283 zones the subject lands as Community Institutional (I2) (Appendix 12), permitting day cares, long term care facilities, places of worship, and schools. The I2 zone also allows for any of the residential uses permitted in the Medium Density Residential (R3) zone, including townhouses, private road developments, and apartment buildings.

The Applicant has requested a zoning by-law amendment to add a new Special Provision No. 158 to the subject lands to deal with site and building design matters

(Appendix 13). These are outlined below, together with an analysis of each. The technical zoning by-law amendment referenced in the staff recommendation is attached to this report as Appendix 14.

Phasing and Creation of Future Lot Lines

The zoning by-law amendment will permit the subject lands to develop in phases, specifically as it relates to each individual phase complying with minimum density requirements. For example, should only two of the six blocks of townhouse dwellings proceed first, in advance of the apartment building, those two blocks would be deemed to comply with the minimum density requirements of the Zoning By-law, provided the entire site, upon build-out of all phases, complies with the minimum density of 25 units per hectare.

Additionally, the By-law will avoid potential non-compliance with zoning provisions, should there be creation of additional lot lines within the development in the future. This provision is not intended to exempt the subject lands from complying with zoning in the future (i.e. should there be severances proposed to facilitate a different development proposal than that which is proposed by the Applicant today), rather the provision would facilitate future plans of condominium for this development, which could include the creation of new lot lines within the overall development. The entirety of the subject lands will be bound by the terms of one site plan agreement, which ensures the lands will function as one parcel, notwithstanding it may be made up of several different lots or parcels.

Frontage

The Zoning By-law provides that when a lot has frontage on more than one public street, the shortest of the two lot lines is deemed to be the lot frontage. In the case of the subject lands, the lot line along Thomas Street is shorter than the lot line along Welland Avenue and, therefore, Thomas Street is deemed to be the lot frontage. Staff recognize that, for all intents and purposes, Welland Avenue appears and functions as the lot frontage of the subject lands; the existing school is oriented toward and accessed from that street. This function will continue with the proposed development and so the site specific provisions will deem Welland Avenue as the technical frontage accordingly.

Landscape Buffer Provisions

Zoning By-law 2013-283 requires that parking areas, including private roads and drive aisles, be buffered from adjacent roads and lot lines with the provision of a 3 metre landscape strip. The Applicant has requested a reduction of the landscape buffer requirement to 0.5 metres along the westerly lot line, adjacent to the commercial building at 15 Welland Avenue; and to 1.8 metres along the easterly lot line, adjacent to the apartment building at 11 York Street.

The westerly landscape buffer in question abuts a commercial parking lot; the drive aisle servicing the school building has existed without a landscape buffer for many years. The easterly landscape buffer abuts a large detached garage associated with the

apartment building. Staff are satisfied that these reductions will have no significant impact on adjacent uses.

Where and How Height is to be Measured – Mid-rise Building

Zoning By-law 2013-283 provides that height shall be measured from grade at the principal entrance of the building to the mid-point between eaves and the ridge of a pitched roof, or to the highest point of the roof surface of a flat roof.

Staff note that on occasion there have been situations where fill was added to a site, resulting in an increase in the finished grades from the establish grades. In those cases, the result has been a building that appears taller than originally envisioned. In order to avoid this scenario, staff are recommending that the height of the proposed building be measured from a specific geodetic elevation of 103.8 metres, being the existing grade at the principal entrance of the existing building.

Platform Structures – Mid-rise Building

Zoning By-law 2013-283 sets out certain setback requirements from lot lines for platform structures, such as decks and balconies. The Applicant has requested that these requirements not apply to the subject lands so that balconies can encroach into any yard. Staff note that, as proposed, all balconies on the west and north sides of the building comply with the requirements of the Zoning By-law; it is only the sixth-floor balconies on the east side of the building that appear to encroach into the required easterly side yard. The subject lands directly abut lower-rise residential uses to the east along York Street.

Impacts on privacy and overlook that may result from balcony encroachments can be mitigated through site and building design. A 3.0 metre landscape strip will be provided along the easterly lot line, which may include trees such as columnar cedars to provide screening. Balcony treatments, such as partially-opaque guards, can also mitigate overlook. While staff are not prepared to recommend a blanket exemption for balcony setbacks, staff are satisfied that a 1.5 metre encroachment into the easterly side yard for the balconies on the sixth floor will not cause significant adverse impacts to existing residential uses. Balconies, porches and decks will provide desired amenity space for future residents.

Loading Space – Mid-rise Building

The Zoning By-law prohibits the location of a loading space in any required yard that abuts a residential zone. The Applicant proposes to provide a loading space for use by the apartment building within the required easterly interior side yard, adjacent to the three-storey apartment building at 7 York Street. That adjacent rear yard is paved for parking and there are no balconies on the west side of the existing apartment building. Staff are satisfied that the proposed location of the loading space within the required easterly interior side yard will not result in adverse impacts on neighbouring uses.

Parking – Mid-rise Building

The Zoning By-law requires that 1.25 parking spaces be provided for each apartment dwelling unit (one space for the unit itself and the remainder to contribute to a visitor parking complement). The Applicant proposes to provide parking for the apartment building at a ratio of one space per unit, with 13 visitor parking spaces provided at-grade within the site for use by all residents of the development. The resulting parking provision proposed for the apartment dwelling units is 1.125 parking spaces per unit. The parking provision for the townhouse dwellings complies with the requirements of the Zoning By-law (1.25 spaces per unit required, whereas 2 spaces per unit is proposed), as does the overall parking provision of 183 spaces or 1.37 spaces per dwelling unit.

The City's Official Plan provides that reductions in vehicular parking requirements may be considered where, among other matters, shared parking is possible, transit is readily available, and bicycle parking facilities are provided. The Applicant has submitted a Traffic Impact Study in support of the application, which concludes that the proposed parking provision is sufficient and appropriate in terms of the context of the neighbourhood. The subject lands are located along several transit routes, within walking distance to the downtown bus terminal, and with bus stops sited immediately in front of the property along Welland Avenue. While staff recognize that on-street parking is not always available, on-street parking does exist on neighbouring side streets, including Queen Street, Thomas Street, and York Street. The lands are located adjacent to the Regional Niagara Bicycling Network; bicycle parking on-site is proposed. Staff are satisfied that the proposed parking requirement of 1.125 parking spaces per apartment dwelling unit is appropriate and desirable and is consistent with the policies of the Official Plan.

Building Height and Setbacks – Mid-rise Building

The existing zoning restricts the height of apartment buildings along collector and arterial roads to 20.0 metres. The intent of the provision is to ensure compatibility with the surrounding built fabric, and to minimize the potential impacts of building height, such as shadowing or loss of privacy. Zoning By-law 2013-283 exempts certain building elements from the height restrictions of the By-law, including, but not limited to rooftop mechanical equipment, elevator overruns, chimneys, and flag poles.

The Zoning By-law also requires an interior side yard equal to half the height of the building; the provision is applied to each corresponding floor of a building. For example, for a 6-storey building, the third floor, which might be 10.0 metres in height, must be set back a minimum of 5.0 metres from the interior side lot line, and the sixth floor must be set back a minimum of 10.0 metres from that same lot line. The provision is formulated such that it allows for terracing (stepping-back of floors), if desired, and it provides for flexibility in applying the provision to buildings of varying heights. In practical terms, this means the taller the building proposed, the greater the interior side yard setback required. The intent of the provision is to mitigate the impacts of building height (i.e. to provide sufficient separation and buffering from neighbouring uses) and to maintain adequate space for stormwater management and maintenance between a building and the adjacent lot line.

The Applicant requests an increase in building height from 20.0 metres to 22.0 metres and a decrease in the easterly interior side yard setback from 11.0 metres to 10.0 metres for the sixth floor only. The first through fifth floors of the building comply in terms of setbacks.

Staff have paid particular attention to the properties located to the east of the subject lands, whose rear yards will immediately abut the proposed apartment building. A 3-storey apartment building is located at 7 York Street, with associated parking provided in the rear yard. There is no amenity space in this yard, nor are there any balconies on the rear façade of the apartment building. Detached dwellings exist on each of 5 York Street, 3 York Street, and 23 Welland Avenue. A detached garage is located in the rear yard of 3 York Street and there are mature trees in all three rear yards in question. When combined with new trees and fencing to be provided in the easterly side yard of the subject lands, these mature trees and detached garage help to mitigate the additional 2.0 metres of building height requested by the Applicant.

A shadow study submitted in support of the application demonstrates that the proposed 22 metre-high building at a 10.0 metre setback from the easterly lot line will not result in a significant increase in shadow impacts than what would otherwise result from the as-of-right permissions for a 20.0 metre-high building in this location. That is to say that the difference in impact resulting from an additional 2.0 metres in building height set 1.0 metre closer to the lot line is negligible. A 3.0 metre landscape buffer will be provided between the apartment building and lower-rise residential uses to the east, mitigating privacy impacts. A building height of 22.0 metres is consistent with the policies of the Official Plan, which provides that building height will *generally* not exceed 20 metres. Staff are satisfied that the proposed building height and easterly side yard are compatible, appropriate, and consistent with the policies of the City's Official Plan.

Required Yards – Private Road Townhouses

The Applicant's concept site plan attached to this report as Appendix 5 demonstrates how all yard requirements for the townhouses can be met, save and except six areas where reductions have been requested. Half of these reductions are associated with the irregular shape of the subject lands, which results in pinch points between the property boundary and the proposed townhouses.

Along the westerly interior side yard, the rear wall of one townhouse dwelling is proposed to be located 5.5 metres from the adjacent lot line at a pinch point, while the minimum required yard is 6.0 metres. The yard in question directly abuts a detached garage; no impact is anticipated.

The end wall of the southern-most townhouse dwelling is proposed to be located 2.0 metres from the adjacent lot line, whereas the minimum requirement is 5.0 metres. The yard in question immediately abuts the commercial building at 15 Welland Avenue and its associated parking area; no impact will result from the reduced yard.

The end units of two of the three northern townhouse blocks are proposed to be located closer to the adjacent lot lines than is permitted. For the westernmost unit, a westerly interior side yard of 4.0 metres from the end wall is proposed at a pinch-point, while 5.0 metres is required. This pinch point is adjacent to the private walkway associated with this property. For the easternmost unit, an easterly interior side yard of 4.2 metres from the end wall is proposed at a pinch point, while 5.0 metres is required. There are several mature trees and a detached garage in the rear yards of adjacent homes, which provide an appropriate buffer. Staff are satisfied that the two reductions are minor in nature and will not result in adverse impacts on adjacent properties.

Lastly, two of the townhouse blocks are proposed to be located closer to the private road than the Zoning By-law's prescribed 3.0 metres. Staff is satisfied that these reductions (to 1.9 metres and 2.5 metres, respectively) will have no impact on neighbouring properties. The reductions will facilitate desired visitor parking areas and maneuvering space.

Driveway Widths – Private Road Townhouses

Zoning By-law 2013-283 restricts the width of townhouse driveways to 50% of the width of the unit. The intent of the provision is to ensure sufficient space in the front yard of the dwellings for street trees, to support stormwater management, and to minimize the amount of asphalt visible from the street. The Applicant proposes townhouse dwellings that are 5.9 metres in width with corresponding driveways 3.0 metres in width; this represents a 1% increase in driveway width beyond what is permitted by the by-law. Staff are satisfied that a 1% increase is minor and will leave sufficient space for trees and stormwater management. Staff are recommending that driveways for the townhouses be twinned (i.e. two adjacent driveways are to be provided side-by-side).

Site Plan Approval

As referenced throughout this report, an application for Site Plan Approval will be required for this development. Site Plan Control is the City's primary tool for implementing City standards and urban design guidelines; it regulates the placement of buildings, architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Additional public consultation on the detailed designs will be undertaken by planning staff as part of the future site plan process. Site plan approval involves the registration of a site plan agreement against the title of the lands that will be legally binding upon the existing and future property owners. The Applicant will be required to post securities to ensure the terms of the agreement are carried out.

Affordable Housing

While Council considers affordable housing a priority concern for the City, and the City's Official Plan recognizes the need to provide for affordable housing, actual mechanisms to require and sustain an affordable housing supply in the City, as per the definition in the Provincial Policy Statement 2014, are not currently in place. As such, at this time, the provision of affordable housing is not required, rather it is encouraged.

While the Applicant for this project has not advised whether the proposed units are intended to meet the definition of affordable housing as defined by the Provincial Policy Statement (2014), apartment dwelling units and townhouse dwellings are often considered a more affordable housing option than detached dwellings. Further, the addition of more housing forms and sizes to the City's housing inventory contributes to the opportunity for residents to move through the housing hierarchy. For example, a family currently living in a rental apartment may be able to move to a condominium apartment, thereby freeing up an apartment unit in the rental inventory.

Council should be aware that although condominium tenure is envisioned for this project, this does not suggest that the units, once constructed, will be owner occupied; it is not unusual for condominium units to become investment properties for rental purposes. Additional availability of residential ownership units and/or rental units in the ownership/rental market serves to increase the inventory of residential accommodation, thereby increasing the availability of dwelling units. The 143 units proposed by the Applicant may not meet the definition of affordable under the PPS, but by increasing the inventory of available dwelling units, pressure is exerted in the market place for pricing to be more competitive.

Public Notice

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

Second Planning Opinion Advisory

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

Financial Implications

All costs associated with this development will be borne by the developer. If approved and constructed, additional tax assessment would be generated by the development.

Relationship to Strategic Plan

The staff recommendation to approve the proposed zoning by-law amendment supports all four of pillars of the City's strategic plan, and specifically the following strategic goals:

- Support the City's commitment to building and growing a diverse and resilient economy through fiscal responsibility, urban regeneration and collaborative partnerships.
- Build and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages.

- Adopt innovative approaches and continue responsible community planning and decision-making that balances growth, enhances quality of life, manages emergencies, and minimizes the environmental impacts of climate change.
- Celebrate the City's rich history, diversity, arts and cultural assets through leadership, promotion and investments that support measurable, sustainable creative growth.

The proposed zoning by-law amendment will facilitate urban regeneration through the efficient redevelopment of an underutilized site. The proposal involves a mix of dwelling forms and sizes, as well as amenity areas, that are known to contribute to complete communities and a high quality of life for citizens. At a density of 84 units per hectare, the proposal will contribute to the accommodation of growth within the City. The development will have positive fiscal impacts for the City through an increase in tax assessment.

Being a designated heritage building, the Applicant will be required to demonstrate how the unique heritage attributes of the existing school will be retained and/or reused and/or commemorated. It is the intent of staff that the new construction will be compatible with that portion of the existing school building to be retained and that the important visual terminus to Queen Street be respected.

The proposal is supportive of the City's objectives to reduce the reliance on the automobile and the negative environmental impacts associated with them. All parking associated with the apartment building will be provided underground, maintaining a substantial amount of greenspace within the site for amenity areas and stormwater management. The proposed development is transit-supportive, with direct access to public transit facilities and connections to active transportation, such as walking and cycling.

Staff are satisfied that the proposed zoning by-law amendment aligns with goals of the City's Strategic Plan.

Conclusion

In summary, staff are recommending approval of the proposed zoning by-law amendment, subject to the recommendations herein. This Recommendation Report provides the planning analysis and justification for staff's recommendation to support the application. The zoning by-law amendment would facilitate the efficient and appropriate use of underutilized lands within the urban area with access to existing infrastructure, services, transit, and community commercial facilities. The mix of dwelling types and sizes will contribute to the City's intensification targets and the range of available housing in the community.

The proposal represents a collaborative approach between the Applicant, City staff, the public and the City's Heritage Committees, resulting in a community design that provides urban regeneration on the periphery of the downtown – Niagara's only provincially designated Urban Growth Centre. The proposal, situated in an ideal

location, has the potential to stimulate significant private investment while preserving the site's historical value.

The proposal to amend the Zoning By-law has regard for matters of provincial interest, is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, and conforms to and does not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Notification

It is in order to advise Bob Dragicevic of Walker Nott Dragicevic Associates Limited, 90 Eglinton Avenue East, Suite 970, Toronto, Ontario, M4P 2Y3, the owner's agent.

Prepared by:

Amanda Knutson
Senior Planner

Submitted by:

Judy Pihach, MCIP, RPP
Manager, Planning Services

Approved by:

Tami Kitay, M.P.A., MCIP, RPP
Director, Planning and Building Services

Appendices:

1. Aerial Photo – Subject Site
2. Aerial Photo – Surrounding Area
3. Perspective View from the south, prepared by superkul inc., and dated September 27, 2019
4. Perspective View from the north, prepared by superkul inc., and dated July 19, 2019
5. Site Plan, prepared by superkul inc., and dated September 27, 2019
6. Elevation (South), prepared by superkul inc., and dated September 27, 2019
7. Townhouse Plans, Elevations, Section, prepared by superkul inc., and dated July 19, 2019
8. Public comments received
9. Summary of public comments and staff responses
10. Existing Land Use Designation – Garden City Plan, Schedule D1
11. Existing Land Use Designation – Garden City Plan, Schedule E4
12. Existing Zoning
13. Proposed Zoning
14. Staff Recommendation - Proposed Zoning By-law Amendment

Aerial Photo

Subject Site



Niagara Regional Air Photo (April, 2015)

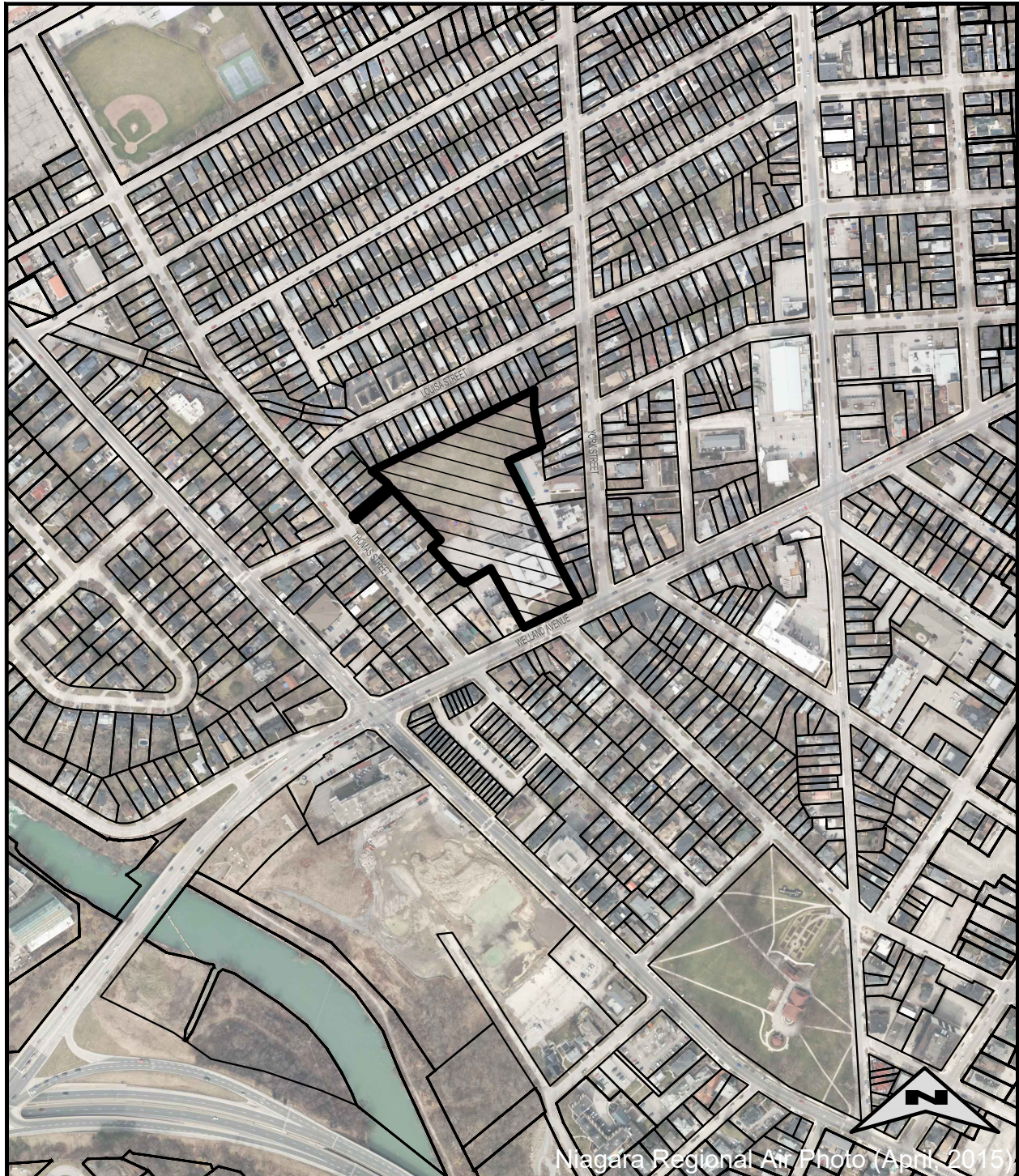


Subject Lands

17 Welland Avenue

File: 60.35.1046

Aerial Photo Surrounding Area



Niagara Regional Air Photo (April 2015)



Subject Lands

17 Welland Avenue

File: 60.35.1046



Copyright reserved. This design and drawings are the exclusive property of superkul inc. (the Architect) and cannot be used for any purpose without the written consent of the Architect. This drawing is not to be used for construction until issued for that purpose by the Architect.

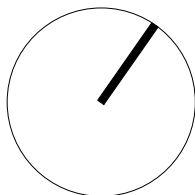

Prior to commencement of the Work the Contractor shall verify all drawing dimensions, datums, and levels with the Contract Documents and with the conditions on site; ascertain any discrepancies between the site and the Contract Documents, and bring these items to the attention of the Architect for clarification.

superkul

101 - 35 Golden Avenue
Toronto, ON M6R 2J5

t> 416.596.0700
f> 416.533.6986
www.superkul.ca

1	Sept 27, 2019	For Discussion
No.	Date	Issue/Revision



17 WELLAND AVE

St. Catharines, Ontario

Title:
View From Welland Ave

Project No.	1712	Scale
Drawing No.		

SK 005



SITE PLAN NOTES

1. BUILDINGS 'A' AND 'C' TO BE SPRINKLERED. BUILDINGS 'B' WILL NOT BE SPRINKLERED.
2. VISITOR PARKING SPACES WILL BE INDIVIDUALLY SIGNED AT EACH SPACE FOR THE USE OF RESIDENTIAL VISITORS.
3. SIDEWALKS AND BOULEVARDS WITHIN THE RIGHT OF WAY TO HAVE A MINIMUM 2% AND MAXIMUM 4% SLOPE TOWARDS THE ROADWAY.
4. REFER TO SITE SERVING DOCUMENTS FOR SEWER AND WATER SERVICE INFORMATION.
5. ANY RETAINING WALLS ARE TO BE PROFESSIONALLY ENGINEERED.
6. ALL EXISTING ACCESSES, CURB CUTS, TRAFFIC CONTROL SIGNS, ETC. ALONG THE DEVELOPMENT SITE FRONTS ARE THAT ARE NO LONGER REQUIRED ARE TO BE REMOVED. THE BOULEVARD WITHIN THE PUBLIC RIGHT OF WAY, IN ACCORDANCE WITH CITY STANDARDS AND TO THE SATISFACTION OF THE EXECUTIVE DIRECTOR OF TECHNICAL SERVICES ARE TO BE REINSTATE.
7. PROPOSED ACCESS TO THE RIGHT-OF-WAY FOR THIS PROJECT TO BE DESIGNED IN ACCORDANCE WITH CITY STANDARDS FOR COMBINED CURB AND SIDEWALK VEHICULAR ENTRANCES.
8. NO SPEED BUMPS SHALL BE INSTALLED ON ANY DESIGNATED FIRE ROUTE.
9. ALL EXTERIOR LIGHT FIXTURES TO BE DARK SKY COMPLIANT.
10. THE METHOD OF INSTALLATION FOR THE PROPOSED SERVICE CONNECTIONS WILL BE AT THE DISCRETION OF THE RELEVANT UTILITY COMPANY.
11. EXISTING CONNECTIONS NO LONGER IN USE SHALL BE DISCONNECTED AT THE OWNER'S COST.
12. THE BUILDING'S STORM AND SANITARY SYSTEM MUST BE DESIGNED TO BE ABLE TO OPERATE UNDER MUNICIPAL SURCHARGE CONDITIONS.

GARBAGE / LOADING NOTES

1. WASTE MATERIALS FOR BUILDING 'A' WILL BE COLLECTED FROM AN OUTDOOR DESIGNATED LOADING BAY TO THE EAST OF BUILDING 'A'. A FRONT LOADER GARBAGE TRUCK MAY BE USED. THE RESIDENTIAL SOLID WASTE ROOM WILL ACCOMMODATE GARBAGE, RECYCLING AND ORGANICS FOR THE BUILDING VIA USE OF A TRISORTER.
2. WASTE MATERIALS FOR TOWNHOUSES 'B' WILL BE STORED WITHIN TOWNHOUSE UNITS AND COLLECTED FROM CURBSIDE BY REAR FED GARBAGE TRUCK.
3. WASTE MATERIALS FOR TOWNHOUSES 'C' WILL BE STORED IN DESIGNATED GARBAGE ROOMS IN GARAGE. BINS TO BE TRANSFERRED TO CURBSIDE BY MAINTENANCE STAFF FOR CURBSIDE PICK-UP.
4. A WARNING SYSTEM WILL BE PROVIDED, ALERTING DRIVERS WHEN EXITING THE UNDERGROUND PARKING GARAGE THAT LARGE TRUCKS ARE MANOEUVRING WITHIN THE SERVICE DRIVEWAY - SEE TRANSPORTATION REPORT.
5. ALL ACCESS DRIVEWAYS TO BE USED BY THE GARBAGE COLLECTION VEHICLE WILL HAVE:
 - a) MAXIMUM GRADIENT OF 8%;
 - b) MINIMUM VERTICAL CLEARANCE OF 4.4 METRES THROUGHOUT;
 - c) MINIMUM WIDTH OF 4.5 METRES THROUGHOUT; AND
 - d) 6 METRES WIDE AT POINT OF INGRESS AND EGRESS.
6. NO PARKING SIGNS TO BE PROVIDED AND MAINTAINED ADJACENT TO THE LOADING SPACE.
7. CONSTRUCT ANY LOADING SPACE AND ALL DRIVEWAYS AND PASSAGEWAYS PROVIDING ACCESS THERETO, TO THE REQUIREMENTS OF THE ONTARIO BUILDING CODE, INCLUDING ALLOWANCE FOR MUNICIPAL BULK LIFT AND REAR BIN LOADING WITH IMPACT FACTORS WHERE THEY ARE TO BE BUILT AS SUPPORTED STRUCTURES.

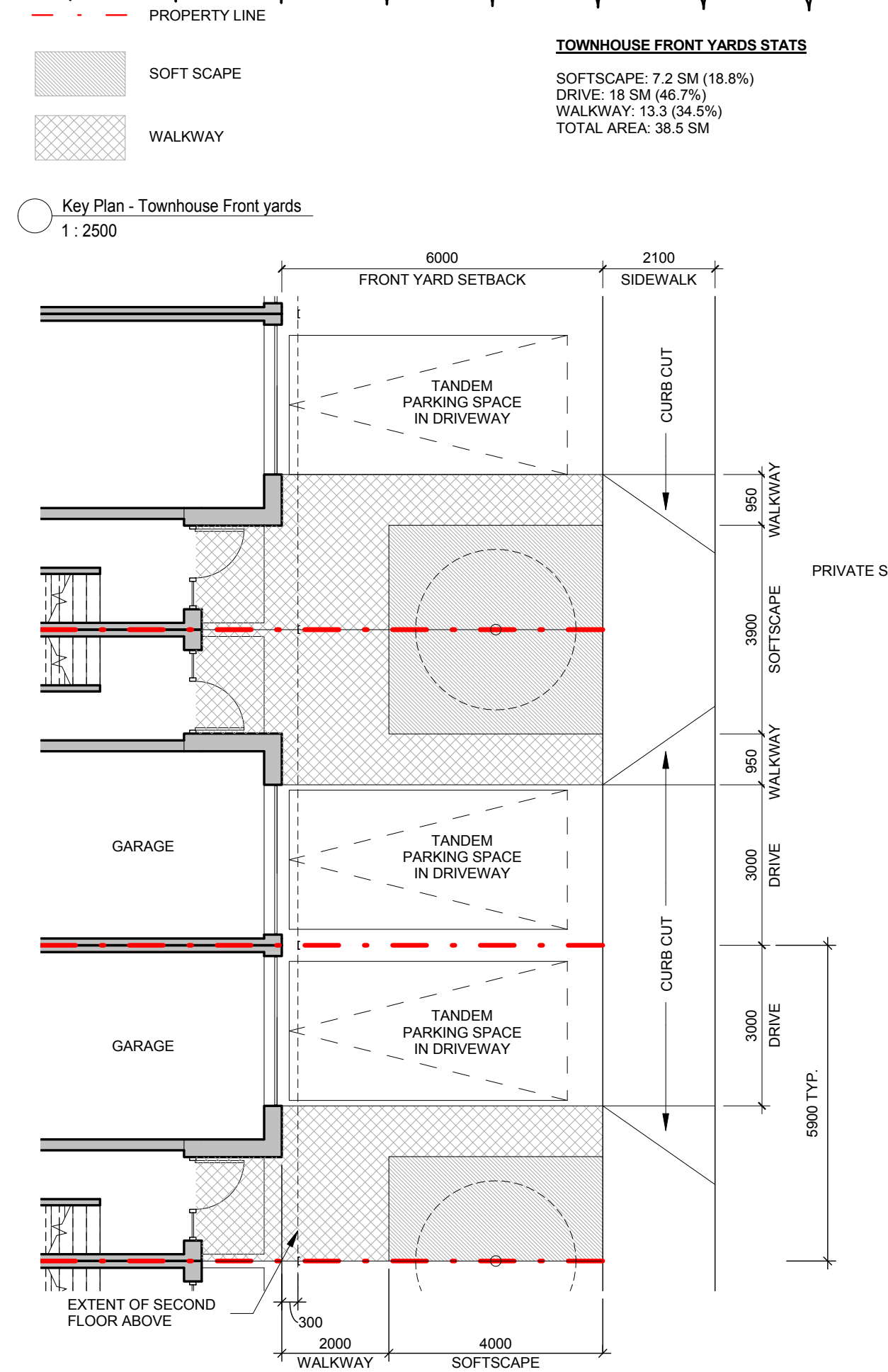
FIRE ACCESS ROUTE NOTES

Street Numbering:
Install municipal street address in plain and legible numbers clearly visible from the street in compliance with St. Catharines By-Law 2001-248

Access Routes for Fire Fighting:
Access routes for fire fighting vehicles shall be provided to every building in conformance with the current Ontario Building Code.
Minimum width 6 m (20 ft)
Minimum centre line radius 12 m
Minimum overhead clearance 5 m
Maximum gradient change 1:12.5 over a minimum of 15 m
Be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions. Provided with turn-around facilities if over 90 m in length. Provided with direct connection to a public thoroughfare
No speed bumps will be installed on a designated Fire Access Route

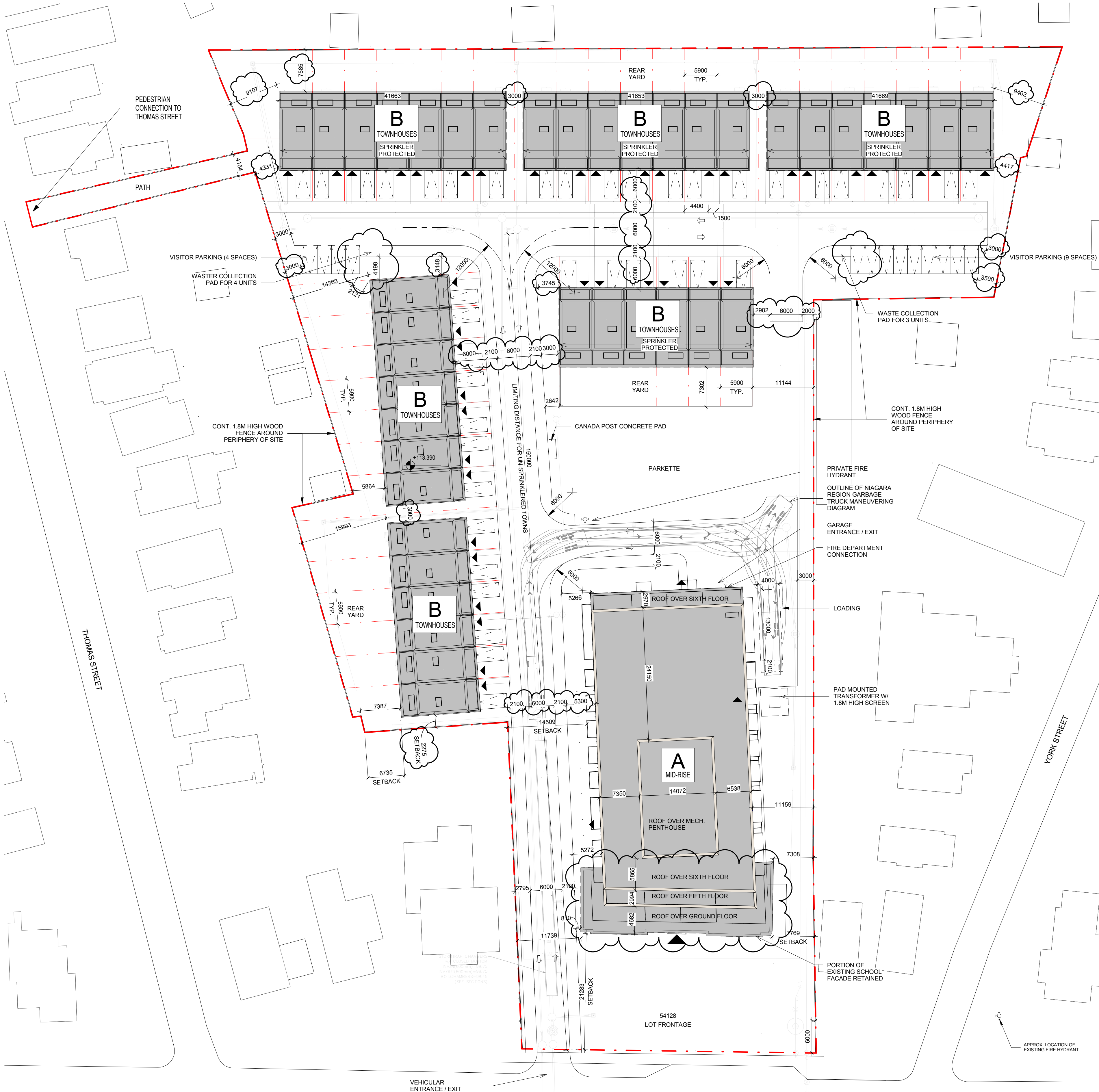
Fire route Signs:
"No Parking" - Fire Route Signs shall be posted along fire access route in conformance with the provision s of By-law 89-304 as amended "A by-law to designate fire roadways as fire routes along which no parking of vehicle shall be permitted". The signs shall be 30 cm in width and 45 cm in length and shall display the information "No Parking" or a symbol in lieu thereof as specified by the Highway Traffic Act and Regulations passed there under and information "Fire Route"
All signs designating a fire route shall be placed, one at each limit of the fire route and at intervals of not less than 15 meters and more than 45 meters along the designated fire route.
Final review and approval to the satisfaction of the St. Catharines Fire Service.

Emergency Fire Department Access:
For all dead end streets greater than 150 meters but less than 500 metres all residential dwelling units shall be sprinklered or an emergency access shall be required.
Buildings 'A' and 'C' will be sprinklered. Townhouses 'B' will not be sprinklered but are accessible by the proposed fire access route.



2 Partial Plan - Townhouse Front Yard TYP
1 : 100

1 Site Plan - Roof
1 : 400



Copyright reserved. This design and drawings are the exclusive property of superkul inc. (the Architect) and cannot be used for any purpose without the written consent of the Architect. This drawing is not to be used for construction until issued for that purpose by the Architect.

Prior to commencement of the Work the Contractor shall verify all drawing dimensions, datums, and levels with the Contract Documents and with the conditions on site; ascertain any discrepancies between the site and the Contract Documents, and bring these items to the attention of the Architect for clarification.

superkul

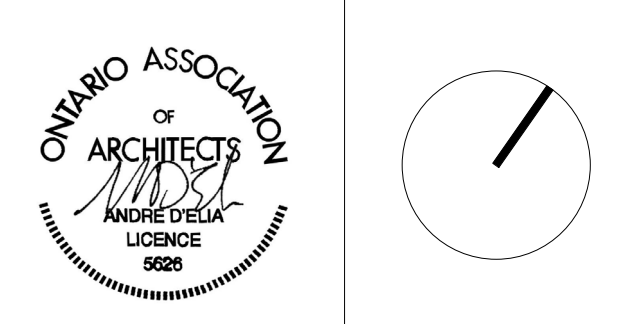
101 - 35 Golden Avenue
Toronto, ON M6R 2J5

t> 416.596.0700
f> 416.533.6986
www.superkul.ca

SITE PLAN LEGEND	
	VEHICULAR TRAFFIC ENTRY
	BUILDING ENTRY / EXIT
	PRINCIPAL ENTRY
	FIRE HYDRANT
	FIRE DEPT. CONNECTION
	MANHOLE COVER
	PARKING SPACE WITH ELECTRIC VEHICLE CHARGING ROUGH-IN
	EXTENT OF BELOW GRADE
	BUILDING ELEMENT ABOVE
	OPEN TO BELOW
	GEODETIC ELEVATION
	EXISTING ELEVATION
	FFE FINISHED FLOOR ELEVATION
	TOP TOP OF PARAPET
	TOR TOP OF ROOF
	TOS TOP OF STRUCTURE
	TOFF TOP OF FINISHED PAVER
	TPZ TREE PROTECTION ZONE
SURVEY INFORMATION TAKEN FROM "TOPOGRAPHIC SURVEY OF PART OF LOTS 2 AND 4 AND PART OF LOT 15 CONCESSION 5 (BEING PART 1 ON PLAN 30R-14021) CITY OF ST. CATHARINES" BY J.D. BARNES LIMITED, DATED OCTOBER 05, 2017.	

5	Sept 27, 2019	For Discussion
4	Jul 19, 2019	ISSUED FOR ZBA
3	Dec 18, 2018	ISSUED FOR ZBA
2	Nov 23, 2018	For Review
1	April 20, 2018	For Discussion

No.	Date	Issue/Revision
-----	------	----------------



17 WELLAND AVE

St. Catharines, Ontario

Title:
Site Plan

Project No.	1712	Scale	As indicated
Drawing No.			

A 050



1 Site Elevation - South
1 : 125

Copyright reserved. This design and drawings are the exclusive property of superkul inc. (the Architect) and cannot be used for any purpose without the written consent of the Architect. This drawing is not to be used for construction until issued for that purpose by the Architect.

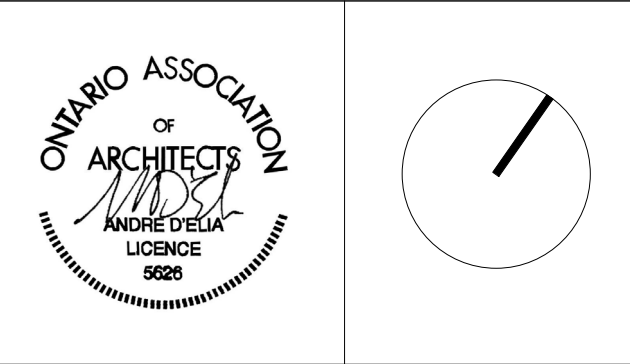
Prior to commencement of the Work the Contractor shall verify all drawing dimensions, datums, and levels with the Contract Documents and with the conditions on site; ascertain any discrepancies between the site and the Contract Documents, and bring these items to the attention of the Architect for clarification.

superkul

101 - 35 Golden Avenue
Toronto, ON M6R 2J5

t> 416.596.0700
f> 416.533.6986
www.superkul.ca

1	Sept 27, 2019	For Discussion
No.	Date	Issue/Revision



17 WELLAND AVE

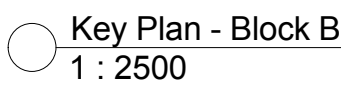
St. Catharines, Ontario

Title:
South Elevation

Project No.	1712	Scale	1 : 125
Drawing No.			

SK 007

101 - 35 Golden Avenue
Toronto, ON M6R 2J5

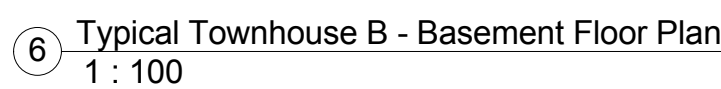
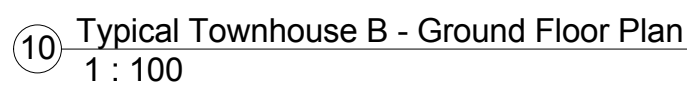
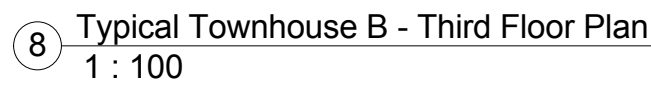
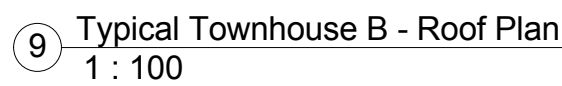
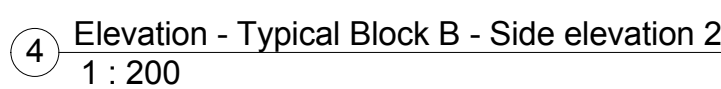


No.	Date	Issue/Revision
-----	------	----------------

St. Catharines, Ontario

Project No. 1712	Scale As indicated
------------------	--------------------

Drawing No.



Herb Tanner
[REDACTED]
St. Catharines, ON
[REDACTED]
[REDACTED]

Feb. 25th, 2019

Dear Ms. Amanda Knutson,

I am strongly opposed to this development in its proposed form. A six storey apartment building is quite out of keeping in our neighbourhood, and I have several questions regarding the current proposal.

First, who will be the developer/builder, and do they have ties to our city? Does your department have a proposed selling price for the townhouses provided by the builder?

Secondly, are the townhouses a mix of single storey and bungalows, if so what is the number of each?

Lastly, my biggest concern revolves around parking. Will there be underground parking for this building? If so, how many vehicles will it hold? If not, how many surface parking spaces will be allotted for residents and their guests?

Parking is of great importance for the neighbouring residents of our area, as on any given evening there are few spaces available. When we are entertaining friends or family, they often must look for a space well down the street. Just as a side note, will Thomas St. still only allow two-hour parking?

To give your office some insight, Adie Place has parking for six vehicles and Louisa St. has parking on both sides. In the evening there are rarely any available spots. In the morning and the evening, a special needs bus usually blocks Adie Place for five to ten minutes, and the street can be barely accessible when snow is an issue. The city recently changed Lowell Ave. to a one-way street, allowing parking only on one side. York St. is well travelled and has one side parking and it too is already challenged to take additional vehicles. I can't speak for the streets on the south side of Welland Ave.

With this in mind, will parking be allowed on both sides of the street? How long will the driveways be for these townhouses, and will it be long enough to park two vehicles?

Will there be garages, if so, will they be single or double width?

This proposed development is going to have a changing influence on our neighbourhood, and I want to consider all relevant facts.

I look forward to your reply.

Respectfully,

Herb Tanner

[REDACTED]
St.Catharines, ON

[REDACTED]
March 18, 2019

Dear Amanda Knutson, Senior Planner, City of St.Catharines,

Re: File #60.35.1046

After attending the Open House, we are writing to express concerns about the development proposal for the 17 Welland Avenue site. They are as follows:

1. We've reviewed the traffic impact report and we are surprised that it does not recognize the very likely negative effects of having 200 additional cars coming in and out of 17 Welland. Welland is already a busy avenue and traffic is frequently backed up to the Ontario Street intersection when the pedestrian crosswalk is activated. This indicates the likely disruption in traffic flow that will be caused by the addition of even more cars, especially as they are coming out of such a narrow space. Additionally, how will traffic patterns be affected by the Hotel Dieu development and also development at the old GM site at the top of Thomas Street? We understand the need for intensification but there also needs to be some limits on how many people and cars can be fit into a small space! Also, we believe that it is unrealistic to expect that many people will regularly ride their bikes or take the bus instead of having a car in this city where you really require a car to get to most places.
2. Related to concern #1 is the potential problem of emergency service access to the property, given the single, quite narrow road that will be created alongside this densely populated development.
3. Also related to traffic, we are concerned about the lack of parking spaces allotted to this development and the impact it will likely have on neighbouring public streets, including ours. It is already difficult to find parking. There are pressures from businesses on Welland and Ontario that use our street for their staff and clients, as well as pressures from residents.
4. We are concerned about the loss of a number of healthy, beautiful trees with the proposed development of the site. We have reviewed the arborist's report. The proposal seeks to only keep five trees that are actually on the developer's property. For some reason the report talks about saving many other trees, but these are trees that are not even on the property. This report seems to be trying to make it seem that many trees are being protected when they are not.
5. With the development of this property we are losing important community green space. We would like to propose that a portion of this space be

- purchased by the city to create a park. The developers have emphasized that there are ample parks in the area, namely Montebello Park and Alex McKenzie Sport Park, but these two parks are actually not sufficient to provide open space for young people – and adults – to enjoy. Alex McKenzie Sport Park is quite small, given that most of it is take up by a baseball diamond that is not accessible to the general public, and Haig Bowl Arena. Montebello is closed for chunks of time in the summer for various events. It is also more of a city park than a neighbourhood park. It is good for small children to play in, and for adults to walk in, but it's just not great for free play, unlike the Memorial school grounds, which have been a great space for playing ball. The Memorial space has been used everyday by people in the community. It has been used for community soccer games. It has been used for pick up baseball. We know that this kind of space is no longer possible for Memorial, but it is important for the city to recognize what we are losing and to consider at least creating a small park in part of this space.
6. It was disappointing that within the developer proposal there was not a shred of outdoor, shared space proposed, either for the public or for people who are purchasing the condos they are building. Like other people at the Open House, we are concerned about the erosion of community that is caused by such dense, privatized housing. On a related note, we were put off by the developer's talk about creating a private road, private yards, private balconies, and a private development in general, while leaning on public services such as our parks and bus services, and benefiting from the vibrant, established, neighbouring community.
 7. The proposal is not in keeping with the current community because it includes what will essential be a seven story building. We are concerned about the effects of such a building on the neighbouring houses in terms of privacy, shadows, and noise.
 8. With many people moving to Niagara in their retirement, having a development that depends on three story townhouses seems irresponsible. Instead, a development of senior-friendly bungalows and apartments seems better suited for this site (with a park too!).
 9. Finally, we are curious as to why there is no inclusion of subsidized housing as part of this project.

Overall, it feels like this development proposal is trying to cram as many people as possible into a small area without full consideration of the impact on traffic, green space, and the community. It seems to be emerging from a vision that does not fit well with the established community, or local needs. The current proposal requires that the developers get special permission from the city to change the variances in terms of building height, reduced landscape buffer widths, and reduced set-backs. We would prefer that these changes not be approved and instead the developers reduce the density in this space.

Yours sincerely,

Rebecca Raby
Holly Patterson

Knutson, Amanda

From: stewart demers <[REDACTED]>
Sent: Tuesday, March 5, 2019 8:41 AM
To: Knutson, Amanda
Subject: Open house - Welland Ave

Hello Amanda.

I attended the open house as it relates to the proposed development on Welland Ave (formerly Memorial school site). I did want to provide a few formal comments...some of which were verbalized by others in attendance last night.

1. Potential adverse traffic impacts. There a number of issues included in this as follows:

- A. Significant Increase in traffic flow given the proposed number of units in the development.
 - B. Did the TIA include potential forecasting of traffic with the other developments in the area re: former hotel Dieu site; former GM site.
 - C. Current layout of the pedestrian cross walk - currently making a left turn from Queen Street onto Welland Ave - there is only a stop sign on Queen and the actual intersection is in the middle of the crosswalk. In addition, the proposed drive way entering / exit from the development also falls into the middle of this intersection. There are obvious significant safety concerns as a result.
 - D. Current turning limitations including no left turn onto Thomas from Welland Ave; no left turn onto Queen St from Welland Ave as well as a limited left turn lane onto York St from Welland Ave. Given the increased volume in traffic from the proposed development, have these areas been taken into consideration in the proposed development?
2. Parking concerns - as a resident on Thomas Street I have serious concerns about increased parking pressures on Thomas St. I don't recall the number of parking spaces the proposal includes but has there been any analysis in terms of an average number of vehicles per household in the area? A pure guess on my part is the proposed parking spaces will be deficient in terms of actual vehicles in the proposed site. I know one resident suggested a parking permit system - well I appreciate the suggestion, I do not support that type of remediation step. I would assume there would be a fee to implement that and an annual renewal expense. I am glad the Councillor in attendance said broader parking issues are being reviewed. However with that being said, that definitely needs to be included as part of this process.
3. Size of the site - although the proposal falls within the limits of the number of units per hectare re: 25 - 99 per hectare, I believe the 87 units per is quite significant...it's like trying to stuff a 25lb turkey into a Cornish game

hen roasting pan. Again I know it's within the legal limit but given the concerns outlined in items 1 and 2, it is excessive.

I look forward to participating in future public meetings as the process unfolds.

Thanks for listening.

SD

Get [Outlook for iOS](#)

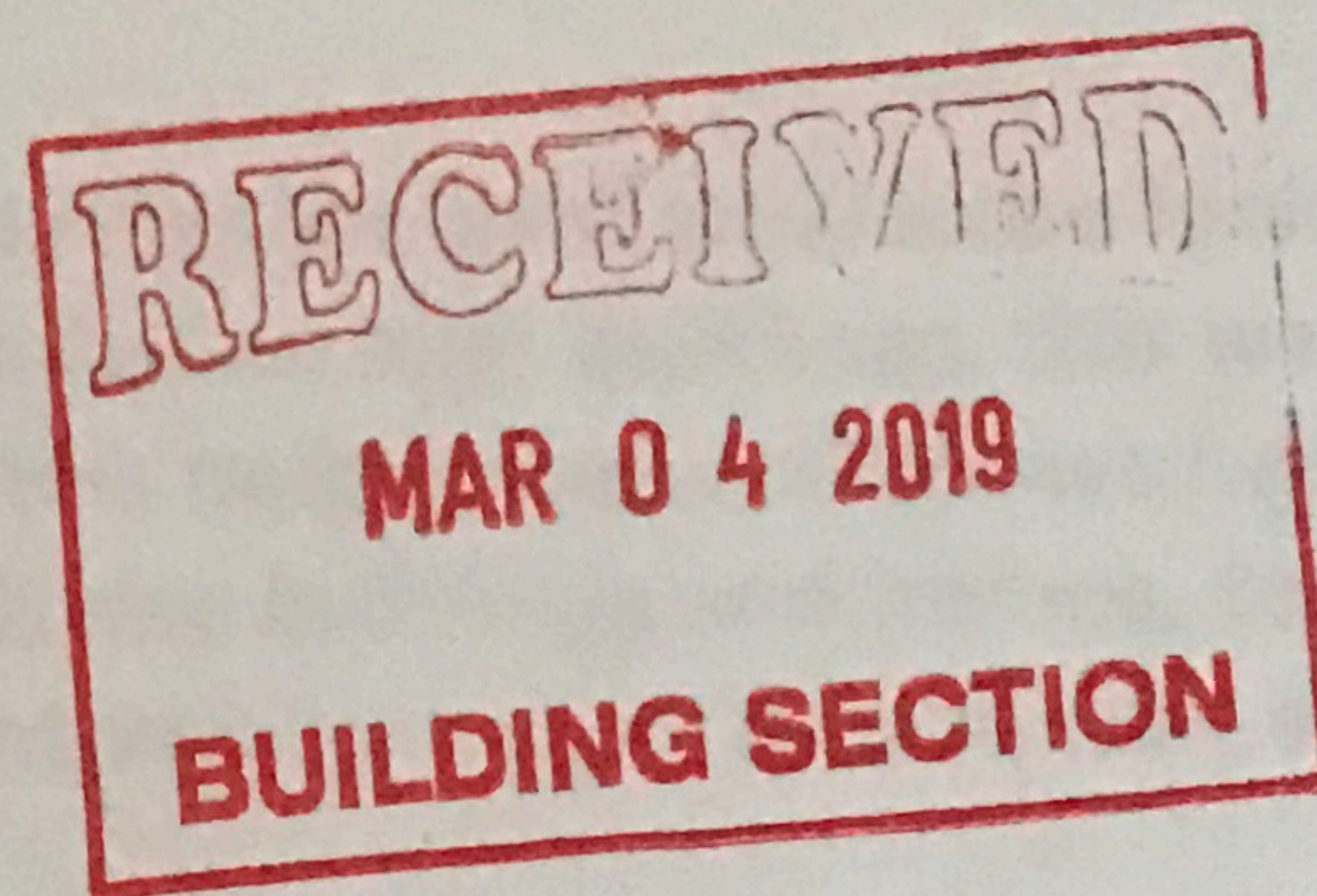
Click [here](#) to report this email as spam.

Council for the Corporation of the City of St. Catharines
50 Church St.
St. Catharines, ON L2R 7C2

March 4 2019

Planning and Building Services

Dear Sir/Madam



I am writing in response to the proposed residential development of 17 Welland Ave. The original meeting was to be on Feb. 27 2019, which I had arranged to take time off work, due to inclement of weather the city rescheduled the meeting for March 4 2019, less than a week from the original date, not allowing the citizens of the area time to reschedule their work schedule. The short time line of the rescheduling the meeting is unfair to people who work and need to arrange the time off from their employer; I would love to have attended the meeting and hear what is being said and the concerns or approvals of others in my neighbourhood, but sadly the city did not take in account that people work evenings and took the ability for me to arrange to take time off from my employer in an appropriate time frame, leaving me only a letter of writing as a way to be involved. This short time line of notice is an unfair practice.

My concerns that I would have liked to hear about are:

- 1) Water: My home and others around me have issues with outdoor water, the drainage in our area is poor. When the new subdivision is built what is being done to prevent water from coming onto our property. Is the grading of the land taking this water issue into account and allow for proper drainage that does not overflow into surrounding properties?
- 2) Traffic: The volume of people who will be moving into the proposed site will have a huge increase on traffic, Welland Ave. and Ontario are already high volume of traffic at peak times, as well as high traffic during events in Montebello Park and Grape and Wine, the risk of accidents will increase and noise and pollution level will rise. Will there be a stop light at York and Welland? What will be done during construction to avoid traffic issues on Welland Ave, Ontario St. and surrounding side streets?
- 3) Trees: Currently there are beautiful old trees that run along fence line on Louisa St., these trees are home to many animals and provide shade and add environmental benefits, are these trees coming down?

- 4) Fencing: Currently there is an old frost fence on the borders of the school property, will this be replaced with a privacy fence? Who will be responsible for the upkeep of the fencing?
- 5) Building Height: A six story apartment building will not be the best view to be looking at. I never wanted to live in an area of being surrounded by high buildings, this was one of the factors when I purchased my home. Living in this neighbourhood allows hard working people to live in a subdivision not full of high rise buildings and homes, to give people a little bit of suburbia living close to the downtown core. Can this be only a three story building or no apartment building at all?
- 6) Volume: To build a tall apartment building and to add 53 townhomes on this plot of land is over kill. That is a lot of people in this space, to cram them in between an already established long standing neighbourhood. I always thought the city was moving towards building up the downtown core, to enhance the area with events , PAC, Meridian Center and so forth, adding this much housing in this space will make living in an already tightly compressed neighbourhood more difficult.
- 7) Noise: The increase in cars and people living their daily lives will take what is a peaceful neighborhood and make it loud. What, if anything, can be done to help reduce noise level?
- 8) Borders: How close to the fence line will these homes be built, No one wants to live in a fishbowl, I want to continue to be able to enjoy my backyard and not feel like everyone can see me or looking down on me from the top floor of their homes, where will my privacy be.
- 9) Height: These homes look to be very tall, similar to what is on Welland/Ontario St. corner. Is the city looking out for people who have already lived and contributed to the area, looking out for what little privacy people can have in their yards. Why build such tall homes in this subdivision, can these home not be built as bungalows so no one is over towering their neighbours. We only get a few precious months out the year to enjoy backyard living, Having this volume of tall homes and people in our backyards will take away from any enjoyment and sense of peace.
- 10) The school yard now gives neighbours a place to play sports with their friends and families, to exercise and train their dogs. There are not many places left in this area where people can go to have fun. The park on Haig St. is for baseball games and events. Montebello Park does not give the ability for what the school yard does.
- 11) Housing: Is this proposed subdivision for low income earners or a mix ?

I love living in my home, and love my neighbourhood. I understand progress has got to be made and that more housing may be needed in St. Catharines. What I do not understand is the amount of housing proposed for this area. You are proposing a whole subdivision! There will be a lot of people moving into an already highly dense area. What if the people who purchase these townhomes do not live in them but use them as rental property and not take pride in ownership; that the proposed complex will just turn into something that will not enhance the downtown core but bring it down. Who will be responsible for the upkeep of the proposed subdivision?

My concerns may seem trivial to some, but I am concerned about how a new subdivision with tall homes and an apartment building will affect my current way of life. Having a rear neighbour is not a problem, its having a whole complex put in that is a problem.

As I am unable to attend the meeting, I would appreciate a response to my concerns and to be notified of ongoing and upcoming meetings regarding the proposed subdivision on Welland Ave.

Thank you

Andrea Andrews

St. Catharines

**Summary of and Response to Public Comments Received
Application for Zoning By-law Amendment – 17 Welland Avenue
File No. 60.35.1046, 19 100066 ZA**

Comment: The proposal appears to be attempting to fit as many units into the development as possible; it is too much for this site.

Response: The proposal for 143 units, which represents a density of 84 units per hectare (reduced from 87 units per hectare following the public open house), is permitted. The existing planning policies applicable to this site would allow up to 168 units on this 1.7 hectare property. The Applicant has demonstrated that the development can accommodate parking, service areas, and amenity areas, including a parkette and playground. A functional servicing report submitted in support of the Application concludes that there is sufficient capacity in the City's sewers to accommodate the development.

Comment: Traffic in the area is already heavy. Among other matters, it is difficult to turn onto Welland Avenue from side streets during the morning and afternoon peak times. This development will exacerbate traffic issues. Did the Traffic Impact Study submitted by the Applicant address other developable lands in the area, such as the former Hotel Dieu Hospital site and the GM site?

Response: There is no development proposal as of yet for the former GM site; a traffic impact study will be required by the future developer of those lands before planning approvals are granted. A traffic impact study was submitted for the first phase of the redevelopment of the former Hotel Dieu site, which proposes one residential building, comprising 148 beds (a mix of long-term care units and retirement-type units). Niagara Region Transportation staff have reviewed and accepted the study. Future phases of the redevelopment will necessitate additional studies.

The Applicant's Traffic Impact Study for this development concludes that traffic in the area is currently operating at acceptable levels. The study does consider future growth in the area and concludes that all traffic movements and intersections within the study area would continue to function at acceptable levels. Region of Niagara staff have reviewed and accepted this study.

Comment: Will there be a new traffic light at York Street and Welland Avenue?

Response: The Applicant's Traffic Impact Study, which has been reviewed and accepted by the Region of Niagara, concludes that no new intersection improvements will be necessary.

Comment: There is not enough parking planned to accommodate the number of units proposed. The City needs to reinstate on-street parking permits for residents of the neighbourhood.

Response: The overall parking provision for this site of 1.37 spaces per unit exceeds the Zoning By-law requirement of 1.25 spaces per unit. A parking ratio of one space per apartment dwelling unit is proposed, with 13 shared visitor spaces provided at grade for use by all residents of the development. On-street parking is available in the neighbourhood. The City's Official Plan supports shared parking facilities and consideration for the reduction of parking requirements where access to transit is readily available. The issue of on-street parking permits for neighbourhood residents is an ongoing matter being considered by Council.

Comment: There is insufficient capacity in local schools to accommodate additional children moving into the neighbourhood.

Response: All local school boards have been circulated this application; none has expressed concern with respect to accommodating increased enrolment that may be generated by this development.

Comment: Welland Avenue experiences drainage problems when it rains. The stormwater management plan for this development must be such that it will not exacerbate stormwater issues.

Response: The Applicant has submitted a functional servicing and stormwater management report, which concludes that there is sufficient capacity in the City's storm sewer system to accommodate this development. Through the site plan approval process, the Applicant will be required to demonstrate how all stormwater flows generated by the development will be contained within the site, without negatively impacting neighbouring homes or the Welland Avenue road allowance.

Comment: How can staff be sure that this is an efficient use of land?

Response: The Applicant proposes a density of 84 units per hectare on underutilized lands that have access to existing municipal services and transit. There is sufficient capacity in the City's sewers to accommodate the number of units proposed. Staff are satisfied that the proposal will result in an efficient use of urban serviced lands.

Comment: The development proposal does not appear to create a sense of place. There is no amenity area or greenspace within the development for residents to enjoy.

Response: The Applicant's concept landscape plan demonstrates that 45% of the site will be dedicated to landscape coverage. Following the open house, a parkette and playground have been incorporated into the site for use by the residents of the development. Townhouses will each have private rear yard amenity areas; apartments will each have patios or balconies.

Comment: How can the new development accommodate the public space that the community is losing? The development does not accommodate new public amenities.

Response: The loss of public access to the greenspace at the rear of the property is not a result of the proposed development, rather it is a result of an accommodation review completed by the District School Board of Niagara, through which process the school was declared surplus and sold to a private developer.

Comment: Public access to the greenspace behind the existing school building should be considered part of the heritage value of the property.

Response: Only the southerly portion of the property (where the existing school building sits) is included in the boundaries of the Queen Street Heritage Conservation District Plan, which was approved by Council circa 1990.

Comment: Montello Park and Alex Mackenzie Park should not be considered sufficient in terms of providing park space for this neighbourhood. Alex Mackenzie park is not accessible to the public. In summer, Montebello Park is closed for long periods of time and does not lend to many activities that people want to use parks for. A portion of the subject property should be severed off for a new City park.

Response: While some space at Alex Mackenzie Park is programmed for baseball leagues, etc., there are other areas within the park, including the playground, that remain regularly accessible by the public. Similarly, while staff recognize that Montebello Park is frequently programmed for Community events, these represent only a small portion of the calendar year. The City's Culture, Recreation and Community Services Department has confirmed that the Parks Policy Plan does not identify any parkland gaps in this neighbourhood.

Comment: The retention of the existing walkway to Thomas Street is appreciated. The development should include more walkways.

Response: The concept site plan submitted provides for sidewalks on both sides of the public road network, connecting the site to the internal parkette, Thomas Street, and Welland Avenue. Staff note that all walkways within the development site will be private.

Comment: Too many trees will be lost as a result of this development.

Response: While there is currently no mechanism or City by-law to prevent the removal of trees from private property, the Applicant will be required to preserve all boundary trees (i.e. trees partially or wholly located on the property boundaries) as a condition of site plan approval. Further, the Applicant will be required to provide new boulevard trees along the private road, as well as landscape buffers in certain areas.

Comment: Will the new housing be affordable? Why is no subsidized housing being provided?

Response: The City does not currently have the implementation tools in place that are necessary to require affordable housing. While the Applicant has not indicated whether the units will meet the Province's definition of affordable, apartment dwelling units and townhouse dwellings are often considered a more affordable housing option than detached dwellings. This development will introduce 143 new units of varying sizes and forms to the City's housing supply. By increasing the inventory of available dwelling units, pressure is exerted in the market for pricing to be more competitive.

Comment: What is the targeted demographic for the development? Will the units be rental or condominium?

Response: Condominium tenure is proposed. There is no specific demographic targeted.

Comment: Is there a need for so much housing in St. Catharines?

Response: St. Catharines is expected to grow by 30,000 people by the year 2041; the City must accommodate this growth through the provision of infill and intensification projects such as this one.

Comment: Three-storey townhouses are not desirable; the development should instead be made of bungalows that are better suited to seniors. The apartment building should be reduced in height to three storeys, or not included at all.

Response: The use of this property for three-storey townhouses and a six-storey apartment building is permitted by the existing Official Plan and Zoning By-law designations. The mid-rise apartment building will provide a more accessible housing option for senior citizens.

Comment: The development will result in a loss of privacy for adjacent residents.

Response: The proposed development substantially complies with the building height and setback requirements of the City's Zoning By-law. Minor reductions in setbacks for townhouses are appropriate, given the affected areas represent pinch points. The provision of substantial landscape buffers and perimeter fencing will both help to mitigate any impacts on privacy.

Comment: The proposed mid-rise building is not sympathetic to the streetscape or neighbouring residents. Is there an opportunity to make changes to the design?

Response: The proposed mid-rise building is set back approximately 26 metres (approximately 85 feet) from Welland Avenue, maintaining the substantial interface that exists today between the building and the public realm/streetscape. The Applicant proposes building step-backs (beyond the first and fifth floors) and façade articulation; the design of the building will be further refined through the heritage permit and site plan

approval processes to ensure compatibility with that portion of the existing heritage building to be retained as well as surrounding properties.

Comment: Why is the developer being allowed to build beyond the minimum building setbacks and maximum height limit prescribed by the Zoning By-law?

Response: The Applicant has demonstrated through its building and site designs that the additional 2.0 metres of building height will have no significant impact on adjacent properties than what would result from the as-of-right permission of 20.0 metres. The proposed interior side yard setbacks for the mid-rise building substantially comply with zoning provisions (being equal to half the height of the building). Through the site plan approval process landscape buffers and 1.8 metre-high fencing will be secured.

Comment: Who will be responsible for damages to adjacent homes caused by construction activities?

Response: Although damage to adjacent structures is not anticipated, the City encourages all developers to conduct a pre-construction survey to document the existing condition of adjacent structures. The pre-construction survey is helpful to both the developer and adjacent homeowners should damage occur.

Comment: Will the Fire Department require a secondary access to the development?

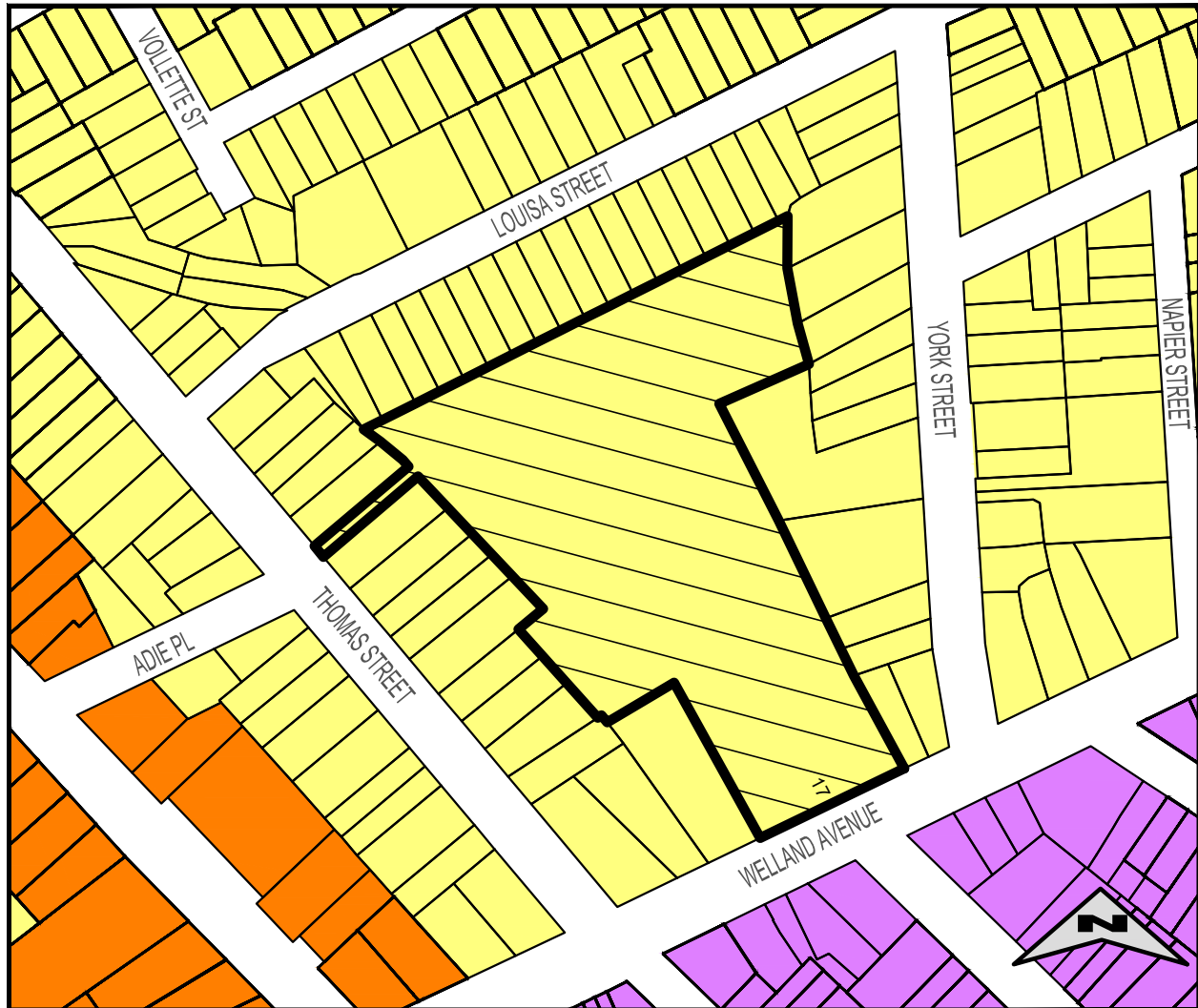
Response: A secondary access is not required. Fire Services will require that any townhouse dwelling unit located beyond 150 metres of Welland Avenue be fitted with a sprinkler system.

Comment: How much weight is given to resident feedback?

Response: All comments received by the public are considered by the Applicant, staff, and Council. Following the open house on March 4, 2019, the Applicant submitted a revised proposal to respond to resident concerns regarding density, amenity space, parking, and other matters.

Existing Land Use Designation

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



Subject Lands

17 Welland Avenue

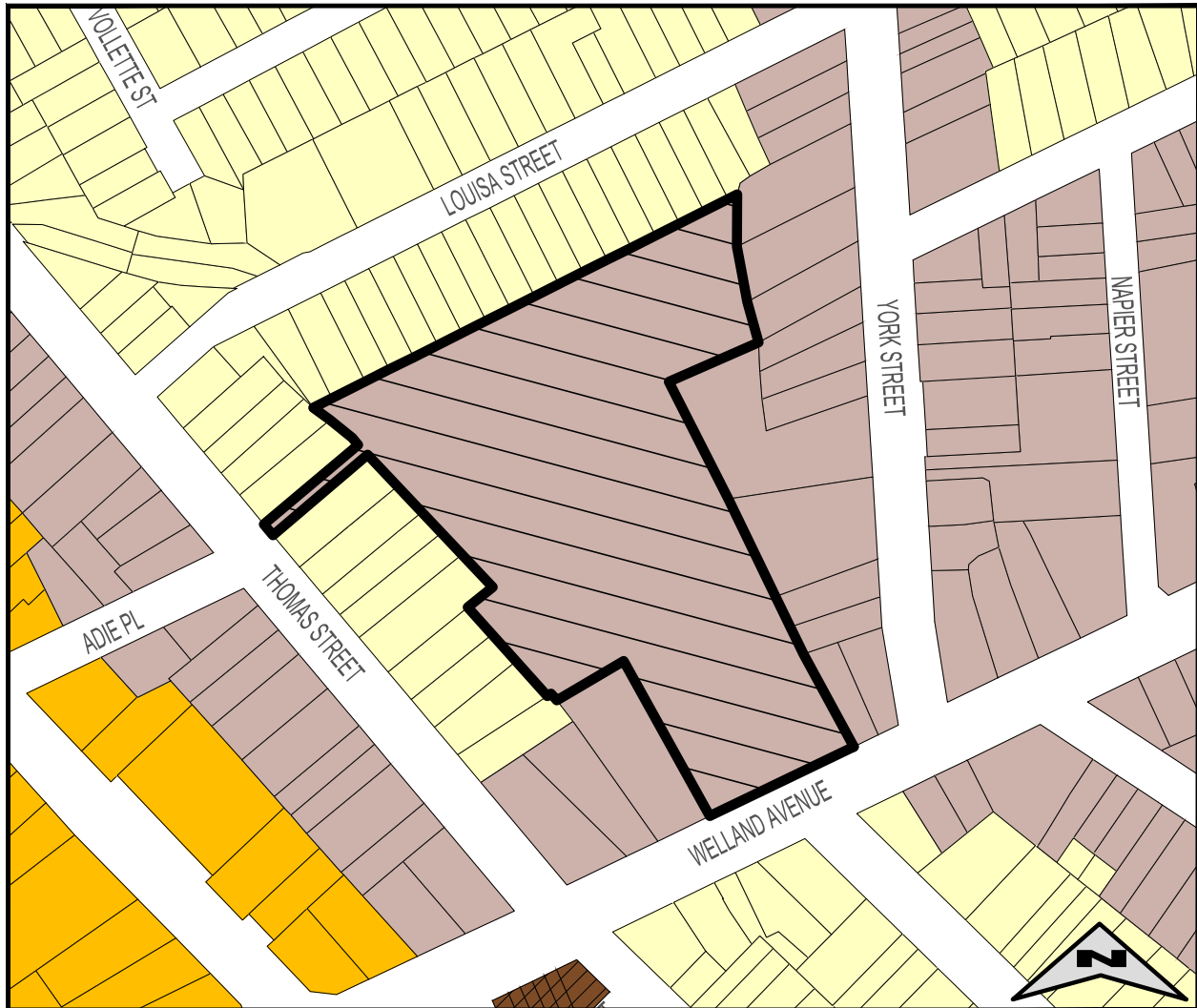
Land Use Designations

- Neighbourhood Residential
- Mixed Use
- Downtown

File:60.35.1046

Existing Land Use Designation

(The Garden City Plan - Central Planning District, Schedule E4)



Subject Lands
17 Welland Avenue

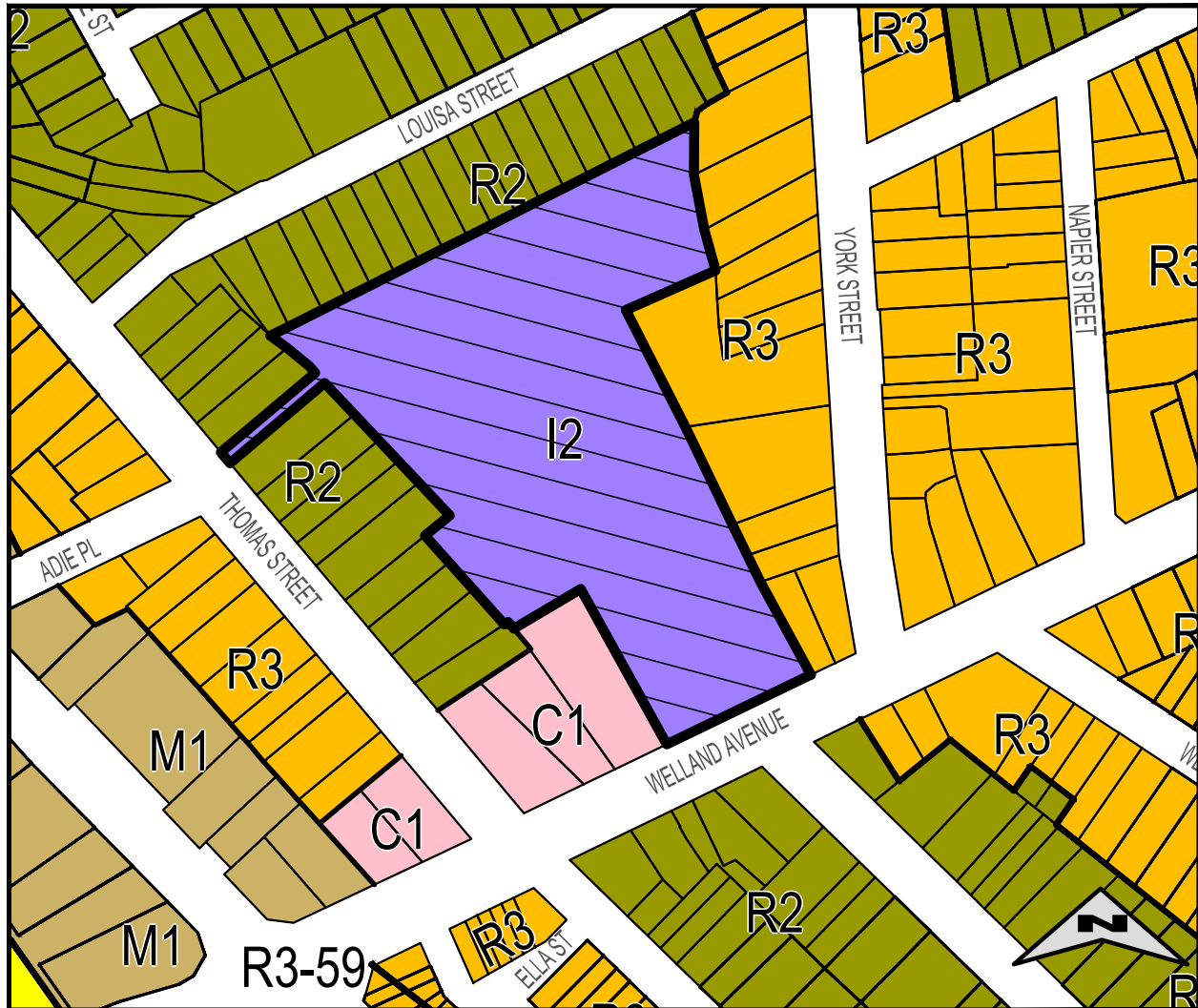
Land Use Designations

- Low Density Residential
- Medium Density Residential
- Medium High Density Residential

File:60.35.1046

Existing Zoning

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



Subject Lands
17 Welland Avenue

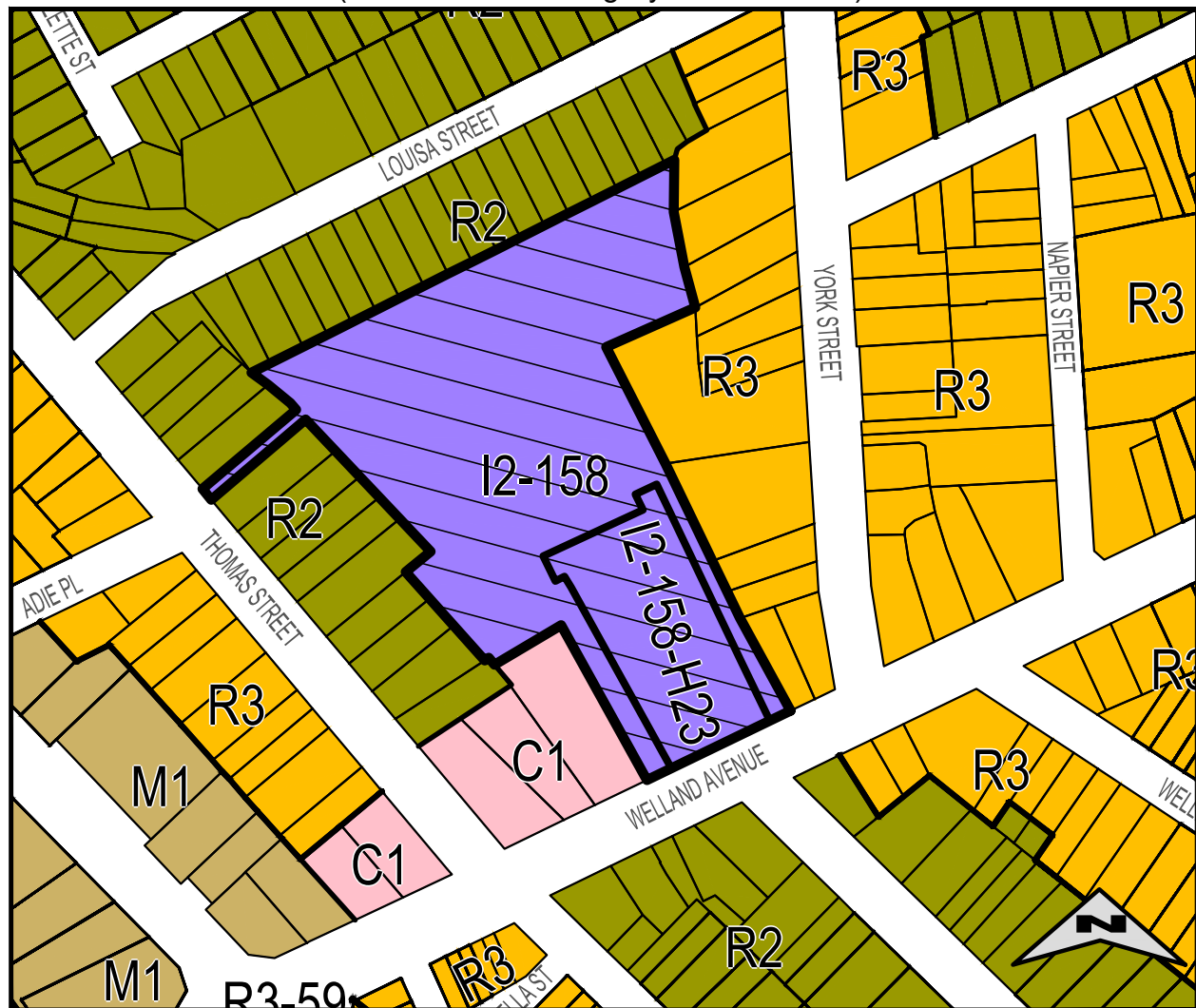
Zones

R3 Medium Density Residential	I2 Community Institutional
R2 Low Density Residential - Traditional Neighbourhood	M1 Medium Density Mixed Use
C1 Local Convenience Commercial	

File:60.35.1046

Proposed Amendment to Zoning By-Law 2013-283

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



Subject Lands

17 Welland Avenue

Zones

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

- I2 Community Institutional
- M1 Medium Density Mixed Use

File:60.35.1046

Staff Recommendation

Application for Zoning By-law Amendment - 17 Welland Avenue

File No. 60.35.1046, 19 100066 ZA

1. THAT Section 15.1, Schedule A (14), Zoning Maps, be amended by changing the zoning of a portion of 17 Welland Avenue, as illustrated in the Schedule attached to this recommendation as Area A, from Community Institutional (I2) to Community Institutional with Special Provision No. 158 and Holding Provision No. 23 (I2-158-H23).
2. THAT Section 15.1, Schedule A (14), Zoning Maps, be amended by changing the zoning of a portion of 17 Welland Avenue, as illustrated in the Schedule attached to this recommendation as Area B, from Community Institutional (I2) to Community Institutional with Special Provision No. 158 (I2-158).
3. THAT Section 13.1, List of Special Provisions, be amended by adding a new Special Provision No. 158, as follows:

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
158	I2	14	39	17 Welland Avenue	2019-
1.	Notwithstanding any other provision of this By-law, should any zoning non-compliance result from the future establishment of a new lot line within the boundaries of the approved site plan for the lands which are subject to this Special Provision, the lands shall be deemed to conform to the Zoning By-law.				
2.	Notwithstanding any other provision of this By-law, the lands that are subject to this Special Provision shall be permitted to develop in phases. Building phases that do not individually comply with the provisions of the				

	Zoning By-law shall be permitted without amendment to the Zoning By-law, if upon full build-out the site would otherwise comply.	
3.	The lot line adjacent to Welland Avenue shall be deemed to be the front lot line.	
4.	<p>Despite the provisions of Section 3.13.1, Landscape Provisions for Parking Areas, for a parking area with more than 20 parking spaces but fewer than 100 parking spaces:</p> <ul style="list-style-type: none"> a) the required 3.0 metre landscape buffer may be reduced in width to 1.8 metres along that portion of the easterly Interior Side Lot Line that is adjacent to the lands municipally known as 11 York Street; and b) the required 3.0 metre landscape buffer may be reduced in width to 0.5 metres along that portion of the westerly Interior Side Lot Line having a bearing of N28°58'30"W and a measurement of 59.939 metres. 	
5.	Minimum Overall Landscaped Open Space shall be 35%.	
6.	For Area A illustrated on Schedule B39 the following provisions shall apply:	
	a)	Despite the provisions of Section 2.7.1, Where Height is Measured, height shall be measured from the geodetic elevation of 103.8 metres above sea level.
	b)	Despite the provisions of Section 2.7.2 a), How Height is Measured, for a Principal Building, height shall be measured from the geodetic elevation of 103.8 metres above sea level to the highest point of the ridge of a pitched roof, or the highest point of the roof surface of a flat roof.
	c)	Despite the provisions of Section 2.10.2, Permitted Encroachments for a Platform Structure (Deck, Porch, Balcony, Patio), a Platform Structure with a height above grade greater than 17.0 metres may encroach 1.5 metres into the required easterly Interior Side Yard.

	d)	Despite the provisions of Section 3.2.1, Parking Location, Residential Uses, required parking associated with an Apartment Building / Long Term Care Facility on Area A shall be permitted on Area B.
	e)	Despite the provisions of Section 3.10.1, a loading space may be located within that portion of the easterly Interior Side Lot Line that is adjacent to the lands municipally known as 7 York Street and 11 York Street.
	f)	Despite the provisions of Section 3.12.1, Required Parking, Residential Uses, the minimum parking requirement for an Apartment Building shall be 1.125 spaces per dwelling unit.
	g)	<p>Despite the provisions of Section 5.5, Provisions for Residential (R3) Zone, the following provisions shall apply to an Apartment Building / Long Term Care Facility on an Arterial Road:</p> <ul style="list-style-type: none"> i) Minimum Front Yard for portion of building: <ul style="list-style-type: none"> - up to 5.0 metres in height shall be 21.0 metres - greater than 5.0 metres in height but not more than 18.6 metres in height shall be 25.9 metres - greater than 18.6 metres in height shall be 28.9 metres ii) Minimum easterly Interior Side Yard for the portion of the building: <ul style="list-style-type: none"> - up to 18.6 metres in height shall be equal to half the height of the building for each corresponding floor of the building - greater than 18.6 metres in height shall be 10.0 metres iii) Maximum Building Height shall be 22 metres. iv) Minimum Landscape Open Space shall be as in Provision No. 5 above.
7.		For Area B illustrated on Schedule B39 the following provisions shall apply:
	a)	Notwithstanding the provisions of Section 5.7, Additional Private Road Developments, the following provisions shall apply:

		<p>i) Minimum Interior Side Yard from End Wall may be reduced from 5.0 metres to the specified setback indicated on Schedule B39 (applies to 3 locations).</p> <p>ii) Minimum Interior Side Yard from Rear Wall may be reduced from 6.0 metres to the specified setback indicated on Schedule B39 (applies to 1 location).</p> <p>iii) Minimum Distance from the Private Road to a Dwelling may be reduced from 3.0 metres to the specified setback indicated on Schedule B39 (applies to 2 locations).</p> <p>iv) Maximum Unit Driveway Width shall be no greater than 50% of the individual unit width or 3.0 metres, whichever is greater. Where driveway widths are greater than 50% of the individual unit width, driveways shall be twinned and, in the case where an odd number of units is provided in one block, all but one of the driveways shall be twinned.</p>
Note: Holding Provision No. H23 also applies to a portion of the subject lands.		

4. THAT Section 14.1, List of Holding Provisions, be amended by adding a new Holding Provision No. H23, as follows:

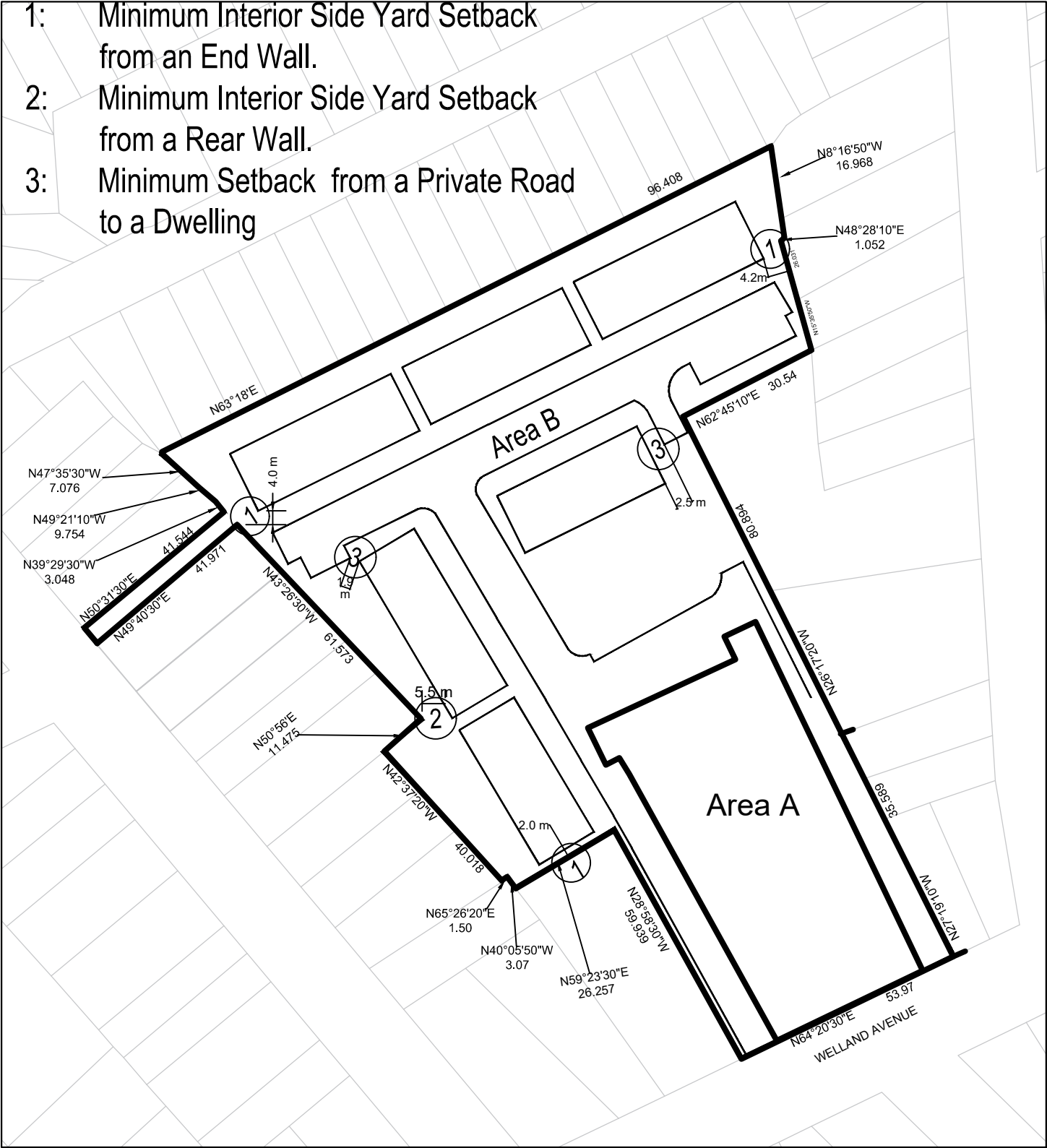
Holding	Schedule A	Location	By-law
H23	14	17 Welland Avenue	2019-
<p>The owner shall obtain a Heritage Permit for any proposal to demolish or partially demolish the existing heritage building (formerly Memorial Public School) located on the lands illustrated as Area A on Schedule B39 of this by-law. As part of the Heritage Permit process, the owner shall submit the following materials for review and acceptance by staff:</p> <p>a) Urban Design Brief detailing compatibility of design with the existing heritage building (e.g., materiality, colour, articulation of the new front</p>			

- façade, etc.) and how the proposed design complies with the Queen Street Heritage Conservation District Study – District Plan;
- b) Documentation and Salvage Report, including an inventory of historic building materials and their potential for salvage and reuse;
 - c) Commemoration Plan elaborating on the reuse of historic construction materials and any educational/commemorative elements, such as plaques, historic photographs, display of scrolls, etc.; and
 - d) Conservation Plan detailing how the cultural heritage resource can be conserved, including descriptions of repairs, stabilization and preservation activities, as well as long term conservation, monitoring and maintenance measures.

5. THAT Section 15.2, Schedule B - Lot Specific Maps for Special Provisions, be amended by inserting an additional lot specific map (B39), as illustrated on Schedule B attached to and forming part of this By-law.

SPECIAL PROVISION	SCHEDULE A	SCHEDULE B	LOCATION	BY-LAW
158	14	39	17 Welland Avenue	

- 1: Minimum Interior Side Yard Setback from an End Wall.
- 2: Minimum Interior Side Yard Setback from a Rear Wall.
- 3: Minimum Setback from a Private Road to a Dwelling



AN ILLUSTRATION SHOWING

Part of Lots 2 and 4, City Plan 73A, Part of Lot 19 Concession 5, Designated as Part 1 on 30R-14021

IN THE CITY OF ST.CATHARINES REGIONAL MUNICIPALITY OF NIAGARA

DISTANCES SHOWN ARE IN METRES
NOT TO SCALE

KEY PLAN

NOT TO SCALE

● SUBJECT LANDS

FILE: 60.35.1046



By-laws to be considered Monday, November 4, 2019

- (a) A By-law to amend By-Law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to parking prohibitions at Leaside Drive. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-law No. 89-304 entitled "A By-law to designate private roadways as fire routes along which no parking of vehicles is permitted." (One reading – with respect to 168 Scott Street. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize a Demolition Agreement with 1032438 Ontario Limited. (One reading – with respect to 10 Nash Street. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to 17 Welland Avenue. To be considered by Council, November 4, 2019.)
- (e) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to removing holding designation from 32 Lincoln Avenue. To be considered by General Committee, November 4, 2019.)
- (f) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to removing holding designation from 5 Emmett Road. To be considered by General Committee, November 4, 2019.)
- (g) A By-law to exempt the condominium description from plan of condominium approval requests of the Planning Act. (One reading – with respect to 45 Simpson Road. To be considered by General Committee, November 4, 2019.)
- (h) A By-law to define the procurement policies and procedures for The Corporation of the City of St. Catharines and to repeal By-law No. 2005-10. (One reading – with respect to updating City's Procurement By-law. To be considered by General Committee, November 4, 2019.)
- (i) A By-law to confirm the proceedings of council at its meeting held on the 4th day of November, 2019. (One reading - with respect to confirming the proceedings of the meeting held on November 4, 2019.)